Emigration Canyon
Assembled Title 19 Chapters

Phase 1 - August 3, 2022

This is a draft for review purposes only. Staff will continue to work with Emigration Canyon Metro Township on revisions leading up to a proposed adoption date in December 2022 or January 2023.

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Exhibit A

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CHAPTER 19.04 DEFINITIONS

Sections:

19.04.010 Definitions and interpretation of language.

For the purpose of this title, certain words and terms are defined as set out in this chapter. Words used in the present tense include the future; words in the singular number include the plural and the plural the singular, and words included herein but defined in the building code shall be construed as defined therein.

19.04.020 Terms Defined:

"**Accessory Structure**" means a detached subordinate building or structure the appropriate use of which is subordinate and customarily incidental to the main building or to the main use of the land and which is located on the same lot or parcel of land with the main building or use. Accessory Structures include detached garages or carports, garden or storage sheds, and children's playhouses, but do not involve the conduct of a business.

"**Accessory Dwelling Unit, Detached**" means a habitable living unit detached from a primary single-family dwelling and contained on one lot for the purpose of offering a long-term rental of 30 consecutive days or longer.

"**Accessory Dwelling Unit, Internal**" means an accessory dwelling unit created:

A. within a primary dwelling:
B. within the footprint of the primary dwelling at the time the internal accessory dwelling unit (IADU) was created; and
C. for the purpose of offering a long-term rental of 30 consecutive days or longer. (See Utah Code 10-9a-530)

"**Accessory Outside Storage**" means the accessory location of any goods, wares, merchandise, commodities, or any other item outside of a completely enclosed building for a continuous period longer than twenty-four (24) hours. The area used for outdoor storage shall not constitute more than fifteen percent (15%) of the lot area. With the exception of retail sales displays in an approved commercial area, outdoor storage shall be screened from public view by a minimum six-foot (6') high opaque fence or, when outdoor storage occurs in a front yard, side yard, or any other location within the public view, a fence or screening of a height and material determined by the Planning Commission. The presence of hazardous materials, junk, junk cars, or debris not usually appurtenant to permitted on-site uses is prohibited. "Outdoor storage" as defined herein does not include construction yards, storage yards, or other storage uses where the storage of items outside of an enclosed building is a primary characteristic of the use. See definition of "storage yard."

"**Accessory Use**" means a use clearly incidental and subordinate to the existing primary use and customarily related to the primary use and located on the same lot or in the same building as the primary use.

"**Agricultural Building**" means a structure that is primarily associated with and supports agricultural use or activity but shall not be used for human occupancy and complying with the requirements of Utah Code, as amended. To qualify as an agricultural building the structure shall meet all requirements of Utah Code, as amended, and be clearly associated with and necessary to support an agricultural use or activity.

"**Agricultural Products Processing**" means the processing of non-animal agricultural products including but not limited to the processing, cleaning, sorting, grading, packaging, or milling of products intended for human or animal consumption or use.

"**Agricultural Sales**" means the retail or wholesale sale of agricultural or horticultural products grown or raised on site and not produced or purchased from another location for resale. This use does not include

the commercial slaughtering, processing, packaging, or sale of meat, poultry and dairy, concentrated animal feeding operation, or similar uses.

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

"**Agritourism**" means a commercial enterprise linking agricultural production and/or processing with tourism in order to attract visitors onto a farm, ranch, or other agricultural business for the purposes of entertaining and/or educating the visitors and generating income for the farm, ranch, or business owner. This excludes guest ranches and other forms of overnight accommodation.

"**Airport/Heliport**" means an area used for the landing and takeoff of both fixed-wing aircraft and helicopters and buildings, structures, or other facilities associated with these activities, including taxiways, aircraft storage and tie-down areas, hangars, servicing, and passenger and freight terminals and used by commercial, private, or military aircraft.

"**Alley**" means a public thoroughfare ~~less than twenty-five feet wide.~~ that is intended to provide rear or side access and is not intended for through traffic.

"**Amateur Radio Antenna**" means a radio antenna that complies with the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952 (1985)" or meets the standards related to amateur radio service adopted under 47 C.F.R. Part 97.

"**Amateur Radio Antenna Support Structure**" means a lattice or pole structure which acts as a support to the amateur radio antenna. Typical support structures are triangular or square in cross-section, crank up, or guyed, and are constructed with galvanized steel or aluminum.

"**Animal Control or Rescue Facility**" means a location, with buildings, structures, and holding facilities necessary to provide temporary housing and food for animals (primarily pets or companion animals) from abusive homes or homeless situations, rehabilitation (if the animal has health or behavior problems, or for treatment if the animal requires veterinary care). This may include publicly licensed facilities to detain and/or dispose of stray dogs, cats, and other animals.

"**Animal Feeding Operation**" means a facility that confines, feeds, and maintains domestic livestock in either an open or enclosed lot or space for a total of 45 days or more in any 12-month period. The area(s) where the livestock are confined does not sustain crops, vegetation, forage growth, or post-harvest residues in the normal growing season. An AFO may also be a Concentrated Animal Feeding Operation ("CAFO" See CAFO). An AFO may be subject to the requirements of the Utah Pollutant Discharge Elimination System (UPDES).

"**Animal Hospital or Clinic**" means facilities for the diagnosis, treatment, and hospitalization of domesticated animals in indoor holding facilities but does not include any outdoor holding or boarding facilities.

"**Animal Hospital or Clinic with Outdoor Holding Facilities**" means facilities for the diagnosis, treatment, hospitalization, and boarding of animals (including large animals) that may include indoor and/or outdoor holding and boarding facilities.

"Animal Rights" means the keeping of livestock and fowl, limited to one animal unit and their seasonal offspring for each ten (10) thousand square feet.

"Animal Unit" means a proportionate combination of the following:

A. One (1) cow, or one (1) horse, or one (1) pig, or one (1) llama, or one (1) other similar large animal.
B. Four (4) adult sheep or feeder lambs, or two (2) alpacas (similar to llama).
C. Two (2) goats.
D. Ten (10) chickens, or ten (10) ducks, or ten (10) pigeons, or ten (10) similar small fowl, subject to the standards and requirements of this Title, Salt Lake County Animal Services, and Salt Lake

County Health Department that ensure that domesticated fowl do not adversely impact the neighborhood surrounding the property on which the domestic fowl are kept. For regulations regarding the keeping of chickens, see section _____ of this title.

E. Twelve (12) rabbits, or twelve (12) similar small animals.
F. Two (2) large birds such as ostriches, or emus, or peacocks.
G. Four (4) turkeys.

The total animal units located on a given parcel or animal operation shall be determined by adding the animal units for each animal type. For the purpose of determining compliance, said definition shall not include the unweaned offspring of any residing animal which is less than six (6) months in age.

"**Antenna**" means a transducer, attached to a support structure, designed to transmit or receive electromagnetic waves.

"**Apiary**" means the assembly of one or more colonies of bees at a single location.

"**Assembly Use**" means a business where finished parts are assembled to develop a final product. These uses include computer and electronic assembly, and similar uses, but do not include vehicle or manufacturing type uses.

"**Assisted Living Facility**" means Either a Type I Assisted Living Facility, which is a residential facility that supports activities of daily living and social care to two or more residents who require protected living arrangements and are sufficiently mobile to exit the facility without the assistance of another person. OR A Type II Assisted Living Facility, which is a residential facility with a home-like setting that provides an array of coordinated supportive personal and health care services available 24 hours per day to residents who have been assessed under Department rule to need any of these services.

"**Athletic Clubs**" means an indoor establishment that provides for aerobic exercises, weightlifting, bodybuilding, running, exercise equipment, game courts, swimming facilities, saunas, spas, showers, and lockers. See "Recreation Facility, Commercial" and "Recreation Facility, Private".

Bank. See "Financial Institution."

"Bar" means a commercial establishment open to the general public which sells and serves intoxicating beverages for consumption on the premises, subject to the Utah Alcoholic Beverage Control Act.

"**Basement**" means any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story.

"**Bed and Breakfast Inn**" means dwellings in which two (2) or more rooms are rented out by the day, offering overnight lodging to travelers, and where one or more meals are provided by the host family, the price of which is included in the room rate.

