AN ORDINANCE OF THE CITY OF SOUTH SALT LAKE CITY COUNCIL AMENDING TITLES 17.15 AND 17.47 OF THE SOUTH SALT LAKE CITY MUNICIPAL CODE FOR COMMERCIAL AND RESIDENTIAL LAND USES AND DEFINITIONS

WHEREAS: the City Council is authorized by law to enact ordinances for the protection of the health, safety and welfare; and

WHEREAS: the City is authorized by law to enact ordinances establishing regulations for land use; and

WHEREAS: the City Council finds that certain changes and additions are desirous in order to foster orderly and compatible development and use of land; and

WHEREAS: the City Council finds that these changes are compatible with the City's General Plan; and

WHEREAS: the City Council has received a positive recommendation from the South Salt Lake Planning Commission;

BE IT ORDAINED, Therefore, by the City Council of the City of South Salt Lake that Section 17.15 of the South Salt Lake Municipal Code is adopted as follows:

CHAPTER 17.15 OF THE SOUTH SALT LAKE MUNICIPAL CODE IS TO BE AMENDED AS FOLLOWS:

Title 17.15 – Commercial and Residential Land Uses

Commercial, Business, Office and Industrial Land Uses in the Commercial, Transit Oriented Development, Mixed Use, Business Park, Professional Office, Light Industrial, Historic, Agriculture, Gateway Community Facility, Entertainment and Residential Zones.

17.15.010. Purpose and Applicability

A. Purpose. The Land use matrix and standards are intended to:

1. Allow a mixture of complimentary land uses that may include retail, offices, commercial services, civic uses and industrial uses to create economic and social vitality;
2. Encourage a diversity of businesses to expand and locate to the City;
3. Continue to support the business areas as regional employment centers;
4. Develop districts that encourage walking as an alternative to driving

B. Applicability. Uses permitted under this Chapter shall conform to the development standards provided elsewhere in this Code, and to the application procedures for development as applicable. Uses shall also conform to any overlay district requirements that are applicable. Uses designated as conditional uses shall also comply with the requirements for conditional uses. See Title 17.09.

17.15.020. Permitted Land Use Matrix by District

A. Matrix Explanation. The matrix below lists permitted, conditional, and prohibited uses within South Salt Lake Commercial, Transit Oriented Development, Mixed Use, Business Park, Professional Office, Light Industrial, Historic, Agriculture, Gateway Community Facility, Entertainment and Residential Zones. Residential Uses are found under Title 17.15.040. The letters "P", "C" shall mean "Permitted" and "Conditional." For those uses that have a "Shaded" box means that the use is prohibited within the designated zoning district. All uses not specifically shown as permitted or conditional uses in this matrix are also prohibited. All regulations related to specific uses are not noted here, and any business operated in the City must also comply with relevant licensing ordinances, building, fire, and health codes; and any other applicable regulations and ordinances.

B. Matrix Reference. For those land uses marked with a superscript number ([1]), refer to sub-section D following the table for explanation.

C. Applicability of Other Code Chapters. For each zoning district special regulations may apply. Special regulations will be found under each titled zoning district. Uses permitted under this chapter shall conform to the development standards provided elsewhere in this code and to the application procedures for development as applicable. Uses shall also conform to any overlay district requirements that are applicable. Uses permitted as conditional uses shall also comply with the requirements for conditional uses.

17.15.030. Commercial Land Use Matrix Table of Uses

Land Use Categories	Commercial Corridor	Commercial Neighborhood	Commercial General	TOD and TOD-C	Mixed Use	Business Park	Professional Office	Light Industrial	Historic	Agriculture	Gateway West	Community Facility	Entertainment Overlay	Open Space	R1-6,000	R1- 5000	Residential Multiple	Planned Unit Development
Accessory Structure	P	P	P	P	P	P	P	P	C	P	C	P	C	C	P	P	P	P
Agriculture/Horticulture, Urban or Community	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Alcoholic Beverage Class A License – off premise	P[1]	P[1]	P[1]	P[1]	P[1]			P[1]			C[1]							
Alcoholic Beverage, Class B License – on premise	P[1]	P[1]	P[1]	P[1]	P[1]	C[1]		P[1]			C[1]							
Alcoholic Beverage, Class C Tavern	C[1]			C[1]	C[1]													
Alcoholic Beverage Package Agency	C[1]		C[1]	C[1]	C[1]	C[1]		P[1]										
Alcoholic Beverage State Liquor Store	P		P	C	C	P		P										
All-Terrain Vehicles (ATV), Motorcycle, Wave Runners, Snow Mobile Sales & Service	C[2]	C[2]	P[2]	C[2]	C[2]			P[2]										
Animal Hospital / Veterinary Office (small animal)	C		C	C	C			P			C							
Animal Boarding / Raising (Farm)										P[3]								
Animal, Family Food Production										P[4]								
Animal Kennel / Day Care, Commercial	C[5]		C[5]	C[5]	C[5]			P[5]			C[5]							
Animal / Reptile Rescue										C[6]								
Apiary										P[7]					P[7]	P[7]		P[7]
Aviary										P[8]								
Art Gallery	P	P	P	P	P		C	P	C		C	P	P					
Art Studio	C	C	P	C	C			P	C		P	P	P					
ATM, Kiosk, Vending Machine - Self Service, Interactive, Outdoors	P[9]	P[9]	P[9]	P[9]	P[9]	P[9]	P[9]	P[9]			P[9]	P[9]						
Auction House			C[10]	C[10]				C[10]										
Auto, Light Trucks, RV, Boat and Trailer Dealerships (new and used)-Sales and Service	C[11]		C[11]	C[11]				P[11]										
Auto, Light Trucks, RV Rental and Leasing Agencies	C		C	C				P										
Auto Body Repair			C[12]					P										
Automotive Service and Repair	C[13]		C[13]	C[13]				P[13]										
Automotive Service Station, Non-mechanical	C		P	C		C		P										
Bakery, Commercial			P	C				P										
Bakery, Neighborhood	P	P	P	P	P						P							
Bail Bonds								P[14]			C[14]							
Barber Shop, Beauty Salon	P	P	P	P	P						P							
Blood/ Plasma Donation Centers, Commercial and not Accessory to a Medical Clinic	C																	
Bowling Alley	C	C	C	C	C								C					
Car Wash	C	C	C	C				P										
Church, Religious or Ecclesiastical Building	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Commercial Repair Services	C	C	P	C		C		P										

Land Use Category	Commercial corridor	Commercial Neighborhood	Commercial General	TOD and TOD-C	Mixed Use	Business Park	Professional Office	Light Industrial	Historic	Agriculture	Gateway West	Community Facility	Entertainment Overlay	Open Space	R1-6,000	R1-5,000	Residential Multiple	Planned Unit Development
~~Comprehensive Mental Health, abuse, substance abuse Treatment Center~~				~~C[15]~~	~~C[15]~~													
Convenience Store	P	P	P	P	C			P			C							
Convenience Store with Fuel Pumps	C[15] ~~16~~	C[15] ~~16~~	C[15] ~~16~~	C[15] ~~16~~				C[15] ~~16~~										
Convenience Store and Car Wash	C	C	C	C				P										
Craftsman Industrial		C	C	C				P										
Crematory, Embalming Facility								C										
Cultural Buildings/Uses	P	C	P	P	C				C			P		C				
Dance Studio	P	P	P	P	P				P		P	P						
Day Care, Adult Commercial, non-residential	C[16] ~~17~~		C[16] ~~17~~	C[16] ~~17~~	C[16] ~~17~~													
Day Care, Child Commercial	P	P	P	P	P	C					P							
Day Spa	P	P	P	P	P						P							
Day Treatment Center			C[17]	C[17]			C[17]											
Drive-Up Window (non-food), Banks, ATM's, Dry Cleaners, Pharmacy, etc.	P	C	P	C	C	P	C	P			C							
Distribution Facilities			P	C		P		P										
Dry Cleaning and Laundromat	P	P	P	P	P			P			P							
Education, After School Programs, Adult and Children	C	C	C	C	C		C		C		C	P						
Education, Higher, Public and Private	C	C	C	C	C		C		C		C	P						
Education, Public, Private, Charter or Quasi Public School	C	C	C	C	C		C		C		C	P			C	C	C	
Education, Trade, Vocational, Training	C	C	C	C	C		C	C	C		C	P						
Employment Agency, Temporary	C[18]		C[18]	C[18]				C[18]										
Equestrian Facilities										C								
Equipment Sales, Service, Rental, Heavy Equipment and Farm								P										
Escort / Outcall agencies																		
Farmers Market	C	C	C	C	C				C	C	C	P		C				
Financial Institution	P	P	P	P	P	P	P	P			P							
Fitness, exercise Center	C	C	C	C	C			C	C			C	C					
Food Carts and Trucks, on Private Property			C[19]	C[19]				C[19]										
Food Processing Establishments, Large Scale			C					P										
Food Processing Establishments, Small Scale	C[20]	C[20]	C[20]	C[20]		C[20]		C[20]										
Funeral / Mortuary Home, Stand Alone Building	C	C	C	C				C										
Garage/Yard Sales (residential)										P[21]		P[21]			P[21]	P[21]		

Land Use Category	Commercial Corridor	Commercial Neighborhood	Commercial General	TOD and TOD-C	Mixed Use	Business Park	Professional Office	Light Industrial	Historic	Agriculture	Gateway West	Community Facility	Entertainment Overlay	Open Space	R1-6,000	R1-5,000	Residential Multiple	Planned Unit Development
Golf Course	C											C		C				
Grooming Services	P	P	P	P	P			P			P							
Haunted House												C						
Home Occupation, Category I	P[22]	P[22]	P[22]	P[22]	P[22]		P[22]			P[22]	P[22]				P[22]	P[22]	P[22]	P[22]
Home Occupation, Category II	C[22]	C[22]		C[22]	C[22]		C[22]			C[22]	C[22]				C[22]	C[22]	C[22]	C[22]
Horticulture / Produce Sales	C[23]	C[23]	C[23]	C[23]	C[23]			C[23]	C[23]	C[23]	C[23]	P[23]						
Hospital	C		C	C	C							C						
Hospital, Specialty				C														
Hotel	C	C	C	C	C						C							
Hotel, Residential Lease, Extended Stay																		
Impound and Tow Lot																		
Industry, Light								P										
Jail																		
Juvenile Detention Facility																		
Laboratory, Industrial			P	C		P		P										
Laundry, Industrial								P										
Library	P										P	P						
Maintenance Facilities, Vehicle and Transit								P										
Manufacturing, Fabrication, Assembly, Processing, Packaging,			C	C		C		P										
Manufactured Homes															P	P	P	P
Martial Arts Studio, and training	P[24]	P[24]	P[24]	P[24]	P[24]			P[24]	P[24]		P[24]	P[24]	P[24]					
Massage Therapy	P[25]						C											
Medical, Dental and Health Care Offices, On-site	P	P	P	P	P	P	P	P			P	P						
Medical, dental Research Facilities/Laboratory	P	P	P	P		C	P	P										
Model Home		P		P	P					P	P				P	P	P	P
Mobile Home Park																		
Movie Studio and Sound Stage												C						
Neighborhood Gardens		C		C	C				P	P	C	P		C	C	C	C	C
Non-Depository Institutions, check cashing, title loan, deferred deposit loans																		
Nursery or Greenhouse, Commercial	C	C	C	C				P		P								
Office, General / Professional	P	P	P	P	P	P	P	P	P		P	P						
Outdoor Sales and Display	P[26]	P[26]	P[26]	P[26]	P[26]			P[26]			P[26]							
Park and Ride Facilities				C				C										
Parking, Private, Ground Level, Commercial	C	C	C	C	C	C	C	P					C					

Land Use Category	Commercial Corridor	Commercial Neighborhood	Commercial general	TOD and TOD-C	Mixed Use	Business Park	Professional Office	Light Industrial	Historic	Agriculture	Gateway West	Community Facility	Entertainment	Open Space	R1-6,000	R1- 5,000	Residential Multiple	Planned Unit Development
Parking, Structure/Terrace,	C		C	C	C		C	C			C		C				C	
Parks, Public and Private		P		P	P				P	P	P	P	P	P	P	P	P	P
Pawn Shop	C[27]		C[27]															
Pedestrian Pathways, Trails and Greenways	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Permanent Make-Up not including a Tattoo Shop/Parlor	P	P	P	P	P		P	P			P							
Pharmacy	C	C	C	C	C	C	C	C			C							
Planned Unit Development, Commercial Condominium	P	P	P	P	P	P	P	P			P		P					
Portable Shipping Container, Temporary Storage	P[28]	P[28]	P[28]	P[28]	P[28]	P[28]		P[28]		P[28]	P[28]	P[28]			P[28]	P[28]	P[28]	P[28]
Poultry, Urban										P[29]					P[29]	~~P[29]~~	P[29]	P[29]
Precious Metal Purchase/Recycling			C															
Printing, Copy Stores	P	P	P	P	P	P	P	P			P							
Printing, General				C		C		P										
Protective Housing Facility		C		C	C													
Public/Government Service and Accessory Buildings	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Public Utility Station	C	C	C	C	C	C		P		C		C		C				
Recreation Center	C	C	C	C	C	C		C	C			P	C	C				
Recycling Materials Collection/Drop-Off Facility, Indoor								C										
Rehabilitation and Treatment Facilities	C	C	C	C	C													
Research & Development Facility			P	C	C	P	C	P										
Restaurant, Sit Down	P	P	P	P	P						P	C	P					
Restaurant, Drive-Up Window	P	C	P	C				P					P					
Retail Merchandise, Stores, Accessory	P	P	P	P	P	P		P	C		P	P	P					
Retail or Wholesale Merchandise Stores, General	P	C	P	P	P	P		P			P	C	P					
Retail or Wholesale Merchandise Stores, Neighborhood	P	P	P	P	P	P		P	C		P	C	P					
Secondhand merchandise dealer	P[30]	P[30]		P[30]	P[30]													
Sexually Oriented Business								P[31]										
Slaughterhouses, Animal Rendering, Tanneries, Animal By Products Plant																		
Smoking Parlor/ Lounge, Head Shop or smoking paraphernalia specialty store																		
Solar ~~or Wind~~ Utilities	P[32]	P[32]	P[32]	P[32]	P[32]	P[32]	P[32]	P[32]	P[32]	P[32]	P[32]	P[32]	P[32]	P[32]	P[32]	P[32]	P[32]	P[32]

Land Use Category	Commercial Corridor	Commercial Neighborhood	Commercial General	TOD and TOD-C	Mixed Use	Business Park	Professional Office	Light Industrial	Historic	Agriculture	Gateway West	Community Facility	Entertainment	Open Space	R1-6,000	R1- 5,000	Residential Multiple	Planned Unit Development
Storage, Vehicles, Outdoors including automobile impound lots															P[33]	P[33]	P[33]	P[33]
Storage Facilities, Indoor Climate Controlled Units	C	C	C	C	C	C		P										
Storage Facilities, Warehouse, indoor			P	C				P										
Storage and Equipment Yards, Outside				P[34]				P[34]										
~~Substance Abuse/outpatient Treatment Center~~			~~C[35]~~	~~C35~~			~~C[35]~~											
Tailoring Shop, Commercial	P	P	P	P	P			P			P							
Tattoo Shop / Parlor																		
Temporary Uses, Firework Stands, Christmas Tree Lots, Refreshment Stands,	C[35] ~~36~~	C[35] ~~36~~	C[35] ~~36~~	C[35] ~~36~~														
Tire Service	C	C	C	C				P										
Tobacco, Smoke, cigarette, Specialty Store																		
Transitional Care and Rehabilitation		~~C~~		C[36]	~~C~~													
Theater, Movie	C[37]			C[37]	C[37]						C[37]		C[37]					
Theater, Live Performance	C[38]			C[38]	C[38]						C[38]	C	C[38]	C				
Upholstery Shop	P	P	P	P	P			P										
Zero Lot Line Development	P	C	P	P	P	P		P				C		C				

F. Table Reference Requirements.

1. **Alcohol Beverage Classes.** See Title 5. Class C Taverns are subject to restrictions and regulations through the conditional use permit application process and licensing ordinances as found in Title 17.09. Such facilities may not be located any closer to residential zones than six hundred (600) feet as measured at the closest property lines, except that where State Street intercedes between the tavern use and a residential zone, a reduction in the distance separation may be considered in the conditional use approval process by the designated land use authority.