"**Breweries and Distilleries in association with a Restaurant**" means a business which conducts the retail sale of beer or liquor which is brewed or distilled on the premises in compliance with applicable state and federal laws. Such establishments may also include restaurants as an accessory use.

"**Breweries and Distilleries, Industrial**" means an industrial use that brews ales, beers, meads, and/or similar beverages on site. Industrial breweries and distilleries are engaged predominantly in manufacturing and do not include a bar or restaurant. Industrial breweries and distilleries may include incidental retail sales when permitted by the Department of Alcoholic Beverage Control.

"**Boardinghouse**" means a building with not more than five guestrooms, where, for compensation, meals are provided for at least five but not more than fifteen persons.

"**Buildable Area**" means a lot or portion thereof possessing all of the following physical characteristics:

A. The area contains no territory having a slope of thirty percent (30%) or greater;
B. The area contains no territory which is located in any identified floodplain or within any recognized inundation zone, mudflow zone or zone of deformation, or lands subject to earth slippage, landslide or rockfall;
C. The engineering properties of the soil provide adequate structural support for the intended use; and

D. The area does not possess any other recognized natural condition which renders it unsafe for building purposes.

"**Building**" means any structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals, or chattels.

"**Building alteration**" means any act or process that changes the architectural detail, function, or structural design of a building, including but not limited to the erection, construction, reconstruction, or removal of any building.

"**Building coverage**" means the maximum horizontal area within the outer perimeter of the building walls, dividers, or columns at ground level or above, whichever is the greater area, including, without limitation, courts and exterior stairways, but excluding:

A. Uncovered decks, porches, patios, terraces, and stairways all less than thirty inches high; and
B. The outer four feet of completely open, uncovered, cantilevered balconies that have a minimum of eight feet of vertical clearance below.

"**Building envelope**" means the building pad, building footprint, and height restrictions, which define the maximum building area in which all development must occur.

"**Building facade**" means the exterior of a building located above ground and generally visible from public points of view.

"**Building footprint**" means the total area of the foundation of a structure, or the furthest exterior wall or supporting column of the structure. Decks, porches, patios, stairways, terraces, planter boxes and balconies that are both uncovered and less than 30' tall, measured from the finished grade are not part of the building footprint.

"Building Height" means the vertical distance above the natural grade at any point on the perimeter of the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to a level midway between the level of the eaves and the highest point of pitched or hipped roofs, or to a level two-thirds of the distance from the level of the eaves to the highest point of gambrel roofs. For purposes of measuring height, the "level of the eaves" means the highest level where the plane of the roof intersects the plane of the outside wall on any side containing an eave. Buildings may be stepped to accommodate the slope of the terrain provided that each step shall be at least twelve feet in horizontal dimension. The height of each stepped building segment shall be measured separately.

"Building Street Frontage" means the portion of the building directly fronting or adjacent to the street. Building Street Frontage is calculated by dividing the portion of the building at the build-to-line or within a specified distance of the build-to-line by the street frontage.

"**Build-to-line**" means the maximum distance a building may be setback from a property line or other designated location. The purpose of a build-to-line is to bring structures adjacent to streets and sidewalks to encourage pedestrian activity.

"**Campground**" means a public area designated by a public agency for camping, or a private area licensed by the local governing body for camping. And/or any lot or parcel of land upon which two or more sites are located, established or maintained for occupancy by recreational vehicles for a fee as temporary living quarters for recreation or vacation purposes. This may include accessory facilities such as kitchens, pavilions, playgrounds, or storage for recreation equipment.

"Camping" means the use of any tent, trailer, lean-to, teepee, recreational vehicle, or similar non-permanent structure or vehicle for temporary living quarters for residential, recreation, education, or vacation purposes.

"**Canopy**" means a roofed structure supported by a building and/or supports extending to the ground directly underneath the canopy, and providing a protective shield for service-station pump islands and walkways.

"**Car and Light Truck Wash**" means a facility with machine or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of automobiles and light trucks. A car and truck wash may be able to accommodate more than one vehicle at a time.

"**Carport**" means a private garage not completely enclosed by walls or doors. For the purpose of this title, a carport shall be subject to all of the regulations prescribed for a private garage.

"**Cemetery**" means land used or dedicated to the burial of the dead, including crematoriums, mausoleums, necessary sales, and maintenance facilities.

"**Check Cashing**" means cashing a check for consideration or extending a deferred deposit loan and shall include any other similar types of businesses licensed by the State pursuant to the Check Cashing Registration Act.

"**Child Care**" means the provision, day or night, of supplemental parental care, instruction, and supervision for a non-related child or children, on a regular basis, and for less than twenty-four hours a day. The term does not include babysitting services of a casual, non-recurring nature, or in the child's own home or cooperative, or reciprocative child care by a group of parents in their respective domiciles.

"Child Care Center" means a facility, operated by a person qualified and licensed by the State of Utah, which provides children with daycare and/or preschool instruction as a commercial business and complying with all applicable state standards and licensing and having regularly scheduled, ongoing enrollment for direct or indirect compensation that provides childcare for less than twenty-four (24) hours per day. Commercial Daycare Facilities excludes the following:

A. Kindergartens or nursery schools or other daytime programs operated by public or private elementary or secondary schools or institutions of higher learning;
B. Facilities operated in connection with a fitness center, shopping center, or other activity where children are cared for temporarily while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and readily available; or
C. Special activities or programs, including athletics, crafts instruction, and similar activities, are conducted on a periodic basis by civic, charitable, private, or governmental organizations.

"Child Care, Licensed Family" means the provision of childcare for sixteen or fewer children, including the provider's children who are under the age of thirteen, in the home where the caregiver resides, in the absence of a child's parents, for four (4) or more hours but less than twenty-four (24) hours, on a regularly scheduled, ongoing basis. A "Child Care, Licensed Family" is subject to licensing by the Utah Department of Health and Human Services.

"Child Care, Residential" means the provision of childcare for eight or fewer children, including the provider's children the who are under the age of thirteen, in the home where the caregiver resides, in the absence of a child's parents, for less than twenty-four (24) hours, on a regularly scheduled, ongoing basis. A "Child Care, Residential" is subject to licensing by the Utah Department of Health and Human Services.

"**Church, Synagogue, Mosque, Temple, Cathedral, or other religious buildings**" means a building, with accessory buildings and uses, where persons regularly assemble for religious purposes and related social events and which building, with accessory buildings and uses, is maintained and controlled by a religious body organized to sustain religious ceremonies and purposes.

"Club" means a building used, occupied, and operated by an organized association of persons for social, fraternal, religious, or patriotic purposes, whose activities are confined to the members and their guests, but shall not include any organization, group, or association, of which the principal activity is to render a service usually and ordinarily carried on as a business. A club may also be a bar, subject to the Utah Alcoholic Beverage Control Act.

"**Cluster Subdivision**" means a subdivision in which the lot sizes are reduced below those normally required in the zoning district in which the development is located, in return for the provision of permanent open space.