2. **All-Terrain Vehicles (ATV), Motorcycle, Wave Runners, Snow Mobile Sales & Service.** In all zones except the Light Industrial zone all outdoor storage of vehicles, motorcycles, wave runners and snowmobiles and crates shall be enclosed within a main or accessory building.

3. **Animal Boarding and Raising.** See Title 17.13 for minimum lot area requirements for raising and boarding animals in the Agricultural Residential A1 zone

4. **Animals for Food Production.** See Title 17.13 Agricultural Residential A1 zone

5. **Animal Kennel or Day Care.** See Title 6 Animals

6. **Animal or Reptile Rescue.** All animal or rescue uses are subject to restrictions and regulations through the conditional use permit application process and licensing ordinances as found in Title 17.09. Such facilities may not be located any closer to a residential use than three hundred (300) feet as measured at the closest property lines

7. **Apiary.** See Title 6.08 Animals

8. **Aviary.** See Title 17.13 Agricultural Residential A1 zone

9. **ATM, Kiosk, Vending Machine.** Any ATM, kiosk or vending machine must not interfere with or cause difficulty in the safe movement of pedestrians. Machines must be located next to a main building on the property and located in a manner such that when customers are lined up to use the service they will not have to wait in vehicle drive isles or parking areas. Machines shall not be located in landscaped areas, create a public nuisance or be a hazard to public safety

10. **Auction House.** See Title 5.26 for Business Licensing requirements

11. **Auto, Light Trucks, RV, Boat and Trailer Dealerships (new and used).** See Title 17.06 for specific requirements regarding dealership regulations

12. **Auto Body Repair.** In the Commercial General District the following requirements must be met for auto body repair uses:

    a. All wrecked or inoperable vehicles must be stored within the main or accessory building. Only operable vehicles used by the business, customers and employees vehicles may be parked outdoors
    b. To ensure higher environmental standards an auto body repair use located in the Commercial General zone must use high volume low pressure spray guns in painting operations
    c. Hours of operation for auto body repair uses located within two hundred (200) feet of the boundary of a property located within a residential zone are limited to the hours between 7:00 a.m. to 8:00 p.m.

13. **Auto Service and Repair.** For temporary outside vehicle storage in the Commercial Corridor, Commercial General and Light Industrial districts, all storage facilities shall install an 8-foot solid wall along the frontage of any public street. Facilities shall install, at a minimum, an 8-foot chain link privacy fence along property lines shared with other private property owners. Acceptable construction materials for walls shall be brick, ceramic tile, stone, precast concrete panel, concrete block, or other masonry materials deemed appropriate by the land use authority. All outside vehicle storage areas shall provide hard surface cover for the entire storage and maneuvering areas with concrete or asphalt. Storage sites shall meet the following minimum requirements:

    a. Storage areas are prohibited within the front setback area of any auto service or repair use.
    b. Vehicle parts or accessories must be stored indoors and may not be stored in the vehicle storage areas
    c. Vehicles may not be stored outdoors longer than seventy-two (72) hours
    d. Walls along public rights-of-way may be subject to higher design standards if deemed appropriate by the land use authority. The land use authority may impose increased or enhanced standards of style, height or durability of walls to comply with the goals and objectives of this title by the land use authority.

e. The style, height or durability of walls may be enhanced or increased if deemed necessary to comply with the goals and objectives of this title by the land use authority.
f. Notwithstanding the above requirements, parking areas for customers and employees are not required to be behind a wall.
g. All outside storage facilities shall be located on a properly drained site that is graded to ensure rapid drainage and to ensure that the site remains free from stagnant pools of water.
h. A site drainage and grading plan shall be provided with adequate facilities to dispose of any runoff and any contaminants by a method that is approved by the South Salt Lake Public Works Department.
i. Storage materials may not exceed the height of the eight foot wall
j. All grounds and buildings shall be maintained free of insect and rodent harborage and infestation. Vehicle storage areas shall be maintained free of organic waste, or inappropriately stored flammable materials. Materials that are customary to the business shall be stored in accordance with applicable laws.
k. Stored vehicles shall be stored in a unified organized manner.
l. Storage areas shall not add to the contamination of the soil, alter ground water flow, create additional drainage runoff or alter topography in such a way that create hazards to the proposed site, adjoining properties, or the City.
m. As part of the application for a conditional use permit for an automobile service and repair use, the applicant shall provide the City with a drainage collection and disposal plan for vehicle fluids that complies with all federal, state and local standards.

14. **Bail bonds.** Bail bond uses shall not be located any closer to residential zones than three hundred (300) feet as measured at the closest property lines. Such uses in the Gateway West Overlay District shall be located only along 900 West and at least one hundred fifty (150) feet from the edge of the right or way for 3300 South.

~~**15. Comprehensive Mental Health or Substance Abuse Treatment Center (inpatient and outpatient).** Uses shall not be located within 600 feet of any residential zone, public park or school as measured from the front door of the establishment to the nearest residential zoning boundary or property line of a school or park.~~

15. **Convenience stores with fuel pumps.**

a. The pump islands of the convenience store may be erected in the front yard area provided the pumps are set back not less than twenty-four (24) feet from the right of way any street
b. Hard-surfaced driveways leading to and from a pump island and other properly located service facilities permitted on the property shall be allowed in the front yard area provided that the driveways shall be defined by the construction of a concrete curb on the side adjoining the sidewalk. The area between the curb and the sidewalk shall be landscaped to comply with Title 17.25.
c. A ten (10) foot distance shall be maintained between a driveway and the property line with which it is parallel or approximately parallel.
d. All parking areas on the convenience store lot shall maintain the required landscaped front yard as provided in Title 17.25 and shall be bordered by concrete curbing.

16. **Day Care - Adult.** An adult daycare use shall be a commercial use and shall not include any overnight residential use. ~~The hours of operation of an adult daycare use shall be limited from 6:00 a.m. to 8:00 p.m.~~ See definition for Human Service Programs as found in Title 17.47.

17. **Day Treatment Center.** Such uses shall be for outpatient use only with no inpatient residential use. Subject to restrictions and regulations through the conditional use permit application process and licensing ordinances as found in Title 17.09. Such facilities may not be located any closer to residential zone, park or school than six hundred (600) feet as measured at the closest property. The distance shall be measured from the front door of the establishment to the nearest residential zoning boundary or property line of a school or park. See definition of Human Service Programs under 17.47.

18. **Employment Agency and Temporary Staffing**. ~~Uses are limited to the office functions related to the placement of employees only.~~ Employment and temporary staffing agencies which are limited to office only functions and the placement of employees are considered an office classification. Where temporary staffing and employment agenc~~y~~ies ~~uses~~ involve ~~construction and manufacturing industries, or any other~~ uses where applicants and potential employees are required to come to the business location daily to view job opportunities and/or receive wages, the following additional requirements apply.

    a. Such facilities may not be located any closer to residential zones than three ~~six~~ hundred (~~6~~300) feet as measured at the closest property lines.
    b. An indoor waiting area must be provided for patrons of the service.
    c. The designated land use authority may impose such design conditions, use restraints and other requirements involving parking, landscaping, signage, hours of operation, etc., to mitigate any impacts caused by the service.

19. **Mobile vending carts and trucks on private property.** See Title 17.17

20. **Food Production Establishments, Small Scale.** Such establishments are intended for on-site food preparation with off-premise consumption and sales. However, such uses shall include a minor retail component for on-site sales. Facilities may be shared among various food processors or preparers but facilities are limited in size to 3,000 square feet or less.

21. **Garage and Yard Sales.** See Title ~~5.26~~5.04.030 for Business Licensing regulations

22. **Category 1 and 2 Home Occupation Uses.** See Title 17.07.040 and 17.03 (Definitions)

23. **Horticulture and Produce Sales.** See Title 17.17

24. **Martial Arts Studio.** When tournaments are associated with the martial arts use and the use is promoted as an event open to the general public then the martial arts studio and tournament uses are required to be located within the Entertainment Overlay District.

25. **Massage Therapy.** Uses must meet all State, County and local business and licensing regulations. Massage therapy uses may be allowed as a permitted use in the Commercial Corridor district when the use is associated with or connected to a medical, physical therapy, chiropractor, day spa or similar use as determined by the Community and Economic Development Director.

26. **Outdoor Sales and Display.** Except as specifically approved by the city or as allowed otherwise in this title, in all districts of the City all business of such uses (including the display of merchandise) is to be conducted wholly within a completely enclosed building with the exception of motor vehicle, boat, trailer or camper sales or rental, or the sales of horticulture products which shall meet the requirements as specified elsewhere in this title. The Community Development Director may

approve outside display of merchandise or other outside business activities provided the following minimum standards are met:

a. Any display or activity must not interfere with or cause difficulty in the safe movement of pedestrians.
b. No display or activity shall take place in designated required parking or access areas or create any unsafe or difficult traffic movement.
c. No display or activity shall create a public nuisance or be a hazard to public safety.
d. Nothing herein shall be construed to prohibit otherwise allowed occasional and temporary sidewalk sale events that are in keeping with the intent of this section and the regulations of the city.

27. **Pawn Shop.** Uses are subject to restrictions and regulations through the conditional use permit application process and licensing ordinances as found in Title 17.09. Such facilities may not be located any closer to residential zones than three hundred (300) feet as measured at the closest property lines. The number of pawn shop uses may not exceed one per every six thousand (6,000), or portion thereof, of the population of the city; See also Title 5.48

28. **Temporary Portable Shipping Container.** See Title 17.17

29. **Urban Poultry.** See Title 6.08

30. **Secondhand Dealers.** See Title 5.26 for Business Licensing regulations

31. **Sexually Oriented Business.** A Sexually Oriented Business must comply with the locational requirements as found in Title 5.56

32. **Solar Utilities. See 17.17.020**

33. **Outside Vehicle Storage.** For residential districts, outside vehicles storage shall follow the regulations as found in Title 10.10.

34. **Outside Storage and Equipment Yards.** For temporary outside storage in the Transit Oriented Development Overlay District see Title 17.13.130. For outside storage in the Light Industrial zone, all storage facilities shall install an 8-foot solid wall along the frontage of any public street. Facilities shall install, at a minimum, an 8-foot chain link privacy fence along property lines shared with other private property owners. Acceptable construction materials for walls shall be brick, ceramic tile, stone, precast concrete panel, concrete block, or other masonry materials deemed appropriate by the land use authority. All outside storage facilities shall provide hard surface cover for the entire storage and maneuvering areas with concrete, asphalt or other approved engineered dustless surface. Storage sites shall meet the following minimum requirements:
    a. Walls along public rights-of-way shall be set back from the property line a minimum of seven feet.
    b. Walls along public rights-of-way may be subject to higher design standards if deemed appropriate by the land use authority. The land use authority may impose increased or enhanced standards of style, height or durability of walls to comply with the goals and objectives of this title by the land use authority.
    c. The style, height or durability of walls may be enhanced or increased if deemed necessary to comply with the goals and objectives of this title by the land use authority.
    d. Notwithstanding the above requirements, parking areas for customers and employees are

not required to be behind a wall.

e. All outside storage facilities shall be located on a properly drained site that is graded to ensure rapid drainage and to ensure that the site remains free from stagnant pools of water.
f. A site drainage and grading plan shall be provided with adequate facilities to dispose of any runoff and any contaminants by a method that is approved by the South Salt Lake Public Works Department.
g. All grounds and buildings shall be maintained free of insect and rodent harborage and infestation. Outside automobile storage facilities shall be maintained free of organic waste, or inappropriately stored flammable materials. Materials that are customary to the business shall be stored in accordance with applicable laws.
h. Storage may only exceed the height of the wall or fence when additional setbacks are provided. For every one foot above the allowed height of the wall or fence the applicant shall provide an additional five feet of setback from the property line.
i. If storage exceeds the eight-foot height and is within one hundred fifty feet of a public street, additional screening shall include Two (2") inch caliper trees spaced no more than twenty-five feet apart and maintained with an adequate watering system.
j. Materials shall be stored in a unified and organized manner.
k. Storage areas shall not add to the contamination of the soil, alter ground water flow, create additional drainage runoff or alter topography in such a way that create hazards to the proposed site, adjoining properties, or the City
l. Any area outside of a building used for any activity other than off-street parking and loading shall be completely enclosed within a light-tight visual barrier of a height sufficient to completely screen such activity from the street or from adjoining parcels. Such screening shall meet fencing and design review requirements of the city.