"**Commercial Plant Nursery**" means a business where young plants or trees are raised for experimental horticultural purposes, for transplanting, or for sale.
"**Commercial recreation**" means recreational facilities operated as a business and open to the general public for a fee, such as golf driving ranges and baseball batting ranges.
"**Community Garden**" means the production of a harvestable product, planted, grown, and cultivated in the soil by an identifiable group of community members. Includes products grown and managed by a community or neighborhood organization for local consumption or sale.
"**Concentrated Animal Feeding Operation**" means a "Concentrated Animal Feeding Operation" ("CAFO") meeting the regulatory definition of CAFO or if it is designated as a CAFO by the State of Utah. A CAFO is defined in 40 CFR 122.23 Appendix B as "an animal feeding operation where more than 1,000 'animal units' (as defined by the regulation) are confined at the location; or more than 300 animal units are confined at the facility and either one of the following conditions are met: pollutants are discharged into navigable waters through a man-made ditch, flushing system or other similar man-made devices; or pollutants are discharged directly into waters of the United States which originate outside of and pass over, across, or through the facility or otherwise come into direct contact with the animals confined in the operation." ("Animal unit" means a unit of measurement for any animal feeding operation calculated as per the Utah Administrative Code (UAC) R317-8-3.5 and used to determine if an operation meets the definition of a concentrated animal feeding operation). A CAFO is subject to the requirements of the Utah Pollutant Discharge Elimination System (UPDES).
"**Conditional use**" means a land use that has unique characteristics or negative effects that may not be compatible in an area without conditions to mitigate or eliminate the detrimental impacts. A land use listed as a conditional use is a use of land for which a conditional use permit is required pursuant to this title.
"**Contractor's Office**" means a facility providing building construction and maintenance, including carpentry, plumbing, roofing, electrical, air conditioning, and heating, within a fully enclosed building, and that may include the open storage of associated building materials, equipment, or vehicles.
Contractor's Storage Yard. See "Storage Yard"
"**Corral**" means a space, other than a building, less than one acre in area or less than one hundred feet in width, used for the confinement of animals.
"**Correctional Facility**" means any facility operated by or contracting with the Department of Corrections to house offenders in either a secure or non-secure setting; which includes any facility operated by a municipality or a county to house or detain criminal offenders, any juvenile detention facility, and any building or grounds appurtenant to the facility or lands granted to the state, municipality, or county for use as a correctional facility.
"**Court**" means an occupied space on a lot, other than a yard, designed to be partially surrounded by group dwellings.
"Crematorium" means a building that contains cremation chambers and a holding facility for human or pet remains, and which may receive remains from funeral establishments.
"**Dairy**" means a commercial establishment for the manufacture or processing of dairy products.
"**Development**" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.
"**Director**" means the Greater Salt Lake Municipal Services District Director of Planning and Development Services.
"Drive-Thru and Drive-Up Facilities" means an establishment designed or operated to provide drive-through or drive-up service to patrons remaining in vehicles. May include other forms of service, such as conventional seating.
Duplex. See "Dwelling, Two Family."

"Dwelling, Manufactured Home" means a transportable factory-built housing unit constructed on or after June 15, 1976, according to the HUD Code, in one or more sections, that: (a) in the traveling mode, is eight body 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 built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems. A manufactured home shall be attached to a permanent foundation in accordance with plans providing for vertical loads, uplift, lateral forces, and frost protection in compliance with the City's Building Code, as adopted. All appendages, including carports, garages, storage buildings, additions, or alterations shall be built in compliance with the City's Building Code, as adopted.

"**Dwelling, Mobile Home**" means a transportable factory-built housing unit built prior to June 15, 1976, in accordance with a state mobile home code that existed prior to the HUD Code. HUD Code means the National Manufactured Housing Construction and Safety Standards Act, 42 U.S.C. Sec. 5401 et seq.

"Dwelling, Modular Unit" means a structure: (a) built from sections that are manufactured in accordance with the State Construction Code and transported to a building site; and (b) the purpose of which is for human habitation, occupancy, or use

"Dwelling, Multiple Family" means a building containing five (5) or more residential dwelling units.

"Dwelling, Single-Family" means a building containing one (1) residential dwelling unit.

"Dwelling, Single-Family Attached" means a residential structure designed to house a single-family unit from the lowest level to roof, with a private outside entrance, but not necessarily occupying a private lot, and sharing a common wall adjoining dwelling units.

"Dwelling, Three- and Four-Family (3-plex and 4-plex)" means a building containing three (3) or four (4) residential dwelling units, each unit designed to be occupied by one (1) family.

"Dwelling, Two Family" means a building containing two (2) residential dwelling units.

"Dwelling group" means a group of two or more dwellings located on a parcel of land in one ownership and having any yard or court in common.

"Dwelling unit" means one or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one family with separate toilets and facilities for cooking and sleeping. Buildings with more than one kitchen or set of cooking facilities are considered to contain more than one dwelling unit unless the additional cooking facilities are clearly accessory to a dwelling unit as determined by the development services director. Factors for determining whether cooking facilities are accessory to a dwelling unit may include but are not limited to:

A. A building design which allows all occupants ready access to all portions of the building including cooking facilities;
B. No portion of the building containing cooking facilities can be separated from the remaining rooms to form a separate dwelling unit;
C. There is only one electric and/or gas meter for the building.

"Earth Station" means a communication facility that transmits and/or receives signals to and from orbiting satellite(s).

"Educational Facility" means: (i) a school district's building at which pupils assemble to receive instruction in a program for any combination of grades from preschool through grade 12, including kindergarten and programs for children with disabilities; (ii) a structure or facility: (A) located on the same property as a building described in Subsection (12)(a)(i); and (B) used in support of the use of that building; and (iii) a building to provide office and related space to a school district's administrative personnel; and (b) does not include: (i) land or a structure, including land or a structure for inventory storage, equipment storage, food processing or preparing, vehicle storage or maintenance, or similar use that is: (A) not located on the same property as a building described in Subsection (12)(a)(i); and (B) used in support of the purposes of a building described in Subsection (12)(a)(i); or (ii) a therapeutic school.

“Educational Facility with Residential Accommodation” means an educational facility with living accommodations for students or staff, such as universities, colleges, boarding schools, and seminaries. Educational facility includes public and private schools (PreK-12) designed for educational activities with a curriculum for technical or vocational training, pre-kindergarten, kindergarten, elementary, secondary, or higher education and recognized as an educational institution by the State of Utah Board of Education, the State of Utah Board of Higher Education, or the State Board of Regents.

"Entrance" means the location of ingress to a room, building, or lot; a location of admittance.

"Exit" means the location of egress from a room, building, or lot.

“Family” means one of the following groups of individuals, but not more than one group at the same time:

A. An individual living alone; or
B. Two (2) or more people, all of whom are related to one designated occupant of the dwelling by blood, marriage, adoption, or legal guardianship and their foster children, and up to two (2) other unrelated persons who do not pay rent; or
C. Up to four (4) related or unrelated individuals who live and cook together as a single housekeeping unit; or
D. Two (2) unrelated individuals and any children of either of them living as a single housekeeping unit.

"Family food production" means the keeping of not more than two cows, two sheep, two goats, twenty rabbits, fifty chickens, fifty pheasants, ten ducks, ten turkeys, ten geese, and twenty pigeons; provided that not more than three of the above-listed kinds of animals and fowl are permitted at any one time on any lot in zones where family food production may be a permitted or conditional use.

“Fence” means any tangible barrier, latticework, screen, wall, hedge, or continuous growth of shrubs or trees with the purpose of, or having the effect of, preventing passage or view across the fence line.

“Financial Institutions” means a trust company, savings bank, industrial bank, savings and loan association, building and loan association, commercial bank, credit union, federal association, investment company, or other business association—which is chartered under federal or state law—solicits, receives, or accepts money or its equivalent on deposit and loans money as a regular business. "Financial institutions" does not include "check cashing", "pawn shops" or other similar uses.

“Food truck / mobile restaurant/food cart” means a motorized vehicle or mobile food unit that's used for cooking and selling food items to the general public on a public right-of-way and licensed by the Salt Lake County Health Department.

“Freight Service” means an establishment primarily engaged in undertaking the transportation or transferring of goods, merchandise, materials, and commodities of any kind for compensation, and which may in turn make use of other transportation establishments in effecting delivery.

"Frontage" means the uninterrupted linear or curvilinear extent of a lot, abutting on a street, measured along the street right-of-way from the intersection of one side lot line to the intersection of the other side lot line. The measurement of lot frontage shall not include irregularities in the street line and, in the case of a corner lot, shall extend to the point of intersection of the rights-of-way. If a lot has frontage on more than one street, only the frontage on one street may be used to satisfy the minimum lot frontage.

“Garage, Private” means a detached accessory building or portion of a main building designed for the parking or temporary storage of automobiles of the occupants of the premises.

“Gardening for Personal Use” means an accessory use that includes the production of fruits, vegetables, spices, and other food plants for personal use. Gardening for personal use may include a greenhouse or plant nursery subject to accessory structure regulations.

“Grade, finished” means the topographic elevations where the earth meets the building, upon project completion. Excluded from this definition are window wells serving basement rooms. Also referred to as "final grade".

"Grade, natural" means the topographic elevations representing the surface of the ground prior to grading, filling, or other site alterations for a project. When natural grade is not readily apparent, an approximation of preexisting conditions using grades on adjacent sites, retaining walls, prior survey maps, etc., may be used as a reference for determining natural grade. All such grade approximations shall require the concurrence of the Director. Also referred to as "existing grade".