~~**35. Substance/Outpatient Abuse Treatment Center.** Such uses shall be for outpatient use only with no inpatient residential use. Subject to restrictions and regulations through the conditional use permit application process and licensing ordinances as found in Title 17.09. Such facilities may not be located any closer to residential zone, park or school than six hundred (600) feet as measured at the closest property. The distance shall be measured from the front door of the establishment to the nearest residential zoning boundary or property line of a school or park~~

35. **Temporary Uses.** See Title 17.17

36. **Transitional Care and Rehabilitation.** Subject to restrictions and regulations through the conditional use permit application process and licensing ordinances as found in Title 17.09. Such facilities may not be located any closer to residential zone, park or school than six hundred (600) feet as measured at the closest property. The distance shall be measured from the front door of the establishment to the nearest residential zoning boundary or property line of a school or park.

37. **Movie theaters**. Subject to restrictions and regulations through the conditional use permit application process and licensing ordinances as found in Title 17.09. Such facilities may not be located any closer to residential zones than three hundred (300) feet as measured at the closest property lines, except that where State Street intercedes between the theater use and a residential zone, a reduction in the distance separation may be considered in the conditional use approval process by the designated land use authority.

38. **Live Performance Theaters** ~~**Including Concert Venues and Assembly Halls**~~**.** Subject to restrictions and regulations through the conditional use permit application process and licensing ordinances as

found in Title 17.09. Such facilities may not be located any closer to residential zones than three hundred (300) feet as measured at the closest property lines, except that where State Street intercedes between the theater use and a residential zone, a reduction in the distance separation may be considered in the conditional use approval process by the designated land use authority.

17.15.040. Residential Land Use Matrix Table of Uses

Land Use Category	Commercial Corridor	Commercial Neighborhood	Commercial General	Transit Oriented Development	Mixed Use	Business Park	Professional Office	Light Industrial	Historic	Agriculture	Gateway West	Community Facility	Entertainment Overlay	Open Space	R1-6,000	R 1– 5,000	RM	Planned Unit Development	Streetcar
Assisted Living Facility – Limited Capacity (up to 30 units) (must comply with development standards for that zone – i.e., setback, height, bulk, min/max square footage)		C		P	P						C						C		
Assisted Living Facility – Large (31 units or more) (must comply with development standards for that zone – i.e., setback, height, bulk, min/max square footage)	C[1]			P	P						P								
Condominiums, Residential	C[1]	P		P	P		C	C									P		P
Senior Living Facility	C[1]	P		P	P										C[2]	C[2]	P	P	P
Group Homes																	C		
Homeless Shelter			C[3]																
Residential Facility for Elderly Persons and Persons with a Disability (*must comply with development standards for that zone- i.e., setback, height, bulk, min/max square footage*)		C		C	C						C				C	C	C	C	
Live/Work Units	C	C		P	P		C	C			P		P						P
Manufactured Homes					P[4]						P				P[4]	P[4]	P[4]	P[4]	
Multi-Family Complexes Greater than 50 Units	C[1,5]			C[5,6]	C[5,6]												C[5]		C[5]
Nursing Homes and Convalescent Facilities		C		C	C						C						C		
Permanent Supportive Housing			C[3]																
Single Family Residence					P					P	P				P	P	P	P	
Townhomes/Row Homes		C		P	P						P						P	C[7]	P
Transitional Housing Facility (*must comply with development standards for that zone-i.e., setback, height, bulk, min/max square footage*)																	C		

A. Table Reference Requirements.

1. **Mixed Use Development Required for Residential Uses in Commercial Districts.** Residential development in this zone must be a part of a mixed use development, including additional uses described in the Commercial Use Matrix. Commercial/Retail uses shall be on the ground floor of a mixed use building or may be in a separate building if the commercial uses are located along the street frontage.

2. **Single-Family Detached Units.** Residential development in this land use district shall consist of single-family detached units.

3. **Homeless Shelters and Permanent Supportive Housing.** Homeless shelters and permanent supportive housing must be within 0.5 miles, as measured at the closest property lines, of an existing light

rail stop, and at least four of the following community facilities: supermarket or general retail store, laundry or dry cleaner, educational facility, pharmacy, post office, public park, public library, medical clinic, or social services center

4. **Manufactured Homes.** Manufactured homes are permitted in this land use district subject to the design standards described in Title 17.

5. **Rental Residential Development.** Rental residential development in this land use district is subject to the design standards described in Title 17.

6. **Mixed Use Development Required for Residential Uses Along Major Corridors in TOD and Mixed Use Districts.** Residential developments along major corridors in these districts must be a part of a mixed use development, including additional uses described in the Commercial Use Matrix. Commercial/Retail uses shall be on the ground floor of a mixed use building or may be in a separate building if located along the street frontage.

7. **Townhomes in PUDs.** Townhomes are allowable in Planned Unit Developments in accordance with the standards described in Title 15.

CHAPTER 17.47 OF THE SOUTH SALT LAKE MUNICIPAL CODE IS TO BE AMENDED AS FOLLOWS:

17.47 – Definitions

For the purpose of this title certain items and words are defined. Any words not defined in this section shall be construed as defined in the latest adopted building and fire codes of the International Code Council, if defined therein; or as defined in The Latest Illustrated Book of Development Definitions:

"Abandonment" – The giving up or forsaking of any use or control dominions for influence over any personal or real property or claim thereto.

"Accessory use" – A subordinate use customarily incidental to and located upon the same lot, and in the same zoning district, as the primary use or building.

“Accessory Structure” – A subordinate structure detached from but located on the same lot as a principal building. The use of the structure must be accessory and customarily incidental to the use of the principal building. Accessory structures include, but are not limited to garages, sheds, and decks.

"Acreage, Gross" - The total area of the development site, including all rights-of-way.

“ADA” – “The Americans with Disabilities Act”, enacted by the U.S. Congress in 1990, which prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities. The ADA also establishes requirements for telecommunications relay services.

“Administrative Law Judge” – A person appointed by the mayor or his designee to preside over administrative hearings.

"Adult daycare" – Nonresidential care and supervision:

1. In a commercial zone care for three or more adults for at least four but less than twenty-four (24) hours a day;

2. That meets the needs of functionally impaired adults through a comprehensive program that provides a variety of health, social, recreational, and related support services in a protective setting; and

3. If in a residential zone is a conditional use with no more than six people cared for at any one time.

"Adult daycare facility" – A nonresidential facility that furnishes care, supervision and guidance for three or more adults accompanied by a guardian for periods of less than twenty-four (24) hours per day if in a commercial zone and six or fewer persons if in a residential zone.

“Affected Entity” – A county, municipality, local school district, special service district under Utah Code Annotated (UCA) Title 17D, Chapter 1, Special Service District Act, school district, interlocal cooperation entity established under UCA Title 11, Chapter 13, Interlocal Cooperation Act, specified public utility under UCA Title 10, Chapter 9a, Municipal Land Use, Development, and Management Act, a property owners association, or the Utah Department of Transportation, if:

a) The entity’s services of facilities are likely to require expansion or significant modification because of an intended use of land;
b) The entity has filed with the City a copy of the entity’s General or Long-Range Plan; or
c) The entity has filed with the City a request for notice during the same calendar year and before the City provides notice to an affected entity in compliance with a requirement imposed under this chapter.

"Agriculture" – The tilling of the soil, the raising of crops, horticulture and gardening, breeding, grazing and keeping or raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business where more than fifty (50) percent of feed yard food is produced remote from the premises, such as animal feed yards, fur farms, animal hospitals, fruit packing plants or similar uses.

“Agriculture/Horticulture, Urban or Community” – The use of backyards, roof-tops, balconies, , vacant lots, parks, and other open land in and around the City for the growing of food crops within an urban environment by formal or informal community groups or organizations.

“Alcoholic Beverage Classifications” – see Title 5

“Alcoholic Beverage State Liquor Store” – A facility for the sale of package liquor on premises owned or leased by the State of Utah and operated by State employees. This term does not apply to restaurants, private clubs, or package agencies.

“All-Terrain Vehicles (ATV), Motorcycle, Wave Runners, Snow Mobile Sales & Service” – The sale or lease of any motorized off-road vehicle 50 inches or less in overall width, having a dry weight of 800 pounds or less, or other motorized vehicles, similar in size, and not including automobiles, trucks, trailers, etc.

"Alley" – A street or thoroughfare less than twenty-five (25) feet wide.

"Alterations" – As applied to a building or structure, mean a change or rearrangement of parts or in the existing facilities or an enlargement, whether by extending on a side, by increasing the height or the moving from one location or position to another.

“Alterations, Structural” – Any change in the supporting members of a building such as a bearing wall, columns, beams or girders.

“Ancillary Use” – A use conducted on the same lot as the primary use of the structure to which it is related; a use which is clearly incidental to and customarily found in connection with such primary use.

“Animal Boarding / Raising (Farm)” – An operation for customarily raising animals for profit on a farm.

“Animal, Family Food Production” – A farming operation conducted by a person or persons, including a family farm corporation, but is not a corporate farm, and allows family members to both work and reside on the property devoted to agricultural uses. The production, keeping, or maintenance, for sale, lease or personal use, of animals including and not limited to: dairy animals, poultry, livestock, bees and apiary products.

“Animal Hospital / Veterinary Office (small animal)” – An establishment at which small or medium farm animals or household pets are treated or boarded within a completely enclosed building, and the boarding of animals is limited to short term care incidental to the animal hospital/veterinary office use.

“Animal Kennel / Day Care, Commercial” – A facility where three or more pet animals, owned by another person, are temporarily boarded for pay, trade, barter, commission, or remuneration of any sort. This does not apply to zoos or to animal hospitals operated by veterinarians duly licensed by law.

“Animal / Reptile Rescue” – A facility used to house or contain stray, homeless, abandoned, or unwanted animals and/or reptilian and that is owned, operated, or maintained by a public body, an established human society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection, and humane treatment of animals.

"Apartment court" – Any building or group of buildings which contains dwelling units and also satisfies the definition of a motel as defined in this section.

"Apartment hotel" – Any building which contains dwelling units and also satisfies the definition of a hotel as defined in this section.

"Apartment house" – A multiple-family dwelling. See "Dwelling, Multiple-Family" as defined in this section.

“Apiary” – A place where beehives are kept and maintained, where bees are raised primarily for honey.

“Appeal Authority” – A person or designated body of persons, in accordance with Title 17.07.050 of the Municipal Code, for the purpose of hearing appeals from land use authorities to ensure that the actions being appealed were supported on the basis of facts within the public record. "Arcade" – A facility which contains three or more electronic or mechanical game machines.

“Art Gallery” – An establishment engaged in the exhibition and sale of artworks. It does not include the sale of art supplies or other raw materials used in the creation of artwork.

“Art Studio” – A location where artwork is created. Examples include, but are not limited to, painting, clay sculpting and firing, engraving, and metal work. This definition is not intended to include performance art.

"Assisted living facility" – A residential facility, licensed by the state of Utah, with a home-like setting that provides an array of coordinated supportive personal, health care services, aides in daily living, social and recreational services, available twenty-four (24) hours per day, to residents who have been assessed under Utah Department of Health or Department of Human Services regulations to need any of these services. Each resident shall have a service plan based on assessment, which may include:

1. Specified services of intermittent nursing care;
2. Administration of medication; or
3. Support services promoting the resident's independence and self-sufficiency.

An assisted living facility does not include:

1. A residential facility for persons with a disability, or

Adult daycare provided in conjunction with a residential facility for elderly persons or a residential facility for persons with a disability.

“ATM, Kiosk, Vending Machine – Self Service, Interactive, Outdoors” – Any unattended self-service device that performs services upon a required payment or command by the user. Such services include, but are not limited to: banking or financial functions at a location remote from the controlling financial institution; dispensing anything of value including food, beverage, goods, wares, merchandise, or services; or posting of notices or advertisements.

“Auction House” – A structure or area within a building used for the public sale of goods, wares, merchandise, livestock or equipment to the highest bidder.

“Auto Body Repair” – Repair to passenger vehicles, light and medium trucks and other motor vehicles such as motorcycles, boats, and recreational vehicles. This type of repair may include auto body painting. Generally, the customer does not wait at the site while the service or repair is being performed.

“Auto, Light Trucks, RV, Boat and Trailer Dealership (new and used) – Sales and Service” – The use of any building, land area, or other premises or portion thereof, for the display, or sale of new or used automobiles, light trucks, recreational vehicles, boats or trailers and may include any warranty repair work and other repair service conducted as an accessory use.

“Auto, Light Trucks, RV Rental and Leasing Agencies” – A business or establishment engaged in the leasing or renting of automobiles, light trucks, vans, RVs, and motor bikes or scooters, including incidental parking and servicing of vehicles for rent or lease.

“Automotive Service & Repair” - An establishment engaged in the repair or maintenance of motor vehicles, trailers, or recreational vehicles. This does not include auto body work of any type.

“Automotive Service Station, Non-mechanical” - A facility where routine maintenance is performed on passenger vehicles while the customer generally waits on-site while the service is being performed.

“Aviary” – An enclosure specifically constructed to hold live birds in confinement.

“Bail Bonds” – A service that pays a fixed amount by a court in order to obtain the release of a defendant awaiting trial upon criminal charges from the custody of law enforcement officials. A professional bail bond agent executes a document that promises to forfeit the sum of money determined by the court to be commensurate with the gravity of the alleged offense if the defendant fails to return for the trial date.

“Bakery, Commercial” – An establishment where products such as bread, cake, and pastries are baked and/or sold. Typically, on-site retail is not available. The primary purpose of the business is large-scale distribution and wholesale.

“Bakery, Neighborhood” – An establishment where products such as bread, cake, and pastries are baked and/or sold. The retail operation is primarily serving the surrounding neighborhood of its location.

“Balcony” – A covered or uncovered platform usually projecting from a wall or an entrance to a building, sometimes being surrounded by a railing, balustrade, or parapet. A balcony is typically accessible from an upper floor doorway or window.

“Barber Shop/ Beauty Salon” – An establishment providing cosmetic treatment services for men and women. Other variations of this type of business include hair salons.

"Basement" – A story wholly or partly underground. A basement shall be counted as a story for purposes of height measurement if its height is one-half or more above grade.

“Berm” – An earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise, or fulfill other such purposes.

“Best Management Practices (BMPs)” – A practice or combination of practices determined to be the most effective practicable (including technological, economic, and institutional considerations) means of preventing or reducing the amount of pollution to a level compatible with water, soil, and air quality goals.

“Block” - The aggregate of lots, passages, lanes, and alleys bounded on all sides by streets.

“Block Depth” - A block measurement that is the horizontal distance between the front property line on a block face and the front property line of the parallel or approximately parallel block face.

“Block Ends” - The lots located on the end of a block; these lots are often larger than the lots in the interior of the block or those at the opposite end of the block and can be located on a more intense street type. They are typically more suitable for more intensive development, such as multiple family or mixed use development.

“Block Face” - The aggregate of all the building facades on one side of a block.

“Block Length” - A block measurement that is the horizontal distance along the front property lines of the lots comprising the block.

“Blood / Plasma Donation Centers, Commercial and not Accessory to a Medical Clinic” – A walk-in facility where the donation or sale of blood and/or plasma is taken and distributed for use in medical or other similar products. Unlike blood donors, most plasma donors in the United States are paid.

“Buffer” – An open space, landscaped area, fence, wall, berm, or any combination thereof used to physically separate or screen one use or property from another so as to visually shield or block noise, lights, or other nuisances.

“Build-to Zone” – An area of lot designated for placement of a building façade along a street frontage, located parallel to a front or corner property line. The Build-to Zone defines an area in which the locations of building fronts can vary within a specified range.

“Buildable Area” – The area of a lot remaining after the minimum yard, parking, and open space requirements of the zoning ordinance have been met. This area typically should not include wetlands, steep slopes, or easements.

"Building" – Any structure used or intended for supporting or sheltering any use or occupancy.

Building, Front Line of. "Front line of building" – The line of that face of the building nearest the front line of the lot. This face includes sun parlors, bay windows, covered and/or uncovered porches, whether enclosed or unenclosed, but does not include uncovered steps protruding four feet or less into the front yard.

"Building, Temporary" - A building used for the storage of construction materials and equipment incidental and necessary to on-site construction of houses, utilities, or other community facilities, or used temporarily in conjunction with the sale of property within a subdivision under construction.

“Building, Height of” – The vertical distance from the average finished grade to the highest point of the roof.

“Building, Historic” – Any building or structure that is historically or architecturally significant that meets the requirements found is 17.13.180.

“Building, Main or Primary” – A building in which is conducted the principal use of the lot on which it is located.

"Building line" – The line circumscribing the buildable area of a lot. The building line is considered a vertical surface intersecting the ground on such line.

“Building Permit” – A permit issued by the duly designated building official authorizing the erection, construction, reconstruction, restoration, alteration, conversion, or installation of a building or structure, which acknowledges that such use or building complies with the provisions of the municipal zoning ordinance, or an authorized variance therefrom. "Carport" – A private garage open on two or more sides.

“Building Type” - A structure defined by the combination of configuration, form, and function.

"Carport" - A roof structure open on at least two sides and subject to all regulations prescribed in the land use code.

“Car Wash” – A building used for washing and cleaning motor vehicles and other light duty equipment. A Car Wash may include accessory areas designated for vacuuming and preparations.

"Certified local inspector" – A person certified by the office, pursuant to Utah State Code Subsection 62A-2-108.3(1), to conduct an inspection described in Utah State Code Subsection 62A-2-108.3(4).

“Church, Religious or Ecclesiastical Building” – A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose. Related facilities may include the following in any combination: rectory or convent, private school, meeting hall, offices for administration of the religious institution, licensed child daycare, playground.

“City Council” – The legislative body of the South Salt Lake City government. The council is established and regulated by Chapter 2.08 of the Municipal Code.

"Clinic" - a building or potion of a building containing offices and facilities for providing medical, dental, psychiatric, or counseling services for outpatients only.

“Commercial Repair Services” – Establishments primarily engaged in the provision of repair services to individuals, households and/or businesses, but excluding automotive and equipment repair types. Typical uses include the repair of appliances, shoes, watches or jewelry, musical instruments, printers, and cell phones.

"Community correctional facility" – A facility licensed by or contracted by the state of Utah to provide temporary occupancy for a previously incarcerated person(s) which assists such person(s) in making a transition from a correctional institution environment to independent living. Such facility may also provide ancillary, temporary occupancy for individuals placed as part of, or in lieu of confinement, rehabilitation, or treatment in a correctional institution.

"Community Development Director" – The head of the Community Development Department. The position is appointed by the Mayor of South Salt Lake, with advice and consent of the City Council.

~~"Comprehensive Mental Health, Abuse, Substance Abuse Treatment Center"~~
~~(Outpatient) – An operation licensed by the State of Utah as "Day Treatment" for specialized treatment for less than 24 hours a day for four or more persons who are unrelated to the owner or provider and who have emotional, psychological, developmental, physical, or behavioral dysfunctions, impairments, or chemical dependencies. Day treatment is provided in lieu of, or in coordination with, a more restrictive residential or inpatient environment or service.~~
~~(Inpatient) means an operation licensed by the State of Utah as "Residential Support" as a 24-hour group living environment for four or more individuals unrelated to the owner or provider that offers room or board and specialized treatment, rehabilitation or habilitation services for persons with emotional, psychological, developmental, or behavioral dysfunctions, impairments, or chemical dependencies. In residential treatment, individuals are assisted in acquiring the social and behavioral skills necessary for living independently in the community.~~

"Conditional use" – A use of land or structure for which a conditional use permit is required. Conditional Uses are divided into the following classifications:

> "Category I conditional uses" means any conditional uses which are not listed as category II conditional uses.
>
> "Category II conditional uses" means the following uses:
>
> (1) Residential conditional land uses;
>
> (2) Conditional uses that require design review and are within or adjacent to R1-5, R1-6, RM, Mixed or TOD zones, regardless of the size of the development; or
>
> (3) Conditional uses which result in the development of one (1) acre of land or greater, except in the Light Industrial zone.

"Condominium" - a single unit in a multi-unit development or structure which is separately owned which may be combined with an undivided interest in the common areas and facilities of the property.

“Contributory Structure” – A structure that is built within the historic period (50 years or older), retains most of its original appearance without major changes to the structure, eligible of National Register for architectural significance, and is deemed as contributing to the Historic and Landmark District by the Historic and Landmark Commission.

“Convenience Store” – A retail establishment selling primarily food products, small household items, newspapers, magazines, candy, beverages, and a limited amount of freshly prepared foods such as sandwiches and salads for off-premises consumption.

“Convenience Store and Car Wash” – A convenience store with an accessory car wash service located on the premises.

“Convenience Store with Fuel Pumps” – A convenience store that also includes the sale of primarily petroleum products and vehicle related products and services.

“Continuous Occupancy” – The status of a nonconforming use, structure, or other nonconformity wherein the nonconformity has not been abandoned or vacated for a period longer than twelve (12) consecutive months.

"Correctional facility" – A public or private prison, jail, adult detention facility, juvenile detention facility, or juvenile secure facility.

"Court" – A space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls of a building.

“Courtyard” - An outdoor area enclosed by a building on at least two sides and is open to the sky.

"Coverage" – That percentage of the plot or lot area covered by the building area. This term can also be referred to as “building coverage.”

“Coverage, Impervious Site” - The percentage of a lot developed with principal or accessory structures and impervious surfaces, such as driveways, sidewalks, and patios.

“Crime Prevention Through Environmental Design (CPTED)” – Guiding design principles for creating safer built environments, incorporating natural surveillance, access control, territorial reinforcement, sense of ownership, management and maintenance.

“Craftsman Industrial” – A use wherein an individual having creative skills in manufacturing, or the arrangement of materials resulting in a finished product or commodity, such as home decorations, furniture, toys, leather goods, and other similar products. The manufacturing and production takes place in an industrial or commercial building and may include accessory retail.

“Crematory, Embalming Facility” – A building containing properly installed, certified apparatus intended for cremation and/or embalming of the dead but not including facilities for burial, internment, body viewing, or funeral services.

“Critical Root Zone” - Also referred to as drip line. The area of soil and roots within the radius beneath the tree’s canopy, within the drip line, or within a circular area of soil and roots with a radius out from the trunk a distance of 1.5 feet for every inch of the tree’s width (measured at 4.5 feet above the mean grade of the tree’s trunk, noted as diameter breast height or DBH throughout this code).

“Cultural Buildings/Uses” - Public or private establishments that document the social and religious structures and intellectual and artistic manifestations that serve and characterize a community and may include libraries, museums, art galleries, botanical and zoological gardens, and/or social events for natural, historic, educational, or cultural interest.

“Dance/Night Club” – An establishment intended primarily for dancing and entertainment within an enclosed dance floor space, using either live or electronically produced music, either open to the public or operated as a private club open to members only.

“Dance Studio” – An establishment for the instruction of the art of dance including, but not limited to, ballet, ballroom, jazz, tap, and modern. The standards applicable to the operation of such a facility are dependent upon the physical location of the school. If within a home, they must comply with the provisions of the Home Occupation Ordinance requirements; otherwise, they must comply with the requirements of the underlying zone.

“Day Care, Adult Commercial, non-residential” (See “Adult Day Care”)

“Day Care, Child Commercial” – A commercial establishment that provides care, supervision, and protection of children for less than 24 hours by individuals other than parents, guardians, or relatives by blood, marriage or adoption. The Day Care is located within a commercial zoning district.

“Day Spa” – A place or building that provides facials, relaxation amenities, exercise, and related activities with or without such equipment or apparatus. Subsequent services may include hair salons, make-up consultation and application, manicure and pedicure services, and massage therapy. A day spa includes a variety of such uses and is not limited to just one use.

“Deck” – An aboveground platform, attached to, and projecting from the wall of a building, that is supported by pillars or posts.

“Dedication” - The intentional appropriation of land by the owner to the City for public use and/or ownership.

“De minimis discharge of hazardous materials” – An incidental and insignificant discharge of a regulated hazardous material that does not pose a hazard to human health and the environment and that does not require secondary containment or other remediation. An example of a de minimis discharge is a minor and temporary fluid leak from a licensed and operable automobile. This definition shall not be construed to apply to persistent, bio

accumulative and toxic chemicals as designated by the United States Environmental Protection Agency.

“Degree of Nonconformity” – The extent which the nonconforming feature/element of a structure extends beyond that point which constitutes the greatest pre-existing encroachment.

"Density" - The number of dwelling units per acre of land.

"Depository Institution" - A bank, savings and loan association, savings bank, industrial bank, credit union, or other institution that:

1. Holds or receives deposits, savings, or share accounts;

2. Issues certificates of deposit; or

3. Provides to its customers other depository accounts that are subject to withdrawal by checks, drafts, or other instruments or by electronic means to effect third party payments.

“Design Guidelines”- A set of guidelines that provide direction and preferred practices regarding the architectural appearance and design of a building and its site.

“Design Standards” – A set of defined parameters regarding the architectural appearance and design of a building and its site that govern the alteration, construction, demolition, or relocation of a building, or improvement.

“Detention Area” – A facility designed for the temporary storage of storm water runoff and to gradually release the storm water at a sufficiently slow rate to avert flooding.

"Development Review Meeting" - A pre-development meeting held by the Community Development Department and attended by the developer and departments involved in the plan review process.

“Development Site” – One or more parcels of land occupied or capable of being occupied by a building or group of buildings including accessory structure(s) and accessory use(s), together with such yards or open spaces, and setback areas as are required by this code and having frontage upon a street.

“Distribution Facilities” – A location where goods are received and/or stored for delivery to remote locations.

“Drive Aisle” – An area within a parking facility intended to provide ingress and egress to parking stalls.

"Drive-up Window" - A building opening, including windows, doors, or mechanical devices, through which occupants of a motor vehicle receive or obtain a product or service.

“Duplex” – A building designed as a single structure, containing two separate living units under one ownership, each of which is designed to be occupied as a separate permanent residence for one family, or no more than four unrelated persons.

“Dry Cleaning and Laundromat” – An establishment or business which launders or dry cleans articles dropped off on the premises directly by the customer or where articles are dropped off, sorted, and picked up but where laundering or cleaning may be done elsewhere.

“Driveway” – An unobstructed paved area providing access to an appropriate vehicle parking, loading, or maneuvering facility.

“Drive Aisle”- A vehicular lane designated between or along rows of parking stalls in a parking lot. The aisle is intended to direct vehicular traffic through a parking lot to and from a designated parking stall.

“Drive-Up Window (non-food, Banks, ATMs, Dry Cleaners, Pharmacy, etc.)” – A building opening , including windows, doors, or mechanical devices, through which occupants of a motor vehicle receive or obtain a product or service, not pertaining to food production or delivery.

"Dwelling" – Any building or portion thereof which is designed for use as residential purposes, except hotels, mobile homes, motels and apartment complexes that has been approved for residential use by the City’s Building Official.

"Dwelling Unit" – One or more rooms in a dwelling, apartment hotel or apartment motel, designed for or occupied by one family, or four (4) unrelated adults, for living or sleeping purposes.

"Dwelling, Single Family Detached" - A building containing one dwelling unit occupied by one family (See definition of “Family”), or four (4) unrelated adults and that is not attached to any other dwelling by any means and is surrounded by open space or yards.

"Dwelling, Town House" - A one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common walls.

“Dwelling, Multi-Family” – A building containing three or more independent and individual dwelling units, including units that are located one over another.

“Easement” – Authorization by a property owner granting the use of land by the public, a corporation, or persons for a specified purpose.

“Easement, Utility” – The right-of-way acquired by a utility or governmental agency to locate utilities, including all types of pipelines, telephone and electric cables, and towers.

“Eave” - The edge of a pitched roof; it typically overhangs beyond the side of a building.

“Education, After School Programs, Adult & Children” – Development programs that occur during or beyond the school day, includes before or after school hours or on holidays and weekends. Such programs offer a wide range of learning and enrichment activities that promote the physical, emotional, cognitive and social development of children, youth, and/or adults. For the purposes of this definition, a Preschool is included as a type of this educational program.

“Education, Higher, Public & Private” – An institution for higher learning, beyond high school, that grants associate or bachelor degrees and may also have research facilities and/or professional schools that grant master and doctoral degrees. This may also include community colleges that grant associate or bachelor degrees or certificates of completion in business or technical fields.

“Education, Public, Private, Charter or Quasi Public School” – A public school established by a contract with a district governing board, the state board of education or the state board for charter schools pursuant to Utah State Law to provide learning that will improve pupil achievement.

“Education, Trade, Vocational, & Training” – A secondary or higher education facility primarily teaching usable skills that prepare students for jobs in a trade and meeting the state requirements as a vocational facility. “Employment Agency, Temporary Staffing” – A commercial organization that finds jobs for people or people for jobs. This type of use is regulated in Section 17.15.030 of the Municipal Code.

“Entrance Type” - The permitted treatment types of the ground floor Facade of a Building Type.

“Equestrian Facilities” – Commercial horse, donkey, and mule facilities including horse ranches, boarding stables, riding schools and academies, horse exhibition facilities, and park stations. This land use includes barns, stables, corrals, and paddocks accessory and incidental to the above issues.