"Graffiti" means inscriptions, drawings, paintings, or other visual defacing of buildings, structures, or natural features, without the consent of the owner thereof, and which is not otherwise authorized and permitted in the Salt Lake County ordinances.

"Guest" means a person paying for staying or receiving services at a bed and breakfast, hotel, motel, resort, or similar facility.

"Guestroom" means a room that is designed for double occupancy by guests, for sleeping purposes.

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

"Guest Ranch" means a vacation resort offering activities (such as horseback riding) typical of western ranches; may be associated with a working ranch.

"Home Occupation" means any use or activity conducted entirely within a residential dwelling or a legal accessory building or structure that is clearly incidental and secondary to the existing residential use and does not change the character of the residence or neighborhood and there is no display of any stock and the use complies with the applicable business license requirements.

"Home Preschool" means a preschool program complying with all State standards and licensing for non-family members in an occupied dwelling unit, by residents of that dwelling unit, in which lessons are provided for not more than ten (10) children for each session of instruction. If there are eight or more children, there must be two or more providers present. Sessions shall last for not more than four (4) hours and shall not overlap. Individual children may attend only one (1) preschool session in any 24-hour period.

"Hospital" means a facility licensed by the Utah Department of Health, providing health services primarily for human inpatient or medical or surgical care for the sick or injured, and including the related facilities such laboratories, outpatient departments, training facilities, central service facilities, and staff offices which are integral parts of the facilities.

"Hotel" means an establishment providing, for a fee, sleeping accommodations and customary lodging services, including maid service, the furnishing and upkeep of furniture and bed linens, and telephone and desk service. A central kitchen, dining room, accessory shops and services catering to the general public can be provided. Additional services, such as restaurants, meeting rooms, conference space and recreational facilities are allowed as accessory and subordinate uses.

"Household Pet" means animals or fowl customarily permitted in the house and kept for company or pleasure, including dogs, cats, canaries, and similar pets.

"Industrial flex space" means a one-story building containing a mixture of warehouse, retail, office, and light industrial uses, with at least 25% of the net floor area dedicated to office space.

"Institutional Use" means a facility that provides a public service and is operated by a federal, state, or local government, public or private utility, public or private school or college, church, public agency, or tax-exempt organization.

"Intensity" means the concentration of activity, such as a combination of the number of people, cars, visitors, customers, hours of operation, outdoor advertising, etc.; also, the size of buildings or structures, the most intense being higher, longer and/or wider.

"Junk" means any worn out or discarded materials including but not necessarily limited to scrap metal, inoperable motor vehicles and parts, construction material, household wastes, including garbage and discarded appliances, and yard debris.

Junkyard. See "Salvage Yard."

"Kennel, Commercial" means a shelter or place where over three dogs or cats are bred, boarded, or trained for monetary gain.
"Kennel, Private" means a shelter for or a place where over three and no more than five dogs and cats are bred, boarded, or trained for no monetary gain.
"Laboratory, Medical or Dental" means an establishment providing biological, dental, medical, or optometrical laboratory and testing services.
"Laboratory, Research and Development" means facilities for the investigation of natural, physical, or social sciences that may include engineering and product development.
"Land Use Application" means an application required by the zoning or subdivision ordinances.
"Land Use Authority" means the person, board, commission, agency, or other body designated by the Emigration Canyon Township Council to act upon a land use application.
"Land Use Decision" means any final decision of the township council, planning commission, or final administrative decision of the _____ or other official responsible for the enforcement of zoning and subdivision regulations.
"Lattice Tower" means a support structure constructed of vertical metal struts and cross braces forming a triangular or square structure that often tapers from the foundation to the top.
"Laundry Cleaning, Automatic Self-Help" means an establishment where one or more machines or devices are offered for public use to provide self-service dry-cleaning and/or clothes laundering facilities.
"Laundry Cleaning, Drop Off" means an establishment where patrons may drop off items for dry-cleaning or laundering—which may occur on or off-site.
"Liquor and/or Wine Store" means a facility for the sale of packaged liquor or wine, located on premises owned or leased by the state of Utah and operated by a state employee.
"Lot" means a parcel of land occupied or proposed to be occupied by a building or buildings, together with such yards, open spaces, lot width, and lot areas as are required by this title, having frontage upon a street or a right-of-way approved by a land use hearing officer, or upon a right-of-way not less than twenty feet wide. Except as provided in this title, not more than one dwelling structure shall occupy one lot.
"Lot, Corner" means a lot abutting on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed one hundred thirty-five degrees.
"Lot, Double Fronting" means a lot having frontage on two (2) streets that are parallel or nearly so or do not intersect.
"Lot, Interior" means a lot other than a corner lot.
"Lot Line, Front" means the front boundary line of a lot bordering the street.
"Lot Line, Rear" means a lot line that is opposite and most distant from the front lot line. In the case of an irregular-shaped lot, the rear lot line shall be that lot line that is generally parallel to and at the maximum distance from the front lot line, having a length of at least ten feet (10').
"Lot Line, Side" means any lot boundary line not a front lot line or a rear lot line.
"Lot Width" means the distance between the side lot lines measured at the required front yard setback line. For a corner lot, the lot width is the distance between one of the front lot lines and the opposite side yard line at the required front yard setback line.
"Machine Shop" means shops where lathes, presses, grinders, shapers, and other wood or metal working machines are used—such as blacksmith, tinsmith, welding, and sheet metal plumbing, heating, electrical repair, and overhaul shops.
"Main building" means the principal building or one of the principal buildings upon a lot, or the building or one of the principal buildings housing a principal use upon a lot.
"Manufacturing, Heavy" means the manufacture or compounding process of raw materials. These activities or processes would necessitate the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. These activities may involve outdoor operations as part of their manufacturing process.

"Manufacturing, Light" means an establishment primarily engaged in the production, fabrication, processing, or assembly of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such activities take place and are located entirely within a building. Such uses include research and development facilities and testing laboratories. These uses do not include refineries, rock crushers, incinerators, and similar uses.

"Meat or Poultry Processing Facility" means a building where live animals are killed and processed; and/or a building where meat, poultry, or eggs are cooked, smoked, or otherwise processed or packed but does not include a butcher shop.

Medical, Urgent Care, and Dental Clinic. See Office, Medical."

"Membrane Covered Frame Structure" means a nonpressurized building wherein the structure is composed of a rigid framework to support a tensioned membrane that provides the weather barrier.

"Micromobility Support Infrastructure" means infrastructure, such as docking stations, signage, or other small-scale infrastructure, needed to support licensed micromobility systems. Micromobility shall mean small, light-weight, and low-speed (less than 30mph) motorized vehicles that may be part of a shared-use program.

"Mining (Subsurface)" means mining by digging or constructing access tunnels, adits, ramps, or shafts and excavating directly from the natural mineral deposits exposed.

"Mining (Surface)" means mining by removing the overburden lying above the natural deposits and excavating directly from the natural deposits exposed, or by excavating directly from deposits lying exposed in their natural state, and shall include dredge operations conducted in or on natural or artificially created waterways.

"Minor ski resort improvements" means construction activities associated with the ongoing operation and maintenance of previously approved facilities, ski runs, ski trails, ski lifts, and related resort appurtenances, equipment, recreational access corridors, pedestrian or non-motorized trails, non-snow related activities, and accessory uses, or vehicular maintenance roads constructed or used in connection with the construction, operation, or maintenance of a resort.

"Mobile Home" means a dwelling unit designed to be transported, after fabrication, on its own wheels designed and intended for permanent occupancy as an independent dwelling unit, upon connection to required utility systems; but which is not constructed in compliance with the municipality's adopted Building, Mechanical, Electrical, and Plumbing Codes or the Federal Manufactured Home Construction and Safety Standards (HUD Code). The term "mobile home" shall also include any structure meeting the above description, which is used for an office, classroom, laboratory, processing, manufacturing, retail sales, or other such uses.

"Mobile Home Park" means an area or tract of land used to accommodate two (2) or more mobile homes intended to be occupied as residences connected to required utility systems.

"Mobile Home Subdivision" means a subdivision of residential lots intended for the placement of mobile homes under separate ownership.

"Mobile Store" means a business that is carried out entirely from a motor vehicle or thing that is designed to be or is mobile such as hand pushcarts and self-propelled kiosks, whereby the entire inventory offered for sale is carried and contained in the motor vehicle or thing that is designed to be or is mobile at the time the stock is offered for sale and is delivered to the purchaser at the time of sale. This use excludes food trucks/mobile restaurants, as defined in this chapter.

"Model Home/Temporary Sales Offices" means a dwelling unit, unoccupied for residential purposes, 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 approved residential development. Model Home may also include sales or rental offices for dwellings within the development.

"Mortuary or Funeral Home" means an establishment providing services such as preparing the human dead for burial, arranging and managing funerals, and necessary sales. Funeral establishments may

include funeral chapels, limited caretaker facilities, and limited cremation facilities that do not accept remains from other funeral establishments. “Mortuary or Funeral Home” does not include crematoriums as a primary use, cemeteries, columbariums, and mausoleums.

Motel, See “Hotel.”

"Noncomplying structure" means a building or other structure or portion thereof lawfully constructed in compliance with the zoning ordinance existing at the time of construction, that no longer conforms to the height, area, and/or yard regulations in the zone in which it is located due to changes to the zoning ordinance or to the subsequent public acquisition of land for public improvements. Includes Nonconforming Structures.

"Nonconforming use" means a use which lawfully occupied a building or land at the time the ordinance codified in this title became effective and which does not conform with the use regulations of the zone in which it is located.

“Nursing Home, Convalescent Care Center” means a health care facility, other than a general acute or specialty hospital, constructed, licensed, and operated to provide patient living accommodations, 24-hour staff availability, and at least two of the following patient services: (a) a selection of patient care services, under the direction and supervision of a registered nurse, ranging from continuous medical, skilled nursing, psychological, or other professional therapies to intermittent health-related or paraprofessional personal care services; (b) a structured, supportive social living environment based on a professionally designed and supervised treatment plan, oriented to the individual's habilitation or rehabilitation needs; or (c) a supervised living environment that provides support, training, or assistance with individual activities of daily living.

“Office, General” means a building offering executive, administrative, professional, or clerical services, or a portion of a building wherein services are performed involving predominately operations with limited client visits and limited traffic generated by employees and/or clients.

“Office, Intensive” means a business offering executive, administrative, professional, or clerical services with a high level of client interaction and traffic generated; and/or a business that employs five (5) or more persons per one thousand (1,000) square feet of net leasable office space.

“Office, Medical” means a building used by physicians, dentists, and similar personnel for the treatment and examination of patients solely on an outpatient basis, provided that no overnight patients shall be kept on the premises.

“Off Street Parking” means a site or a portion of a site, devoted to the off-street parking of vehicles, including parking spaces, aisles, access drives, and landscaped areas, and providing vehicular access to a public street.

"Organic disposal site" means a disposal site where settled or precipitated solid matter produced by water and sewage treatment processes is disposed of in compliance with the board of health requirements, using sanitary land-filling techniques, in a manner that does not create a nuisance or health hazard, that protects the environment, and will not cause a pollution source of water, air, etc.

“Open Space” means land devoted to conservation or recreational purposes and/or land designated by a municipality to remain undeveloped (may be specified on a zoning map).

“Outdoor dining” means an area of designated size used as a seating area with tables and chairs for the contiguous restaurant.

“Outdoor Recreation, Large Scale, and including Outdoor Entertainment Locations” means areas or facilities that offer recreation or entertainment outside and require significant land or are expected to create a larger impact. Such uses include shooting ranges, go-carts, motor vehicle and/or motorbike tracks, golf courses, zoological parks and botanical gardens, amphitheaters, outdoor stages and concert venues, or similar activities that may create noise, dust, or other nuisances to adjoining and surrounding uses.

Outdoor Storage. See “Accessory Outdoor Storage”

“Package agency” means a retail liquor location operated under a contractual agreement with the Utah Department of Alcoholic Beverage Control, by a person other than the state, who is authorized by the commission to sell package liquor for consumption off the premises of the agency.
“Park and Ride” means an area or structure intended to accommodate parked vehicles for the general public, where commuters park their vehicles and continue to travel to another destination via public transit, carpool, vanpool, or bicycle. The parking lot may be shared with other uses or stand-alone.
"Parking lot" means an open area, other than a street, 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 space" means space within a building, lot, or parking lot for the parking or storage of one automobile.
“Pawn Shop” means any person, firm, corporation, or business that loans money on deposit of personal property, or deals in the purchase, exchange, or possession of personal property on condition of selling the same back again to the pledgor or depositor, or loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property.
“Permitted use” means any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.
“Personal Care Services” means an establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barbershops, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tanning and nail salons, permanent makeup facilities, tattoo and body piercing establishments, and weight loss centers.
“Personal Instruction Services” means an establishment engaged in the provision of informational, instructional, personal improvement, and similar services of a professional nature or by a nonprofit organization. Typical uses include art and music schools, driving instruction, computer instruction, gymnastic and dance studios, handicraft or hobby instruction, and martial arts training.
“Planned Unit Development” means an Integrated Design for development of residential, commercial, or industrial uses, or limited combinations of such uses, in which the density and location regulations of the district in which the development is situated may be varied or waived to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed requirements.
“Post Office” means a facility that contains service windows for mailing packages and letters, post office boxes, offices, vehicle storage areas, and sorting and distribution facilities for mail.
“Pre-existing lot” means a lot that was created prior to _____, through a recorded subdivision plat, deed, sales contract, or survey, and a lot that met the zoning regulations in effect at the time of its creation. For the purposes of this title, a pre-existing lot is a nonconforming lot and shall be regulated in the same manner as nonconforming lots.
“Pre-existing structure” means a structure that was legally constructed prior to the adoption of this ordinance. For the purposes of this title, a pre-existing structure is a nonconforming structure and shall be regulated in the same manner as nonconforming structures.
“Pre-existing use” means a use that validly existed prior to the adoption of this ordinance and has not been abandoned for more than one year. For the purposes of this title, a pre-existing use is a nonconforming use and shall be regulated in the same manner as nonconforming uses.
"Private educational institutions having an academic curriculum similar to that ordinarily given in public schools" means private training schools and other private schools which are instructional in nature, including laboratory and shop instruction with the use of demonstration vehicles, products, or models incidental to such instruction, but not including the repair, maintenance or manufacture of vehicles, goods or merchandise, not providing direct services other than instruction to the general public.

"Private nonprofit locker club" means a social club, recreational, athletic, or kindred association incorporated under the provisions of the Utah Nonprofit Corporation and Cooperation Act, which maintains or intends to maintain premises upon which liquor is or will be stored, consumed, or sold.

"Private nonprofit recreational grounds and facilities" means nonprofit recreational grounds and facilities operated by an association incorporated under the provisions of the Utah Nonprofit Corporation and Cooperation Act or a corporate sole.

"Private Residential Tennis Court/Sports Court" means a recreation court requiring a base surface with a gross square footage of four hundred square feet or more, permitted as an accessory use to and on the same lot as a single-family residential dwelling.

"Private Swimming Pool" means any structure or container holding water to a depth of eighteen inches (18") or greater and having either a diameter or diagonal measurement of ten feet (10') or greater, permitted as an accessory use to and on the same lot as a single-family residential dwelling.

"Protective Housing" means a facility operated, licensed, or contracted by a governmental entity, or operated by a charitable, nonprofit organization, where, for no compensation, 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 Parks" means parks that are maintained by a public agency.

"Public Service Training Facility" means an establishment for training state and local law enforcement, fire safety, national guard, transit personnel, or other public service personnel and accessory facilities including but not limited to dining and overnight accommodations, classrooms, indoor shooting ranges, auto test tracks, and fire suppression simulations.

"Public Use" means a use operated exclusively by a public body, or quasi-public body, such use having the purpose of serving the public health, safety, or general welfare, and including uses such as public schools, parks, playgrounds and other recreational facilities, government and public utility administrative offices, fire stations, police stations, and facilities that are part of the local service delivery system for public utilities. "Public use" does not include public utility production, storage, and treatment facilities such as power plants, refineries, natural gas processing and storage plants, water treatment plants, or sewage treatment facilities.