“Equipment Sales, Service, Rental, Heavy Equipment and Farm” – An establishment primarily engaged in the sale or rental of tools, trucks, tractors, construction equipment, agricultural implements, and similar industrial equipment. Included in this use type is the incidental storage, maintenance, and servicing of such equipment.

“Escort / Outcall Agencies” – Any person who, for pecuniary compensation, dates, socializes, visits, consorts with or accompanies or offers to date, consort, socialize, visit or accompany another or others to or about social affairs, entertainment or places of amusement, or within any place of a public or private resort or any business or commercial establishment or any private quarters. Escort shall not be construed to include persons who provide business or personal services such as licensed private nurses, aides for the elderly or handicapped, social secretaries, or similar service personnel whose relationship with their patron is characterized by a bona fide contractual relationship having a duration of more than twelve hours and who provides a service not principally characterized as dating or socializing. Escort shall also not be

construed to include persons providing services such as singing telegrams, birthday greetings, or similar activities characterized by appearances in a public place contracted by a party other than the person for whom the service is being performed and of a duration not longer than one hour. Escorts may be commissioned or hired, for profit, by a business known as an “Outcall Agency” or “Escort Bureau” that arrange for escorts to accompany other persons for social engagements.

“Excavating” – The process of altering the natural (grade) elevation by cutting or filling the earth, or any activity by which soil or rock is cut, dug, quarried, uncovered, removed, displaced, or relocated.

“Expression Line” - An architectural feature. A decorative, three dimensional, linear element, horizontal or vertical, protruding or indented at least two inches from the exterior facade or a building typically utilized to delineate floors or stories of a building.

“Façade” – That portion of any exterior elevation on the building extending from grade to top of the parapet, wall, or eaves and the entire width of the building elevation.

“Façade, Primary” – The façade facing the street from which the building derives its street address.

“Face of a Building” – See “Façade”.

"Family" means one person living alone or two or more persons related by blood, marriage or adoption, according to the laws of the state of Utah; or a group not to exceed four unrelated persons living together as a single housekeeping unit for which a lawfully located off-street parking space is provided for each such person, such group to be distinguished from a group occupying a boarding house, lodging house, club, fraternity or hotel.

“Farmers Market” – The sale of fresh agricultural products directly to the consumer at an open air market designated as a community activity.

"Fence" – An artificially constructed barrier with the purpose or intent to enclose, screen, or separate areas.

“Final Grading” – The last stage of grading a soil or gravel material prior to landscaping, the installation of concrete or bituminous paving, or other required final surfacing material.

“Financial Institution” – The provision of financial and banking services to consumers or clients. Examples include a bank, savings and loan, credit union, or mortgage office. This definition does not include check cashing, title loans, payday loans, pawn shops, or precious metal recycling.

“Fitness, Exercise Center” – An establishment providing space for aerobic exercises, running and jogging, exercise equipment, game courts, swimming facilities, martial arts classes/instruction, saunas, showers, massage rooms, and lockers.

"Floor area" – The sum of the gross horizontal areas of the several floors of the building or buildings, measured from the exterior faces of exterior walls. This term is also referred to as "Gross Floor Area".

"Food Carts and Trucks, on Private Property" – The vending of food or beverages from a movable cart-type stand or vehicle which is located on the same lot as an essential or primary permitted use in a zoning district that allows for such operation.

"Food Processing Establishment, Large Scale," – An establishment in which food is processed or other-wise prepared for eventual human consumption. Such facilities exceed three thousand (3,000) square feet in size. Food may be consumed on-site and for retail sales. Such use does not include a commercial bakery as defined elsewhere in this chapter. Commissary kitchens are included in this definition.

"Food Processing Establishment, Small Scale" – An establishment in which food is processed or other-wise prepared for eventual human consumption. Food may be be consumed on-site and shall include retail sales. Such facilities are three thousand (3,000) square feet or less in size.

"Foster home" means a temporary residential living environment for the care of:

1. Four or fewer foster children in the home of a licensed or certified foster parent; or
2. Four or more children in the home of a licensed or certified foster parent if the children are siblings.

"Frontage" – All property fronting on one side of the street between intercepting streets, or between a street and a right-of-way, end of dead-end street or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts. This term is also referred to as "Street Frontage".

"Funeral / Mortuary Home, Stand-Alone Building" – An establishment for the storage of human bodies prior to autopsy, burial, cremation, or release to survivors. Other services may include the arrangement and management of funerals, and may include limited caretaker facilities. Such establishments are located in a building in which space is not shared with differing commercial tenants, such as a strip mall type building, and do not share a common wall.

"Garage, Attached" – A building or structure, or part thereof, used or designed to be used for the parking and storage of vehicles. The garage shares a common wall with the primary structure on the same lot, and its use is subordinate to the primary use. Where the garage is attached to a dwelling in this manner, it shall be considered a part of the dwelling and shall be subject to all yard requirements of the main building.

"Garage, Detached" – A detached structure which is accessory to a primary building and use on the same lot and to which there is legal vehicular access from a public right-of-way, used and designed for the parking and storage of vehicles.

“Garage, Front Loading” - A building structure that is used for parking which is designed for access from a street which is either attached or detached to the front, side or rear of the dwelling but meets the requirements as found in 17.21.

“Garage, Rear Loading” – A building structure that is used for parking which is designed for access from a private street, alley, or driveway, that is either attached or detached, to the rear of the dwelling.

“Garage / Yard Sales (Residential)” – The general sale of miscellaneous items that is open to the public and conducted on premises within a residential district. The sale is for tangible personal property and is advertised to the public at large. Sales are allowed as per Section 5.04.030 of the Municipal Code.

“General Plan” – A comprehensive declaration of goals, policies, and programs for the development of the city and including, where applicable, diagrams, maps, and text setting forth objectives, principles, standards, and other features, and which has been adopted by the city council. Utah State Code 10-9a-401 requires adoption of a General Plan by all municipalities. The Plan serves as an expression of development policies used to guide present and future needs.

“Golf Course” – A tract of land laid out and designed for the game of golf that may include a clubhouse, dining and snack bars, pro shop, and practice facilities.

"Grade" – The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line or, when the property line is more than five feet from the building, between the building and a line five feet from the building.

“Grooming Services, Small Animal” – A facility or establishment where animals are bathed, clipped, or combed for the purpose of enhancing their aesthetic value or health and for which a fee is charged.

“Group Home” – The residential occupancy of a structure by a group of people who exceed the maximum occupancy allowed by the base zoning district and where a caregiver is on-site for purposes of providing medical and physical assistance due to age and/or disability of the tenant(s). Tenancy is arranged on a monthly or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see “hotel”). "Group recreation facility" – A privately owned, nonprofit facility or improvements for the primary purpose of personal or group recreation.

“Half Pipe Ramp” – A smooth surfaced outdoor structure, designed in a U-shape or trough-shape, and used in gravity extreme sports such as snowboarding, skateboarding, freestyle BMX, or inline skating. Appearance-wise, it resembles a cross-section of a swimming pool, and in its most basic form, it consists of two concave ramps (or quarter pipes), topped by copings and decks, facing each other across a transition.

"Hard-surface" – A concrete or asphalt surface, or other material that is impenetrable by water, such as impervious concrete.

"Hard surfacing" – An area covered by impervious materials, which, when referring to driveways, parking areas or lots, and roads or access ways, shall be either concrete or asphaltic materials.

“Haunted House” – Any establishment that is represented or advertised to the public as a haunted house, or similar use, in which the public, for a fee, is directed through a building, tent, or other similar structure that contains displays, acts, exhibits, live performances, or other attractions intended to entertain or amuse patrons through the use of Halloween-related props and themes. "Historic building" – Any building listed in the National Register of Historic Places or on the Utah State Register of Historic Sites or designated by the city council.

“Historic and Landmark Commission” – A committee, designated for duties specified in the Municipal Code, Title 17.13.180.

“Home Occupation, Category I” – A use that is clearly incidental and secondary to the use of the primary dwelling for residential purposes and shall not change the character of the residential dwelling or the neighborhood in which it is located. As defined in Title 17.07.040 of the Municipal Code, Category I conditional use permit applications are reviewed and decided upon by the Director of Community Development. For the purpose of this definition, a “home office” is the only use determined to be a Category I Home Occupation.

“Home Occupation, Category II” – A use that is clearly incidental and secondary to the use of the primary dwelling for residential purposes and shall not change the character of the residential dwelling or the neighborhood in which it is located. As defined in Title 17.07.040 of the Municipal Code, Category II conditional use permit applications are reviewed and decided upon by the Planning Commission. For the purpose of this definition, any home occupation type other than a “home office” is determined to be a Category II Home Occupation.

"Homeless shelter" – A facility providing charitable lodging or sleeping rooms, temporary housing to indigent, needy, homeless, or transient persons; may also provide ancillary services such as meals, kitchen facilities, counseling and vocational training.

“Horticulture / Produce Sales” – The use of land for the sale of fruits, vegetables, flowers, nursery stock, including ornamental plants and trees, and cultured sod.

“Horticulture, Urban” – The growing of fruits, vegetables and other plants while interacting with municipal surroundings. It is primarily concerned with the functional use of plants to maintain and improve the urban environment. These plants, in an urban setting, are grown for a number of purposes: harvest production, aesthetic, architectural, recreational, environmental, and psychological.

“Hospital” – An institution licensed by the State of Utah which provides diagnostic, therapeutic, surgical, and rehabilitative services to individuals on both an inpatient and outpatient basis by or under the supervision of one or more physicians. Any medical clinic or professional office which offers any inpatient or overnight care, or operates on a twenty four (24) hour basis shall be considered a hospital. A hospital may include integral support service facilities such as laboratories, outpatient units and training and central services, together with staff offices necessary to the operation of the hospital. Includes both general acute and specialty hospitals and must be licensed by the Utah Department of Health pursuant to the Health Care Facility Licensing and Inspection Act.

“Hospital, Specialty” - Operations that are licensed by the State of Utah and meet the State Definitions under State Rule 432-101. Uses that meet the State definitions shall still comply with the Title 17.15 of the South Salt Lake Land Use Code for the location of such uses.

“Hotel” – An establishment providing, for a fee, sleeping accommodations and customary lodging services including maid service, the furnishing and upkeep of furniture and bed linens, telephone and desk service. Related ancillary uses may include but not be limited to conference and meeting rooms, restaurants, lounge, and recreational facilities.

“Hotel, Residential Lease, Extended Stay” – A building designed to be used, rented, or hired out to be occupied, or which is occupied for sleeping purposes for guests and contains kitchen facilities for food preparation including but not limited to such facilities as refrigerators, stoves, and ovens. Extended Stay hotels are not a highway-oriented facility.

“Human Services Programs” - Operations that are licensed by the State of Utah and meet the State Definitions under Title 62A or any successor section thereto. Uses that meet the State definitions shall still comply with the Title 17.15 of the South Salt Lake Land Use Code for the location of such uses.

“Impervious Material” – Material that is impenetrable by water.

“Impervious Surface” - Also referred to as impervious material. Any hard surface, man-made area that does not absorb water, including building roofs, sidewalks, parking, driveways, and other paved surfaces.

“Impound and Tow Lot”– A parcel of land or a building that is used for the temporary storage of motor vehicles usually awaiting insurance adjustment, transport to a repair shop, or to be claimed by titleholders or their agents, and where motor vehicles are kept. Permanent storage of vehicles is not permitted with this use.

“Industry, Heavy” – Those firms involved in processing and manufacturing of materials or products, predominantly from extracted or raw materials; or a use engaged in the storage of or manufacturing processes using flammable or explosive materials; or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

“Industry, Light” – ~~Those firms involved in research and development, manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, manmade, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales.~~ The manufacturing, processing, assembling, packaging, or testing of goods or equipment or research activities within an enclosed structure or an open yard that is capable of being screened from neighboring properties and that impose a negligible impact upon the surrounding environment by noise, vibration, smoke, dust or pollutants.

"Institutional Building" - Shall include, but not limited to: churches, schools, community centers, public and quasi-public buildings.

“Irrigation”- The artificial application of water to land, by way of manipulating the land to supply the water by means of ditches, pipes, or streams.

“Jail” – A facility established and operated by another government agency, either directly or under contract with a private provider, for confinement of persons in lawful custody.

“Juvenile Detention Facility” – A facility established and operated by the State of Utah, either directly or under contract with a private provider, for temporary detention of delinquent juveniles.

“Laboratory, Industrial” See “Research & Development Facility”

"Land Use" - A description of how land is occupied or used.

“Land Use Application” – A completed form or forms and all accompanying documents, exhibits, and fees required of an applicant by the applicable City department for development review, approval, or permitting purposes, specific to approval of a Land Use Authority.

“Land Use Authority” – The City Council, Planning Commission, or Director of Community Development, as specified in Title 17.07.040 of the Municipal Code.

“Land Use Map” – The map enacted by the City Council identifying the location of all land use districts as applied to lands within the City of South Salt Lake.

“Land Use Matrix” – A table of land use categories and land use districts, located within Title 17 of the Municipal Code. The matrix lists permitted, conditional, and prohibited uses within the established land use districts of the City. The purpose is to allow complimentary land uses that may include, but are not limited to: residential, retail, office, commercial, civic and industrial uses.

“Land Use Ordinance” – An ordinance enacted by the City Council pursuant to Utah State law that sets forth regulations and standards relating to the nature and extent of uses of land and

structures, which is consistent with the comprehensive General Plan of the City, which includes a Land Use (Zoning) Map, and complies with the provisions of Utah State law.

“Landscaping” – The finishing and adornment of unpaved yard areas. Materials and treatment generally include naturally growing elements as grass, trees, shrubs, and flowers. Treatment may also include the use of rocks, water features, benches, and contouring of the earth.

“Landscape Area” - Area on a lot not dedicated to a structure, parking or loading facility, frontage buffer, side and rear buffer, or interior parking lot landscaping.

“Landscape Plan” – A plan showing the proposed location, type and size of all trees, shrubs, and ground covers to be planted on the site as well as a complete water efficient irrigation system plan, pursuant to Chapter 17.25 of the Municipal Code.

“Laundry, Industrial” – An establishment in the business of supplying laundered items such as uniforms, gowns and coats, table linens, bed linens towels, clean room apparel, and treated mops to various industries, on a rental or contract basis.

“Library” – A public, nonprofit facility for the use of literary, musical, artistic, or reference materials.

“Live/Work Unit” – An integrated dwelling unit and working space, occupied and utilized by households in the dwelling above, or behind, the working space in the structure. The structure has been designed or structurally modified to accommodate joint residential occupancy (generally upper floor(s)) and work activity at the ground floor. Residential and commercial space within a Live/Work Unit shall not be rented, leased, sold, or otherwise conveyed separately.