"Public Utility, Major" means structures that house operations for public utilities like, but not limited to, power generation plants, electrical switching stations, primary substations, refuse collection and disposal facilities, and water and wastewater treatment facilities and similar facilities.

"Public Utility, Minor" means local utility structures that are necessary for a specific development or service like, but not limited to, poles and lines.

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"Public Utility" means every railroad corporation, gas corporation, electrical corporation, distribution electrical cooperative, wholesale electrical cooperative, telephone corporation, telegraph corporation, water corporation, sewerage corporation, heat corporation, and independent energy producer not described in Section 54-2-201 where the service is performed for, or the commodity delivered to, the public generally, or in the case of a gas corporation or electrical corporation where the gas or electricity is sold or furnished to any member or consumers within the state for domestic, commercial, or industrial use.

"Public Utility Easement" means an area on a recorded plat map or other recorded document that is dedicated to the use and installation of public utility lines, mains, services, and minor facilities.

"Rail transit mixed-use" means a use that allows rail-oriented development that combines different land uses within a single development, tract of land, building, or structure. Its purpose is to encourage development that is high quality, human-scale, and pedestrian-friendly, while creating a variety of complementary and integrated uses, such as but not limited to, residential, office, manufacturing, retail, public, or entertainment, in a compact, walkable, urban form.

“Reception Hall, Reception Center” means a room or building for the purpose of hosting a party, banquet, wedding, or other reception or social event. Such halls are often found within pubs, clubs, hotels, or restaurants.

“Recreation Facility, Commercial” means recreation facilities operated as a business on private or public property and open to the public for a fee.

“Recreation Facility, Private” means a recreation facility operated on private property and not open to the public, including recreation facilities owned by a homeowners' or property owners' association for private use.

“Recreation Facility, Public” means a recreation facility operated by a public agency and open to the public with or without a fee.

“Recycling Processing Facility” means a building or enclosed space for the collection and processing of recyclable materials. “Processing” means the preparation of material for efficient shipment, or to an end user’s specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, shredding, mechanical sorting, cleaning, and re-manufacturing.

“Rehabilitation/Treatment Facilities” means a facility licensed by 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, sex offenders, sexual abuse, or mental health. Associated education services may also be provided to juvenile occupants. Does not include residential facilities for the elderly or persons with disabilities.

"Resource recycling collection point" means a portable structure, enclosed bin, trailer, or reverse vending machine where recyclable material (aluminum cans, glass, paper, etc.) is exchanged for money or deposited as a donation.

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“Reiki” means a business devoted primarily to Reiki healing, or any other system that has elements of the following. The practitioner, trained to access and serve as a channel for a sacred life force, places his or her hands on or just above the client's body in order to activate healing energy within receptive points on the body. The practitioner's hands move progressively with a passive touch through various positions on the body, remaining in each position for a period of time. As a harmonic flow of energy is strengthened, within the client and practitioner, healing occurs through the return of physical, mental, and spiritual balance. For purposes of this title, a Reiki business shall not include Reiki healing, or similar system, which are performed in a hospital or medical clinic.

“Residential Facility for Elderly Persons” means a dwelling unit owned by a resident thereof or an 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 eight (8) 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 facility shall not be considered to be operated as a business solely because a fee is charged for food or for 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 which is: (i) A health care facility as defined by Utah Code or successor law, or (ii) A residential facility for persons with a disability.

“Residential Facility for Persons with a Disability” means a residence: (1) In which more than one person with a disability resides; and (a) Which is licensed or certified by the Department of Human Services under Utah Code Title 62A, Chapter 2, Licensure of Programs and Facilities; or (b) Which is licensed or certified by the Department of Health under Utah Code Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act.

“Residential Keeping of Chickens or Ducks” means the keeping of a small number of domesticated hens and/or ducks on a lot with a single-family dwelling for personal use only, subject to the standards and

requirements of this Title, Salt Lake County Animal Services, and Salt Lake County Health Department that ensure that domesticated hens and ducks do not adversely impact the neighborhood surrounding the property on which the domestic fowl are kept.

"Resort" means a place offering amenities for recreation and relaxation in addition to lodging and meals to transient vacationers. May involve multiple, compatible uses of the land, such as open space, agriculture, and lodging.

"Restaurant, Fast Food" means a building or facility that sells food and beverages primarily over a counter, rather than by waitress or waiter; packages its' food in wrappers, boxes, or cartons regardless if the food is consumed on or off the restaurant premises; and typically provides a drive through/drive-up facility.

"Restaurant, Sit-Down with or Without Alcohol" means a building or facility for the preparation, retail sale, and on-site consumption of food and non-alcoholic and/or alcoholic beverages.

"Retail and Service Commercial" means a business primarily engaged in the sale or rental of goods, merchandise, or services directly to the consumer, and includes no outdoor storage. These uses do not include sexually oriented businesses, retail tobacco specialty stores, check cashing, pawn shops, vehicle or large equipment rental, sales, repair, or assembly. Uses include department, grocery, variety and drug stores; art galleries; bakeries; jewelry stores; florists; auto parts stores; business and social services; and similar uses. These uses may include twenty-four-hour uses and drive-up windows subject to this title.

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"Retail Shops or Galleries where Primary Product is Produced On-Site" means Establishments (not exceeding 5,000 Sq.Ft.) engaged in the selling of goods where the primary product is produced on-site. This definition is limited to small-scale uses but can include bakeries, confectionaries, nut shops, frame shops, restored furniture, cardmaking shops, jewelry-making stores, photo galleries, art galleries, and pottery studios. This definition also includes 'painting with a twist', 'paint nite', paint-your-own-ceramics businesses, and similar uses. A room or building for the display or sale of works of art, including space for the artist to create displayed work.

"Retail Tobacco Specialty Business" means a commercial establishment in which: (a) the sales of tobacco products, electronic cigarette products, and nicotine products account for more than 35% of the total quarterly gross receipts for the establishment; (b) 20% or more of the public retail floor space is allocated to the offer, display, or storage of tobacco products, electronic cigarette products, or nicotine products; (c) 20% or more of the total shelf space is allocated to the offer, display, or storage of tobacco products, electronic cigarette products, or nicotine products; (d) the commercial establishment holds itself out as a retail tobacco specialty business and causes a reasonable person to believe the commercial establishment is a retail tobacco specialty business; (e) any flavored electronic cigarette product is sold; or (f) the retail space features a self-service display for tobacco products, electronic cigarette products, or nicotine products. (Utah Code 10-8-§41.6)

"Salvage Yard" means a place where scrap, waste, discarded, or salvaged materials is brought, sold, exchanged, baled, packed, disassembled or handled, or stored, including auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for storage of salvage, house wrecking, and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building or yard, and not including pawnshops and establishments for the sale, purchase or storage of used furniture and household equipment, used cars in operable condition, or salvaged materials incidental to manufacturing operations conducted on the premises.

"School, Charter" means (i) an operating charter school; (ii) a charter school applicant that has its application approved by a charter school authorizer in accordance with Utah Code, Title 53G, Chapter 5, Part 3, Charter School Authorization; or (iii) an entity that is working on behalf of a charter school or approved charter applicant to develop or construct a charter school building. School, Charter does not include a therapeutic school.

"Seasonal Sales" means a temporary use offering goods, services, or conducting an activity for a limited duration of time, but in no case existing longer than one hundred twenty (120) calendar days. Such uses may include fireworks stands, fruit or vegetable stands, beverage or snow cone vendors, Christmas tree vendors, farmers' markets, holiday boutiques, and similar sales.

"Seasonal Use" means outdoor, seasonal commercial activities occurring for a limited duration of time, but in no case existing longer than one hundred twenty (120) calendar days per year. Uses may include corn mazes, pumpkin patches, or "haunted" villages. Includes year-round infrastructure.

"Self-Service Fuel Station" means a location where flammable or combustible liquids or gases are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles. Such establishment may offer the retail sale of convenience items. "Self-Service Fuel Station" specifically excludes and does not allow any servicing, repair or maintenance of motor vehicles, trailers, and similar mechanical equipment, including engine, brake, muffler, tire repair, lubrication, and engine tune-up. "Self Service Fuel Station" may be combined with "Vehicle and Equipment Repair, Minor" when the applicable zone allows both uses. Does not include "Truck Stop and Service Facilities."