"Lot" – A parcel of land occupied or capable of being occupied by one building or a group of buildings, together with such yards, open spaces and area as are required by this title and having frontage on a dedicated street. Except for multi-family dwellings, as specifically authorized by this title, not more than one dwelling structure shall occupy any one lot.

“Lot Area” - The computed area contained within the property lines; it is typically denoted in square feet or acres.

“Lot, Corner” – A lot abutting on two intersecting or intercepting streets, serving more than two (2) lots, provided the interior angle at the intersection of such two (2) sides is less than one-hundred thirty-five degrees (135°).

“Lot Depth” - The smallest horizontal distance between the Front and Rear Property Lines measured approximately parallel to the Corner and/or Side Property Line.

“Lot, Flag” – A legally approved and platted lot that has access to a public right-of-way by means of a narrow strip of land.

“Lot Frontage” - The horizontal distance between the Side Property Lines, measured at the Front Property Lines.

“Lot, Interior” – A lot that fronts on a street other than a corner lot.

“Lot, Nonfrontage” – A lot that does not front on a dedicated street.

“Lot, Through” - Also referred to as a double frontage lot. An interior lot having frontage on two approximately parallel vehicular rights-of-way, excluding an alley.

“Maintenance Facilities, Vehicle and Transit” – Any building, premise, or land upon which a private business, service, industry or unit of government: (a) services or maintains motor vehicles or transit equipment; or (b) stores vehicles or equipment used for servicing off-site facilities or infrastructure.

“Manufacturing Fabrication, Assembly, Processing, Packaging” ~~(See “Industry, Light”)~~ - Those firms involved in research and development, manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, manmade, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales.

“Manufactured Home” – A transportable factory-built housing unit constructed on or after June 15, 1976, according to the HUD Code, in one or more sections, which: (a) in the traveling mode, is eight feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more square feet; and (b) is designed to be used as a dwelling and built on a permanent chassis and designed to be used as a dwelling with a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems. Manufactured homes constructed on or after June 15, 1976, shall be identifiable by the manufacturer’s data plate bearing the date the unit was manufactured and a HUD label attached to the exterior or the home certifying the home was manufactured to HUD standards. For the purpose of these provisions, a mobile home shall be considered a manufactured home.

“Martial Arts Studio and Training” – A facility where martial arts training and competitions take place. When a martial arts studio is used to house martial arts tournaments and events that are open to the general public, they shall be located within the Entertainment Overlay District.

“Massage Therapy” – An establishment where nonmedical and nonsurgical manipulative exercises are practiced on the muscle or tissue of the human body for other than cosmetic or beautifying purposes. Such establishments may commonly be associated with health clubs, health and/or day spa, massage studios, or massage parlors. Such establishments shall follow all rules, acts and regulations as adopted by the State of Utah.

“Medical, Dental and Health Care Offices, On-Site” – A business wherein services are performed for the diagnosis and treatment of human patients, with a moderate to high level of client

interaction and traffic generated by employees and/or clients. A medical office does not include overnight care facilities.

“Medical, Dental Research Facilities / Laboratory” – A workplace for the conduct of scientific research, dedicated to medical and/or dental services, which offers opportunities for observation, practice, and experimentation. “Mixed Use Development”- A development project that includes more than one of the following uses: residential, retail, service, commercial, or office; and which, vertically or horizontally, integrates critical massing of physical and functional components into a coherent plan that promotes walkability through uninterrupted pedestrian connections, and reduces traffic and parking impacts. Mixed Use Developments may have more restrictive requirements as to allowed/required uses and building design, pursuant to a specific or master plan.

“Mixed Use Development” – The development of a tract of land, building, or structure with a variety of complementary land uses, such as, but not limited to, residential, office, manufacturing, retail, public, and recreation, and which, vertically or horizontally integrates principles of compact urban form.

"Mixed Use, Horizontal" – Commercial, office ore residential land uses which are in close proximity to each other and designed in a “village” type manner, but not necessarily within the same building structures.

"Mixed Use, Vertical" - Commercial, office ore residential land uses which are within the same building structure.

"Mobile Home" - A transportable factory built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to the HUD Code.

"Mobile home park" – Any plot of ground upon which two or more mobile homes, occupied for dwelling or sleeping purposes, are located, regardless of whether or not a charge is made for such accommodation, pursuant to this title.

“Model Home” – A dwelling unit temporarily used for display purposes as an example of dwelling units available or to be available for sale or rental in a particular subdivision or other residential development approved by the city. Model homes may also incorporate sales or rental offices for dwellings within the development, and not for general real estate sales.

"Motel" – A building or series of buildings in which lodging is offered for compensation, and which is distinguished from a hotel primarily by reason of typically providing direct independent access to, and adjoining parking for, each rental unit.

“Multi-Family Complex” – A structure or development of structures that contains dwelling units that share common walls, floors and/or ceilings with one or more units excluding duplexes uses. The land underneath the structure is not divided into separate lots. A Multi-Family Complex is commonly known as apartments.

“Natural State” – The condition of land which has not been graded, disturbed, or built upon.

“Natural Surveillance” – Physical design which keeps potential intruders under the perception of continual watch, using ‘eyes on the street’ and visual permeability in architecture, lighting, and landscaping.

“Natural Vegetation” – Living plant material including, but not limited to, trees, shrubs, flowers, grasses, herbs and ground cover.

~~“Neighborhood Gardens” – A private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family.~~

“New Construction” – Legal authorization for the erection, alteration, or extension of a structure.

"Nonconforming building or structure” – A building or structure or portion thereof, lawfully existing at the time this title became effective, which does not conform to all height, area and yard regulations prescribed in the zone in which it is located.

“Nonconforming Lot” – A lot whose width, area, or other dimension does not conform to the regulations when this Code became effective. A new building may be constructed on a legally established lot which is nonconforming as to area, frontage and/or width provided the building conforms to all other requirements of Title 17 of the Municipal Code and any other applicable codes.

"Nonconforming use" – A use of a lot or portion thereof, lawfully existing at the time this title became effective, which does not conform to the present regulations of the zone in which it is located.

“Non-Contributory Structure” – A structure that is not contributing or is ineligible for registry to the Historic and Landmark District, as deemed by the Historic and Landmark Commission, or as a result of a historic survey by a certified architectural historian. This status is due to the structure not being built during the historic period (50 years or older), having major alterations or additions, and/or it no longer retaining historic integrity.

“Non-Depository Institutions, Check Cashing, Title Loan, Deferred Deposit Loans” – A financial business, other than a depository institution such as a bank, credit union, mortgage lender or savings and loan association that is registered by the State of Utah pursuant to the Check Cashing Registration Act or the Title Lending Registration Act. Also included are:

> “Check Cashing” – A person or business that for compensation engages in cashing a check for consideration or extending a deferred deposit loan. “Check Cashing Business” does not include Depository Institutions, as defined by the State of Utah. A Check Cashing Business also does not include a retail seller engaged primarily in the business of selling goods or services to retail buyers that cash checks or issue money orders for a

minimum flat fee not exceeding 1% of the check or $1 as a service fee that is incidental to its main purpose or business.

"Payday Loan Business" – An establishment providing loans to individuals in exchange for personal checks or assignment of wages as collateral.

"Title Loan Business" – An establishment providing short term loans to individuals in exchange for the title of a motor vehicle, motor home, or motorboat as collateral.

"Deferred Deposit Loans" – A business that conducts transactions where a person presents to a check casher a check written on that person's account or provides written or electronic authorization to a check casher to affect a debit from that person's account using an electronic payment and the check casher provides the maker an amount of money that is equal to the face value of the check or the amount of the debit less any fee or interest charged for the transaction and agrees not to cash the check or process the debit until a specific date.

"Nursery or Greenhouse, Commercial" – A facility used for the growing and the wholesale or retail sale of trees, shrubs, flowers, ground covers, etc. Said use may also include sales of related products, including fertilizers, mulch, and landscape decoration.

"Nursing home, elderly care facility, convalescent home and rest home" – An intermediate care nursing facility or a skilled nursing facility, licensed by the state of Utah, for the care of individuals who due to illness, advanced age, disability, or impairment requiring assistance and/or supervision on a twenty-four (24) hour per day basis. A nursing home, elderly care facility, convalescent home or rest home does not include:

1. A residential facility for persons with a disability;
2. A residential facility for elderly persons;
3. Adult daycare provided in conjunction with a residential facility for elderly or residential facility for persons with a disability.

"Office, General / Professional" – Professional or government offices maintained for the conduct of business in categories that include, but are not limited to: architectural, engineering, planning, design, accounting, auditing, advertising, law, computer services, and other similar businesses.

"Occupied Space" - Interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking.

"Open Space, Passive" – An area of land or water that may be used for passive or active recreation, agriculture, conservation, landscaped areas, preserves of the natural environment, scenic land, and/or other use that is of a suitable size, topography, location, and shape to permit the activities for which it is intended as determined by the Land Use Authority.

“Open Space, Usable or Common” – An area of land within a lot or parcel that is used in conjunction with a primary use designed and intended for the use or enjoyment of the primary users, residents, and their guests of the development and shall include improvements as necessary and appropriate for use as usable outdoor space. Usable outdoor space may include accessory structures that enhance its use and enjoyment. Usable outdoor space shall be generally landscaped and may include patios, decks, shade structures, play equipment, play courts, walkways, and landscaped plazas. Usable outdoor space shall not include required setbacks, parking, and/or driveways. Stormwater facilities can qualify as usable outdoor space if the physical characteristics are functional as usable areas for the intended purpose of usable outdoor space.

“Open Space Type” - The permitted and regulated types of open spaces in this code. Refer to 6.0 Open Space Types for more information and a list of the permitted types.

“Open Water” - A pond, lake, reservoir, or other water feature with the water surface fully exposed.

“Outdoor Sales and Display” – An outdoor area used for display and sale of merchandise and goods typically not in a fixed position and capable of rearrangement, designed and used for the purpose of advertising or identifying a business, product, or service. “Overlay Zone” – An area where certain additional requirements are superimposed upon a base zoning district and where the requirements of the base or underlying district may or may not be altered.

"Overlay District" – An area where certain additional requirements are superimposed upon a base district and where the requirements of the base or underlying district may or may not be modified.

“Owner” - The legal or beneficial title-holder of land or holder of a written option or contract to purchase the land.

“Park Strip” – The landscape area within a public right-of-way located between the back of the street curb and sidewalk, or, in the absence of a sidewalk, located between the back of the street curb and the property line. Park strips often are required to include trees or other types of vegetation to act as an aesthetic pedestrian or street buffer, or, in some cases, for stormwater treatment.

“Park and Ride Facilities” – An off-street facility designed for parking automobiles, the occupants of which transfer to public transit to continue their trips.

-“Park, Private” - A tract of land available for recreational, educational, cultural, or aesthetic use, which is under the control, operation, or management of a private entity not associated with any unit of government.

“Park, Public” - A tract of land available for recreational, educational, cultural, or aesthetic use, which is under the control, operation, or management of the state, county or the City of South Salt Lake.

“Parking Area” – A public or private area, under, above, within or outside a building or structure, designed and used for parking motor vehicles. Driveways, garages, and parking lots may be part of a parking area.

"Parking Lot" – An open area, other than a street, paved with a hard surface, used for parking of more than four automobiles and available for public use, whether free, for compensation or as an accommodation for clients or customers.

“Parking, Shared” – Joint utilization of a parking area for two or more land uses. Uses may have different parking patterns and peak parking demand hours.

"Parking Stall" – Space within a building, lot or parking lot for the parking of one vehicle and meets the dimensional requirements of this Title.

“Parking Structure / Terrace” means a multi-level structure, privately or publicly owned, that provides temporary storage of motor vehicles where a fee is generally charged. The parking structure is provided off-street and the primary use of the property may be commercial parking or may be accessory to a primary use. The structure may be detached from the primary building it serves, or integrated into the design of the primary building.

“Parking, Private, Ground Level, Commercial” – An area, privately owned, that provides temporary storage of motor vehicles where a fee is charged. Private parking is provided off-street and the primary use of the property is commercial parking not accessory to a primary use. The surface of a commercial parking facility is paved with a hard surface. For the purpose of this definition, commercial parking is at ground level.

“Parking, Public” – A parking area, designed for designed and used for the parking of motor vehicles and intended for public use.

“Pawn Broker” – A person whose business engages in the following activities:

1. Loans money on one or more deposits of personal property;
2. Deals in the purchase, exchange, or possession of personal property on condition of selling the same property back again to the pledger or depositor;
3. Loans or advances money on personal property by taking chattel mortgage security on the property and takes or receives the personal property into his possession, and who sells the unredeemed pledges;
4. Deals in the purchase, exchange or sale of used or secondhand merchandise or personal property; or

5. Engages in a licensed business enterprise as a pawnshop.

“Pawn Shop” – An establishment that engages, in whole or in part, in the business of loaning money on the security of pledges of personal property, or deposits or conditional sales of personal property, or the purchase or sale of personal property. (SANDY’S DEFINITION: The physical location or premises where a pawnbroker conducts business.)

“Pedestrian Pathways, Pesdestrianways, Trails and Greenways” – A public right-of-way dedicated for pedestrian traffic, which may also be used as a utility easement. Pedestrian pathways may be designed as urban (paved, impervious material) or passive (dirt or similar pervious material). Pedestrian pathways may include associated landscaping and open space or “greenways” which is defined as, a linear park, alternative transportation route, or open space conservation area that provides passive recreational opportunities, pedestrian and/or bicycle paths, and/or the conservation of open spaces or natural areas, as indicated in a greenway plan adopted by the City Council and/or Planning Commission.

“Permanent Make-Up not including a Tattoo Shop / Parlor” – A business that specializes in permanent cosmetics, which is a form of tattooing (also known as “micropigmentation”) in lieu of temporary makeup in order to save time or due to physical difficulty applying regular, temporary makeup. For some, permanent makeup is an adjunct to reconstructive surgery, particularly of the face, to simulate natural pigmentation. Examples include tattooed on “eyebrows” due to alopecia (a form of hair loss) or tattooing to help camouflage the lack of pigmentation in areas of the skin.

“Permanent Supportive Housing” – Long term, community based housing that has supportive services for homeless persons with disabilities. This type of supportive housing enables special needs populations to live independently as possible in a permanent setting. Permanent housing can be provided in one structure or in several structures at one site.

“Pharmacy” – A business where prescription drugs and other pharmaceutical items, supplies, and equipment are sold.