"Self-Service Storage Facilities, Enclosed" means structures, commonly referred to as storage units, containing separate enclosed, individual and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time. Such facilities are to be used for dead storage only. The following activities are prohibited within any self-storage enclosed storage facility: (1) Commercial, wholesale or retail sales, or miscellaneous or garage sales. (2) The servicing, repair, or fabrication of motor vehicles, boats, trailers, small engine equipment, or similar equipment. (3) The operation of power tools, spray painting equipment, compressors, welding equipment, kilns, or similar equipment. (4) The establishment of a transfer business. (5) Any use that is noxious or offensive because of odors, dust, noise, or vibrations.

"Self-Service Storage Facilities, Outdoor" means the use of any lot, portion of a lot, or tract of land for outside storage of operative automobiles, trucks, recreational vehicles, boats, trailers, or non-motorized storage, containing separate, individual and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time. The following activities are prohibited within any self-storage outside storage facility: (1) Commercial, wholesale or retail sales, or miscellaneous or garage sales. (2) The servicing, repair, or fabrication of motor vehicles, boats, trailers, small engine equipment, or similar equipment. (3) The establishment of a transfer business. (4) Junkyard or impound yard. (5) Storage of non-motorized storage shall not exceed the height of the screened fence. (6) Any use that is noxious or offensive because of odors, dust, noise, or vibrations.

"Setback" means the shortest distance between the property line and any portion of a building or structure.

"Sexually Oriented Business or Activity" means adult arcades, adult bookstores, adult novelty stores, adult video stores, adult cabarets, or adult entertainment out-call services in the form of semi-nude dancing or exhibitions, adult motion picture theater, adult theater, seminude model studios, or sexual encounter establishments.

"Shopping Center" means a group of three or more commercial establishments that are planned, developed, and managed as a unit with common areas for off-street parking and landscaping provided on the properties.

"Short-Term Vacation Rental" means dwelling units meeting the requirements of Section ____, which are rented out by the day for a period less than thirty (30) consecutive days, for pay, offering overnight lodging to vacationers where the owner(s) live within the City limits.

"Side Yard, Corner Lot" means a side lot line that abuts a street.

"Side Yard, Interior Lot" means a side lot line that abuts a side or rear lot line of another lot.

"Sidewalk Displays and Sidewalk Cafes" means an accessory use that allows for the spillover of seating and/or sales displays onto the sidewalk in front of an existing business. Subject to limitations. Sidewalk

Café: a restaurant with tables on the sidewalk in front or on the side of the premises. Sidewalk Display: the outdoor display of merchandise for sale by a business use.

"Sign" means any words, letters, parts of letters, figures, numerals, phrases, sentences, emblems, devices, trade names, or trademarks, by which anything is made known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business, a commodity, an event, a gathering, or product, which are visible from any public way. "Sign" also includes the sign structure supports, lighting system, and any attachments, ornaments, or other features intended to draw the attention of observers.

"Sign alteration" means a change or rearrangement in the structural part or design of a sign whether by extending on a side, by increasing in area or height, or by relocating or changing position.

"Sign area" means the area of a sign that is used for display purposes, excluding the minimum frame and supports. In computing sign area, only one side of a back-to-back or double-faced sign shall be computed when signs are parallel or diverge from a common edge by an angle of not more than ten degrees. For signs that do not have a frame or a separate background, the sign area shall be computed on the basis of the least rectangle, triangle, or circle large enough to frame the display. Sign areas in the shape of a sphere, prism, cylinder, cone, pyramid, square, or other such shape shall be computed as one-half of the total surface area.

"Sign height" means the vertical distance above the natural grade at any point on the perimeter of the sign to the highest point of the sign structure.

"Sign, Illegal" means a sign that is not permitted or allowed to be established in a zone, does not meet the requirements of the zoning ordinance, and/or has not received nonconforming status. Any sign not specifically listed as a permitted or conditional use is prohibited in that zone.

"Sign maintenance" means the upkeep of signs in a safe, presentable and good condition, including the replacement of defective parts, repainting, cleaning, and other acts required for the maintenance of said sign.

"Sign, Monument" means a ground sign permanently affixed to the ground at its base, supported entirely by a base structure that is flush to the ground, and not mounted on a pole.

"Sign setback" means the minimum distance that any portion of a sign or sign structure shall be from any street property line.

"Sign structure" means anything constructed or erected supporting a sign which requires location on or below the ground or attached to something having a location on or below the ground.

"Sign, Off-premises directional" means an off-premises sign containing no advertising and used for directional purposes only.

"Sign, Off-premises" means a sign advertising an establishment, merchandise, service, or entertainment, which is not primarily sold, produced, manufactured, or furnished at the property on which said sign is located. A billboard is an off-premises sign.

"Sign, On-premises" means a sign directing attention to a use conducted, product or commodity sold, service performed, or business name upon the premises on which it is located.

"Sign, Vehicle" means a sign or advertising device attached to or located on a vehicle or trailer parked on a public right-of-way, public property, or parking area with access by the general public so as to be visible from a public right-of-way for the basic purpose of directing people to a business or activity.

"Sign, Wall" means a sign that is either painted on a wall or its facing and not having a sign frame or separation from the wall or facing.

"Sign, Window" means a sign permanently attached to an exterior window or located within a building so as to be visible through a window or a door outside of the building.

"Ski Resort" means a ski area that also includes sales, rentals, and services of related equipment and accessories, eating places, residences, and hotels and motels.

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“Solar Energy System, Accessory” means a roof-mounted, wall mounted, or ground mounted panel, the primary purpose of which is to provide for the collection, inversion, storage, and distribution of solar energy for electricity generation, space heating, space cooling, or water heating of buildings located on the same property.

“Solar Energy System, Commercial” means a solar array meant for commercial production of energy.

“Solar Evaporation Pond for the Processing of Salt” means the recovery of minerals in solution through natural evaporation and subsequent harvesting.

“Stealth Design” means the use of alternative support structures to blend or hide the communication equipment with the design, shape, or color of the structure. Examples of stealth design are, but are not limited to, field lights, clock towers, bell towers, water towers, flagpoles, windmills, monuments, etc.

“Storage – Hazardous Materials” means the storage of any item or chemical which is a health or physical hazard, or can cause harm to people, plants, or animals when released by spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment.

“Storage Yard” means the location of goods, wares, merchandise, commodities, equipment, materials, or any other item outside of a completely enclosed building for a continuous period longer than twenty-four (24) hours when such storage is a primary characteristic of a permitted use or constitutes more than fifteen percent (15%) of the lot area. The presence of hazardous materials, junk, junk cars, or debris not usually appurtenant to permitted on-site uses is prohibited. Storage yards shall be screened from public view by a minimum six-foot (6') high masonry fence and, when outdoor storage occurs in a front yard, side yard, or any other location within the public view, additional screening of a height and material determined by the Planning Commission. For the purposes of this title, construction yards, lumber yards, and like uses are considered to be storage yards as regulated herein. Compare with the definition of "accessory outdoor storage".

"Sportsman's kennel" means a kennel for the keeping of three to five dogs that has a valid permit from the department of animal services and is located on a lot of at least one acre.

"Stable, private" means a detached accessory building for the keeping of horses owned by the occupants of the premises, and not kept for remuneration, hire, or sale.

"Stable, public" means a stable other than a private stable.

"Start of construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty 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 slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. "Permanent construction" does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure.

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"Story" means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused underfloor space is more than six feet above grade for more than fifty percent of the total perimeter or is more than twelve feet above grade at any point, such usable or unused underfloor space shall be considered as a story.

"Story, First" means the lowest story in a building that qualifies as a story, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more

than four feet below grade for more than fifty percent of the total perimeter, or not more than eight feet below grade at any point.

"Story, Half" means a story with at least two of its opposite sides situated in a sloping roof, the floor area of which does not exceed two-thirds of the floor immediately below it.

"Street" means 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 feet wide, which has been made public by right of use and which affords the principal means of access to abutting property. Street does not include alleys or trails.

"Structure" means anything constructed or erected which requires location on the ground, or attached to something having a location on the ground.

"Structural alterations" means any change in supporting members of a building or structure, such as bearing walls, columns, beams, or girders.