“Planned Unit Development” – An integrated design for development of residential, commercial or industrial uses, or limited combinations of such uses, in which one or more of the zoning regulations or development standards may be varied or waived to allow flexibility and creativity in site and building design and location in accordance with an approved plan and imposed requirements.

“Planned Unit Development, Commercial Condominium” – A development guided by a total design plan in which one or more of the zoning or subdivision regulations, other than use regulations, may be waived or varied to allow flexibility and creativity in site and building design and location, in accordance with Title 15 of the Municipal Code.

“Planning Commission” – A seven member board plus two alternates, appointed by the mayor, subject to approval of the City Council. The Commission’s functions include advisory or

nontechnical aspects of planning and may also include such other powers and duties as specified in Title 17.02.010 and 17.07.020 and 040 of the Municipal Code.

“Plat” - A map or chart of a division and/or combination of lots.

"Porch" - A roofed, open area, attached to or part of a building, and with direct access to or from it.

“Portable Shipping Container, Temporary Storage” – A container fabricated for the purpose of transporting freight or goods on a truck, railroad or ship, including cargo containers, shipping containers, storage units, or other portable structures that are placed on private property and used for storage of items, including, but not limited to, clothing, equipment, goods, household or office fixtures or furnishings, materials and merchandise. This definition is not to include accessory buildings or a building approved for construction by the south Salt Lake City Planning Commission. Temporary portable storage containers are further defined and regulated in Title 17.44.010 of the Municipal Code.

“Poultry, Domestic” – Any species of chicken.

“Precious Metal Purchase / Recycling” – An establishment in the business of purchasing precious metals from the general public for recycling and refining the precious metal scrap or surplus. The term does not include financial institutions licensed under Federal or State banking laws, the purchaser of precious metals who purchases from a seller seeking a trade-in or allowance, the manufacturers of jewelry or of other items composed, in whole or in part, of gold, silver, or platinum and the purchaser of precious metals for his own use or ownership and not for resale or refining.

“Pre-processing holding area” – The area of an outside automobile storage facility where vehicles await receipt of salvage title prior to being processed and placed in the sales area.

“Preschool” – An establishment for the instruction of children prior to entrance into Kindergarten. The standards applicable to the operation of such a facility are dependent upon the one in which it is located. If within a home, the preschool must comply with the provisions of the Home Occupation requirements of 17.06.130 of the Municipal Code. If within a nonresidential zone, the preschool shall comply with the requirements of the underlying zone.

Primary Façade - Exterior walls of a building or structure that are adjacent to or front on a public street, park, or plaza.

“Primary Material” – A building material that occupies at least sixty percent (60%) of the exterior façade(s) of the building.

“Primary Street” - A street designated on the Zoning Map or on an approved site plan that receives priority over other streets in terms of setting front property lines and locating building entrances.

“Primary Use” – The principal or overriding use for which a lot was established. For instance, the primary use of a manufacturing facility with an outdoor storage lot, is manufacturing.

“Printing, Copy Stores” – A facility established for the use of copying, scanning, and/or printing devices typically for profit.

“Printing, General” – A facility for the custom reproduction of written or graphic materials on a custom order basis for individuals or businesses. Such services typically use photocopy, blueprint, or offset printing equipment, including publishing, binding, and engraving.

“Private Lane/street” – A right-of-way which has not been accepted by South Salt Lake and has been reserved by dedication unto the developer or lot owners to be used as a private access to serve property. All private streets, drives, easements or lanes shall be approved by the city and maintained by the developer, lot owners or other private agency.

“Project Controlled On-Street Parking” – A series of practices instituted by a commercial or residential property owner to prevent spillover parking generated by uses under their control onto surrounding streets. Parking controls include, but are not limited to, lease provisions prohibiting tenant and visitor parking on surrounding streets, parking permit programs for tenant and visitors, and enforcement of such provisions and programs by the property owner.

“Property Line” - Also referred to as lot line. A boundary line of a parcel of land or lot.

“Property Line, Corner” - A boundary of a lot that is approximately perpendicular to the front property line and is directly adjacent to a public right-of-way, other than an alley or railroad.

“Property Line, Front” - The boundary abutting a right-of-way, other than an alley or lane, from which the required setback or build-to zone is measured, with the following exceptions.

1. Corner and Through Lots that abut a Primary Street shall have the front property line on that Primary Street.

2. Corner and Through Lots that abut two Primary Streets or do not abut a Primary Street shall utilize the orientation of the two directly adjacent lots, or shall have the front property line determined by the Land Use Authority.

“Property Line, Rear” - The boundary of a lot that is approximately parallel to the front property line; this line separates lots from one another or separates a lot from an alley.

“Property Line, Side” -The boundary of a lot that is approximately perpendicular to the front and rear property lines; it is not adjacent to the public right-of-way.

“Protective Housing Facility” – A facility operated, licensed or contracted by a governmental entity, or operated by a charitable, non-profit organization, where, for no compensation, temporary, protective housing is provided to: (a) abused or neglected children awaiting placement in foster care; (b) pregnant or parenting teens; (c) victims of sexual abuse; or (d) victims of domestic abuse.

"Protective housing facility, Minor" – A facility operated, licensed, or contracted by a governmental entity, or operated by a charitable, nonprofit organization where, limited to no more than six occupants at any one time, temporary, protective housing is provided to:

1. Abused or neglected children awaiting placement in foster care;
2. Pregnant or parenting teens;
3. Victims of sexual abuse; or
4. Victims of domestic abuse.

"Protective housing facility, Major" – A facility operated, licensed, or contracted by a governmental entity, or operated by a charitable, nonprofit organization where, temporary, protective housing is provided to:

1. Abused or neglected children awaiting placement in foster care;
2. Pregnant or parenting teens;
3. Victims of sexual abuse; or
4. Victims of domestic abuse.

“Public / Government Service and Accessory Buildings” – Uses which may be housed in separate buildings or which may occupy a space within a building that are operated by a unit of government to serve public needs such as a library, museum, police (with or without jail), fire service, ambulance, judicial court or government office, but not including public utility stations or maintenance facilities.

“Public Hearing” – A meeting of an official legislative or quasi-judicial body, announced and advertised in advance and open to the general public, wherein the public has an opportunity to comment and participate.

“Public Improvement” – Streets, curb, gutter, sidewalk, water and sewer lines, storm sewers, flood control facilities and other similar facilities which are required to be dedicated to the city in connection with development, conditional use or site plan approval as per Chapter 17.15 of the Municipal Code.

“Public Meeting” – An informal meeting, either required by law or deemed necessary by the City, for which public notice is given and public participation or observation is encouraged. Meetings are held in locations accessible to the public with appropriate public notice.

“Public Utility Station” – A structure or facility used by a public or quasi-public utility agency to store, distribute, generate electricity, gas, telecommunications, and related equipment, or to capture, pump, and to otherwise engage in all aspects of treating and distributing water or

effluent. This definition shall not include storage or treatment of solid waste, or hazardous waste.

“Quasi-public” – Owned or operated by a nonprofit, religious, or charitable institution and providing educational, cultural, recreational, religious, or similar types of programs.

“Reasonable Accommodations” - Accommodations necessary to afford handicapped persons an opportunity to use and enjoy a dwelling.

“Reciprocal Access” - Where commercial uses share a property line, off-street parking lots servicing the properties are made accessible to each other.

“Record Review” –An appeal process where review and decisions are based entirely on the evidence in the record created in the process of the land use authority’s decision.

“Recording Studio” – A room or facility used by an establishment primarily engaged in producing and distributing musical recordings, in publishing music, or in providing sound recording and related services.

“Recreation Center” – An establishment providing a variety of recreation activities including activities that are enclosed within a structure along with outdoor recreational activities on the same premises. Activities may include those identified with Indoor Recreation, as well as such outdoor activities as miniature golf, amusement rides, slides and swimming pools.

“Recycling Materials Collection / Drop-Off Facility, Indoor” – A facility that collects recyclable materials for transport to a separate location for processing and recovery. Recyclable materials include glass, plastic, paper, cloth and other materials collected for recovery and re-use. This definition does not include two or fewer: 1) newspaper recycling bins or 2) other similar recyclable material bins that are not staffed by on-site employees, but are self-service.

“Recycling Collection Point” – A neighborhood drop-off point for the temporary storage of recyclables. No processing takes place at the collection point.

Re-grading and Repaving” – Changing of the established grades of an existing parking lot or paved area which significantly alters the existing grade that was constructed according to an approved site plan.

"Rehabilitation/treatment facility" – A facility licensed or contracted by the state of Utah to provide temporary occupancy and supervision of adults or juveniles in order to provide rehabilitation, treatment or counseling services. Without limitation, such services may include rehabilitation, treatment, counseling, or assessment and evaluation services related to delinquent behavior, alcohol and drug abuse, conditions resulting from alcohol or drug abuse, sex offenders, sexual abuse, or mental health. Associated education services may also be provided to juvenile occupants. A rehabilitation/treatment facility does not include a residential facility for persons with a disability.

“Renovation” – An interior or exterior remodeling or enlargement of a structure, other than ordinary repair.

“Research & Development Facility” – A building or group of buildings in which are located facilities for scientific research, investigation, testing, experimentation, assembly, or repair; but not facilities for the manufacture or sale of products except as incidental to the main purpose of the laboratory. This also includes facilities for scientific laboratory research in technology intensive fields. Examples would include biotechnology, pharmaceuticals, genetics, plastics, polymers, resins, coatings, fibers, fabrics, films, heat transfer, and radiation research facilities or similar uses.

"Residence" – A place where an individual is actually living at a given point in time and not a temporary sojourn or transient visit.

“Residential Density” – The average number of dwelling units per acre of land in a given area.

"Residential facility for elderly persons" – A dwelling unit owned by a resident thereof or immediate family member of a resident, or for which the title has been placed in trust for a resident; and is voluntarily occupied on a twenty-four (24) hour per day basis by four or fewer elderly persons in a family type arrangement. A residential facility for elderly persons does not include any facility:

1. Operated as a business; provided, that such a facility shall not be considered to be operated as a business solely because a fee is charged for food or actual and necessary costs of operation and maintenance of the facility;
2. Where persons are placed:
    a. For alcoholism or drug abuse treatment, or
    b. As part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility;
3. Health care facility as defined by Section 26-21-2 of the Utah Code as amended; or
4. A residential facility for persons with a disability.

"Residential facility for persons with a disability" – A dwelling unit or other place in which more than one person but less than five unrelated persons with a disability resides and, if required by state law, is licensed or certified by:

1. The Utah Department of Human Services under Title 62A, Chapter 2, of the Utah State Code, Licensure of programs and facilities; or
2. The Department of Health under Title 21, of Utah State Code as amended, Health Care Facility Licensing and Inspection Act.

3. "Disability" has the same definition as "Disability" as found in Utah State Code 57-21-2 as amended.

"Residential treatment" – A twenty-four (24) hour group living environment for four or more individuals unrelated to the owner or provider that offers room or board and specialized treatment, behavior modification, rehabilitation, discipline, emotional growth, or habilitation services for persons with emotional, psychological, developmental, or behavioral dysfunctions, impairments, or chemical dependencies.

1. "Residential treatment" does not include a:

    a. Boarding school; or

    b. Foster home.

"Restaurant" means a use in which is served a variety of food for consumption.

“Restaurant, Drive-Up Window / (Fast Food?)” – A quick service restaurant characterized by its inexpensive food and minimal table service, and offers drive-through delivery service provided by employees to customers in vehicles.

“Retail Merchandise Stores, Accessory” – A retail operation engaged in the selling or rental of goods or merchandise. The retail operation is incidental to a primary establishment that is typically not categorized as retail. Examples include, but are not limited to a gift shop or a golf pro shop.

“Retail or Wholesale Merchandise Stores, General” – A commercial establishment that provides goods and/or services to other businesses in wholesale trade or directly to the consumer where such goods are available for immediate purchase and removal from the premises by the purchaser. Such establishments could also involve a high volume of sales of related and/or unrelated products in a warehouse setting and may include membership warehouse clubs (big box retail).

“Retail or Wholesale Merchandise Stores, Neighborhood” – A neighborhood-scale retail establishment engaged in the selling of goods or merchandise to other businesses in wholesale trade or directly to the consumer where such goods are available for immediate purchase and removal from the premises by the purchaser. ~~For the purpose of this definition, the retail operation is located within a Neighborhood Commercial (CN) zoning district and its uses are regulated in Title 17.28 of the Municipal Code. (scale v. purpose?)~~

“Retention Area” – A pond, pool, or basin used for the permanent storage of water runoff.

"Rezone" - To change the land use designation of particular lots or parcels of land.

“Right-of-Way” – A strip of land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by a street, crosswalk, railroad, electric

transmission lines, oil or gas pipeline, water line, sanitary storm sewer, or other similar uses. It generally means: the right of one to pass over the property of another.

“Roof Type” - The detail at the top of a building that finishes a Facade, including a pitch roof with various permitted slopes and a parapet.

“Scale” - The relative size of a building, street, sign, or other element of the built environment.

"Screening" - A method of visually shielding or buffering one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.

“Secondhand Merchandise Dealer” – An owner or operator of a business that: (a) deals in the purchase, exchange, or sale of used or secondhand merchandise or personal property; and (b) does not function as a pawnbroker. Secondhand merchandise dealer does not include:

(a) The owner or operator of an antique shop;
(b) Any class of businesses exempt by administrative rule under Section 13-32a-112.5 (Utah Code Ann.) or its successor;
(c) Any person or entity who operates auction houses, flea markets, or vehicle, vessel, and outboard motor dealers as defined in Section 41-1a-102 (Utah Code Ann.) or its successor;
(d) The sale of secondhand goods at events commonly known as “garage sales”, “yard sales”, or “estate sales”;
(e) The sale or receipt of secondhand books, magazines, or post cards;
(f) The sale or receipt of used merchandise donated to recognized nonprofit, religious, or charitable organizations or any school-sponsored association, and for which no compensation is paid;
(g) The sale or receipt of secondhand clothing and shoes;
(h) Any person offering his own personal property for sale, purchase, consignment, or trade via the Internet;
(I) Any person or entity offering the personal property of others for sale, purchase, consignment, or trade via the Internet, when that person or entity does not have, and is not required to have, a local business or occupational license or other authorization for this activity;
(j) Any owner or operator of a retail business that contracts with other persons or entities to offer those persons’ secondhand goods for sale, purchase, consignment, or trade via the Internet;
(k) Any dealer as defined in Section 76-10-901 (Utah Code Ann.)Or its successor, which concerns scrap metal and secondary metals; or
(l) The purchase of items in bulk that are:
(i) sold at wholesale in bulk packaging;
(ii) sold by a person licensed to conduct business in Utah; and
(iii) regularly sold in bulk quantities as a recognized form of sale.

"Secure rehabilitation treatment facility" – A facility licensed and contracted by the state of Utah providing any level of twenty-four (24) hour secure residential treatment or care for

adults or juveniles whose current functioning is such that they cannot live independently or in a less restrictive environment.

"Secure treatment" – Any level of twenty-four (24) hour secure residential treatment or care for adults or juveniles whose current functioning is such that they cannot live independently or in a less restrictive environment.

“Semi-Pervious Surface” - Also referred to as semi-pervious material. A material that allows for at least 40% absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, or gravel.

“Setback” – The distance that is required by this Code to be maintained in an undeveloped state between a structure and the property line of the lot on which the structure is located. The term “setback” refers to a required minimum distance while the term “yard” refers to the actual open area.

“Setback, Corner” – The minimum distance from the street side property line not designated as a “front setback” to the closest distance a structure may be located from the property line.

“Sexually Oriented Business” – See Section 5.56.020 of the Municipal Code.

“Sight Visibility Triangle” – The triangular area formed by a diagonal line connecting two points located on intersecting street right-of-way lines, or a right-of-way line and the high back of curb or edge of a driveway.

"Sign." See Chapter 17.16 of this code.

“Single Family Residence” (See “Dwelling, Single Family”)

“Site Plan” – A plan which outlines the use and development of any tract of land within South Salt Lake City for the purposes of meeting the requirements set forth in this Code.

“Slaughterhouses, Animal Rendering, Tanneries, Animal By-Products Plant” – A facility where livestock is slaughtered and prepared for distribution to butcher shops or retail sales establishments such as grocery stores. A slaughterhouse is designed to accommodate the confinement and slaughtering of live animals and may include packing, treating, storage, or sale of the product on the premises. Other operations may include tanneries, specifically for the tanning of animal skins and hides.

“Smoking Parlor / Lounge, Head Shop or Smoking Paraphernalia Specialty Store” – A tobacco retailer whose business exclusively or primarily involves the sale of tobacco products and related goods and may also include social/lounge rooms for smoking on the premises and complies with the provisions of Utah State law.

~~“Solar Reflectance Index (SRI)” – A measure of a constructed surface’s ability to reflect solar heat, as shown by a small temperature rise. The measure utilizes a scale from 0 to 100 and is defined so that a standard black surface is 0 and a standard white surface is 100. To calculate~~

~~for a given material, obtain the reflectance value and emittance value for the material; calculate the SRI according to ASTM E 1980-01 or the latest version.~~

"Solar collector surface" - Any part of a solar energy system that absorbs solar energy for use in the system's transformation process. The collector surface does not include frames, supports, and mounting hardware

"Solar Energy" - Radiant energy received from the sun that can be collected in thr form of hear or light by a solar collector

"Solar Energy System" - A device or structural design feature intended to provide for collection, storage, and distribution of solar energy for heating or cooling, electricity generating, or water heating.

"Solar System, Building Integrated" – A solar system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building integrated systems include but are not limited to photovoltaic or hot water systems that are contained within roofing materials, windows, walls, skylights, and awnings.

"Solar System, Building Mounted" - A solar energy system affixed to a principal or accessory structure

"Social or Reception Center" – A building or site for the purpose of social gathering, celebration, and/or recreational purposes of certain groups and gatherings. This may include a meeting hall, cooking and dining facilities for large groups, but shall not provide overnight lodging.

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

"Solar or Wind Utilities" – Utility equipment and devices whose primary purpose is to provide for the collection, storage, and distribution of solar and wind energy for space heating, cooling, water heating, or for power generation.

"Start of Construction" – Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site; such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement footings, piers, or foundations or the erection of temporary forms; nor does it include the

installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

“State Liquor Store” – See “Alcoholic Beverage State Liquor Store”.

“Storage Facilities, Indoor Climate Controlled Units” – A multistory building used to provide separate, indoor storage areas for individual or business uses, and is designed to allow direct and private access, from enclosed corridors, by the tenant for storing or removing personal property. These buildings typically include elevator access. The outer walls have significant areas of glass and other architectural treatment.

“Storage Facilities, Self Service, Outdoor” – A site containing a building or group of buildings, typically single story, containing separate individual and private storage spaces of varying sizes, available for lease or rent, for varying periods of time. Self-storage facilities are very low traffic generators and may include an on-site resident manager for security and maintenance purposes. Access to the individual units is provided from driveways between buildings. The use of self-storage facilities is for personal items and shall not include flammable or hazardous chemicals and explosives. Other prohibited uses include, but are not limited to: auctions or commercial, wholesale or retail sales; the servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment; the operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment; the establishment of a transfer and storage business; and any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations.

“Storage Facilities, Warehouse, Indoor” – A building that is primarily used for the storage, and complete enclosure, of goods and merchandise.

“Storage and Equipment Yards, Outdoor” – An exterior depository, stockpiling, or safekeeping of materials and products, not including vehicles. The storage of items used for non-retail or industrial trade, the storage of merchandise inventory, and the storage of bulk materials such as sand, gravel, and other building materials. Outdoor storage shall also include contractor’s yards or recycling areas. Outdoor storage yards may be enclosed by a structure that includes a roof, but no side walls, in which case the structure shall be deemed outside storage.

“Story” – The portion of a building included between the surface of the floor and the ceiling next above it other than the basement.

“Story, Ground” - Also referred to as ground floor. The first floor of a building that is level to or elevated above the finished grade on the front and corner facades, excluding basements or cellars.

“Story, Half” - A story either in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with transparency facing the street.

“Story, Upper” - Also referred to as upper floor. The floors located above the ground story of a building.

"Street" – A thoroughfare which has been dedicated or abandoned to the public and accepted by proper public authority or a thoroughfare not less than twenty-five (25) feet wide which has been made public by right of use and which affords the principal means of access to abutting property.

“Street, Arterial” – A street that connects and distributes traffic to and from collectors, with access control, channelized intersections, and restricted parking.

“Street, Collector” – A street that collects from local streets and connects with minor and major arterials.

“Street Face” - The facade of a building that faces a public right-of-way.

“Street, Local” – A street that provides frontage for access to abutting lots and carries slow-speed traffic primarily having a destination or origin on the street.

“Streetscape” – The visual elements of a street, including the road, adjoining buildings, street furniture, landscaping and open spaces, etc. that, in combination, form the street’s character.

“Street Type” - The permitted and regulated types of streets in this code.

“Streetwall” - The vertical plane created by building facades along a street. A continuous streetwall occurs when buildings are located in a row next to the sidewalk without vacant lots or significant setbacks.

"Structure" (check building code) – Anything constructed or erected which requires location on or below the ground or attached to something having location on or below the ground, including signs and billboards but not including fences or walls used as fences which are six feet or less in height. IBC: That which is built or constructed.

“Structure, Principal” - Also referred to as the principal building. A building that contains the dominant Use of the Lot. It is typically located toward the front of the Lot in the front Build-to Zone or behind the Front Yard Setback.

“Subdistrict” – A designation given to any parcel within the East Streetcar Corridor District, Master Planned Mixed Use District, or other designated land use district or redevelopment area that dictates the standards for the development on that parcel.

“Substance Abuse / Outpatient Treatment Center” – Structures and land used for the treatment of alcohol or other drug abuse where neither meals nor lodging is provided.

“Subdivision” – Any land that is divided, re-subdivided

“Substantial Improvement” – Any repair, reconstruction, addition, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

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

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

A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
B. Any alteration of a “historic structure,” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.”

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

“Survey Monument” – A permanent marker set by a land surveyor to mark or reference a point on a property or land line which is permanently marked or tagged with the certificate number of the land surveyor setting it. They enable a surveyor to relate narrative boundary descriptions or improvements, and boundaries drawn on a set of plans to the actual location on the ground.

“Swale” - A low lying, naturally planted area with gradual slopes that facilitate the transport, absorption, and/or filtration of storm water.

“Tailoring Shop, Commercial” – An establishment providing services such as the altering and repairing of clothing, made-to measure clothing, dresses, coats, hats, and other garments.

“Tattoo Shop / Parlor” – Any business establishment which operates tattoo equipment to inject ink or otherwise modify human skin for the purposes of decoration.

“Temporary Employment Agency” - Employment agencies that find employees to fill short-term temporary jobs

“Temporary Structure” – A structure that is erected without any foundation or footings and is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

“Temporary Use” – A temporary business that is licensed through the City and engages in the temporary sale of goods, wares, or merchandise from a tent, ~~truck~~, vending cart, or other area on property owned or leased by the person, firm, or corporation. These uses are secondary to or incidental to the principal permitted use or structure existing on the property, and not incompatible with the intent of the district.

“Theater, Movie” – A building or part of a building devoted to showing motion pictures, for admission to which entrance money is received. Such establishments may include related services such as food and beverage sales and other concessions.

“Theater, Live Performance” – An establishment for the performing arts with fixed seating for audiences. The theater is devoted for the performance of dramatic, dance, musical, or other live performances. Such establishments may include related services such as food and beverage sales and other concessions.

“Tire Service” – A business where the principal operation is the sale or installation of new, used, or retread tires and tubes.

“Tobacco, Smoke, Cigarette, Specialty Store” – A tobacco retailer whose business exclusively or primarily involves the sale of tobacco products and related goods.

“Townhome/Row Home” –A dwelling unit, located on its own lot that shares one or more common or abutting walls with one or more dwelling units, and is accessed through a front yard. A townhome or row home dwelling is individually owned, separated by vertical firewalls, and does not share common floor/ceilings with other dwelling units.

"Transitional Care and Rehabilitation" - A privately owned facility or a facility owned, operated or contracted by a governmental entity or charitable, nonprofit organization which provides free temporary housing to homeless persons for at least thirty (30) days while they obtain work, job skills, or otherwise take steps to stabilize their circumstances. A transitional housing facility does not include:

1. A homeless shelter;
2. A dwelling unit provided to a family for its exclusive use as part of a transitional housing program for more than one hundred eighty (180) days; and
3. A residential facility for persons with a disability.

“Tree Canopy” - The uppermost area of spreading branches and leaves of a tree.

“Tree Canopy Coverage” - The area of ground covered or shaded by a tree’s canopy, measured in square feet.

“Turf Grass” – Any of various grasses (as Kentucky bluegrass or perennial rye grass) as grown to form turf, or lawn, as opposed to tufted ornamental grass.

“Upholstery Shop” – A business that repairs and replaces upholstery to household and office furnishings; does not include motor vehicle upholstering or repair.

“Usable Land” – That contiguous parcel of natural land and/or compacted (engineered) fill, as permitted by this ordinance or the International Building Code, included within the lot (including setbacks), no part of which has a slope exceeding 30 percent.

“Use, Change of” – A change of use, purpose, or level of activity within any building or property that merits a change in application of the requirements of the present land use or building codes.

“Variance” – A legal and authorized divergence from this Title, when strict compliance with the provisions of this Title would cause an unusual and unnecessary hardship.

“Violation” – The act or an instance of violating, for the purpose of this definition, a Federal, State, or Local law or ordinance.

“Visible Basement” - A half story partially below grade and partially exposed above with required transparency on the street facade.

“Water Body” - A body of water, such as a river, pond, or lake that may be man-made or naturally occurring.

"Width of lot" – The distance between the side lot lines and at the distance back from the front lot line required for the depth of the front yard.

“Xeriscaping” – Landscaping that consists of native and drought tolerant plant material placed in conjunction with groundcover or mulch. Xeriscaping is typically used as a way to reduce water consumption. Rocks, hardscape and mulches alone without native and drought tolerant plantings are not considered xeriscaping.

"Yard" – A space on a lot, other than a court, unoccupied and unobstructed from the ground upward by buildings or structures, except as otherwise provided in this title. All lots shall have a front, a rear and two side yards. For corner lots, at least one side shall be referred to as the corner side and shall have specific requirements as provided in this title.

Any portion of a lot located adjacent to a street, other than that portion considered the front yard, shall meet the requirements for corner side on that portion.

In any case where a lot includes a private right-of-way, the lot shall be considered as if the lot does not include the right-of-way and that property line defined in this chapter as "at the street" or "street property line" shall be from the nearest edge of the right-of-way.

“Yard, Corner Side” – That yard space adjacent to a street that extends from the front yard setback line and the rear property line and between the corner side setback line and the street property line.

“Yard, Front” –

1. For an interior lot—that yard space between the setback line of the building and the property line at the street, extending the full width of the lot;

2. For a corner lot—that yard space extending from the main entrance side of the main structure setback line to the street property line, extending the full width of the lot.

“Yard, Rear” –

1. For an interior lot—that yard space between the rear setback line of the building and the rear property line, and extending the full width of the lot. The rear yard shall be that portion of the yard opposite the front yard;

2. For a corner lot—that yard space between the rear setback line of the building and the rear property line, and extending from the side property line to the corner side building setback line. The rear yard shall be that portion of the yard opposite the front yard.

“Yard, Side” – That yard space between the rear setback line of the building and the side property line, and extending from the front yard to the rear yard.

"Youth program” – A nonresidential program designed to provide behavioral, substance abuse, or mental health services to minors that:

1. Serves adjudicated or nonadjudicated youth;

2. Charges a fee for its services;

3. May or may not provide host homes or other arrangements for overnight accommodation of the youth;

4. May or may not provide all or part of its services in the outdoors;

5. May or may not limit or censor access to parents or guardians; and

6. Prohibits or restricts a minor's ability to leave the program at any time of the minor's own free will.

"Youth program" does not include recreational programs such as Boy Scouts, Girl Scouts, 4-H, and other such organizations.

“Zero Lot Line Development” – A residential or commercial building that is constructed with the wall of the building located on the property line. In the case of attached dwelling units the separation wall is considered the property line.

DATED this _____ day of _____, 2015.

BY THE CITY COUNCIL:

_____
Irvin H. Jones Jr., Council Chair

ATTEST:

_____
Craig D. Burton, City Recorder

City Council Vote as Recorded:

Beverly	_____
Gold	_____
Jones	_____
Rapp	_____
Rutter	_____
Snow	_____
Turner	_____

Transmitted to the Mayor's office on this _____ day of_____ 2015.

_____
Craig D. Burton, City Recorder

MAYOR'S ACTION: _____

Dated this _____ day of _____, 2015.

_____
Cherie Wood, Mayor

ATTEST:

_____
Craig D. Burton, City Recorder