"Substantial improvement" means:

A. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure, either:
    1. Before the improvement or repair is started; or
    2. If the structure is damaged and is being restored, before the damage occurred.
B. For the purpose 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.
C. The term does not, however, include either:
    1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or
    2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

“Swap meets and flea markets” means a market operating for the sale or exchange of merchandise at retail by many sellers within a drive-in theater or enclosed building. This does not include garage sales.

Tavern. See “Bar.”

“Telecommunication Facilities, Wireless Communication Facilities, and Radio/TV Transmitting Towers” means facilities used for the transmission or reception of electromagnetic or electro-optic information, which is placed on a structure. Telecommunications Sites/Facilities do not include Amateur Radio equipment that complies with the ruling of the Federal Communications Commission in “Amateur Radio Preemption, 101 FCC 2nd 952 (1985)” or amateur radio service adopted under 47 C.F.R. Part 97.

“Temporary Construction Office” means a temporary building or structure used as a construction office for a project located on the same site during its construction. A temporary construction office must be removed from the property prior to the final certificate of occupancy being issued on the building or project.

“Temporary Residential Dwelling Unit” means a temporary dwelling used during the construction of a new home. May be existing home to be removed, trailer or RV. Must have hookups to water and sewer/septic system. Approval for temporary dwelling valid for 1 year, may be extended in 6-month increments if building permit is progressing. Bonding for removal of unit required.

“Temporary Use” means a use proposed to be established for a maximum period of ninety (90) days or use being discontinued after the expiration of ninety (90) days and conducted in compliance with all the requirements of this title. Such uses may include, but are not limited to; nonprofit fund-raising activities, and educational, historic, religious, and patriotic displays or exhibits.

“Theatres and Concert Halls (Indoor)” means buildings that contain screens, stages, or other platforms around which patrons gather to experience film, theater, and other performances. Concessions may be

allowed as an accessory use. Such uses include concert halls, play theaters, cinemas, comedy clubs, operas, and orchestra and symphony halls. Does not include outdoor theaters and concert halls (see "Outdoor Recreation, Large Scale, and including Outdoor Entertainment Locations").

"Therapeutic School" means a residential group living facility: (a) for four or more individuals that are not related to the owner of the facility or the primary service provider of the facility; (b) that serves students who have a history of failing to function at home, in a public school, or in a nonresidential private school; and (c) that offers room and board, and an academic education integrated with (i) specialized structure and supervision or (ii) services or treatment related to a disability, emotional development, behavioral development, familial development, or social development. (Utah Code 62A-2-§101)

"Tiny Home" means a dwelling less than 400 square feet in size, not including loft space, that meets building code requirements and is on a permanent foundation. A tiny home is either a single-family dwelling or an accessory dwelling unit. A tiny home used as the primary residential use on a lot or parcel is a single-family dwelling for the purposes of this ordinance. A tiny home used as an accessory dwelling is subject to the same restrictions as any other accessory dwelling unit.

"Towing Services and Impound Lots" means the temporary storage of vehicles that have been towed, carried, hauled, or pushed from public to private property for impoundment in a public or private impound yard.

"Transitional Housing" means a building or facility owned, operated, or contracted by a governmental entity or a charitable, nonprofit organization that provide 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. Transitional Housing Facilities do not include homeless shelters, dwelling units provided to a family for more than 30 days as part of a transitional housing program, or residential facilities for elderly persons or persons with disabilities.

"Transmission Line/Right of Way (Major)" means an electric power, gas, or petroleum transmission facility with the required right-of-way designed to provide for the location of transmission lines or facilities to operate at voltages of 140,000 volts (140 kV), or greater or eight (8) inches in diameter and that provides electrical, gas, or petroleum products transmission and found by the City to conform to the General Plan, or has been considered by the Commission and Council and a General Plan amendment has been approved.

"Transmission Line/Right of Way (Minor)" means an electric power, gas, or petroleum transmission facility with the required right-of-way designed to provide for the location of transmission lines or facilities to operate at voltages less than 140,000 volts (140 kV) or less than eight (8) inches in diameter and that provides electrical, gas, or petroleum products transmission and found by the City to conform to the General Plan, or has been considered by the Commission and Council and a General Plan amendment has been approved.

"Truck Stop and Service Facilities" means facilities intended to provide services to the trucking industry, including but not limited to, dispensing of fuel, servicing, repair, automated washes, and overnight parking. The facilities may also include overnight accommodations, showers, or restaurant facilities primarily for the use of truck crews. Such establishment may offer the retail sale of convenience items.

Twin Home. See "Dwelling, Two Family."

"Underground record storage vaults" means the secured and climate-controlled underground facilities provided for the storage of records, documents, or other media.

"Vertical indoor agriculture" means growing crops in vertically stacked layers indoors, often incorporating controlled-environment agricultural techniques and soilless farming techniques such as hydroponics, aquaponics, or aeroponics.

"Vehicle" means a self-propelled device used for transporting persons or things, including, but not limited to, automobiles, watercraft, motorcycles, snowmobiles, and recreation vehicles. Does not include heavy machinery.

"Vehicle Assembly" means a business where finished vehicle-related parts are put together to develop a final product.

"Vehicle, Commercial" means any motorized vehicle or trailer used for or intended for business use - including but not limited to the transportation of commercial equipment, merchandise, produce, freight, commodities, passengers, or animals - and which is characterized by any of the following:

A. Heavy equipment, such as earth movers, backhoes, cranes, forklifts, bulldozers, and the like, which are commonly used for construction, excavation, demolition, or lifting;
B. Vehicles used to haul equipment or materials, such as dump trucks, tanker trucks, semi-tractors, semi-trailers, cement trucks, or other similar vehicles,
C. Pickup trucks over one ton with a commercial modification, such as a flat bed, a dumping mechanism, mechanical lifts or arms for loading and unloading materials/equipment, aerial buckets or platforms, or other similar feature,
D. Vehicles with more than two axles, or
E. Vehicles with a payload capacity of more than eight thousand five hundred (8,500) pounds.

"Vehicle and Equipment Repair, Commercial and Industrial" means the repair and service of commercial vehicles and trailers with a payload capacity of more than eight thousand five hundred (8,500) pounds as well as industrial or other heavy equipment. Typical uses include semi-trailer truck repair, and the repair of bulldozers, graders, dump trucks, cement mixers, and similar heavy industrial and construction equipment.

"Vehicle and Equipment Repair, Major" means an establishment primarily engaged in the major repair of motor vehicles or equipment. Typical uses include major auto repair such as the removal of engines and transmissions, rebuilding of engines and transmissions, repair of the internal components, repair or removal of differentials or axles, body work and paint. "Vehicle and Equipment Repair, Major" may also include uses that are often accessory to businesses engaged in the repair of vehicles such as offices, part sales, storage of merchandise, and vehicle storage when such vehicle storage is fully and adequately screened. "Vehicle and Equipment Repair, Major" does not include repair and service of commercial vehicles and trailers with a payload capacity of more than eight thousand five hundred (8,500) pounds, industrial or other heavy equipment, "vehicle assembly", "manufacturing use", auto dismantling or wrecking, salvage, "junkyards", or similar uses.

"Vehicle and Equipment Repair, Minor" means an establishment providing motor vehicle repair or maintenance services and conducted entirely within completely enclosed buildings and may include the retail sale of fuels, lubricants, and other supplies for motor vehicles. Typical uses include businesses engaged in the following activities: electronic tune-ups, brake repairs (including drum turning), air conditioning repairs, auto detailing, generator and starter repairs, muffler and other minor underbody repair, frontend alignments, battery recharging, lubrication, and other similar repairs. Vehicle and Equipment Repair (Minor) also includes sales, repair and installation of minor parts and accessories such as tires, batteries, windshield wipers, hoses, windows, etc. Vehicle and Equipment Repair (Minor) does not include paint and body shops, or other activities associated with Vehicle and Equipment Repair (Major), auto dismantling or wrecking, salvage, junkyards, and similar uses.

"Vehicle Rental" means a business primarily engaged in the rental of vehicles.

"Vehicle Sales and Service" means the use of any building, land area, or other premises for the display and sale or lease of more than three (3) new or used vehicles, and including outside storage of inventory, indoor vehicle part and accessory sales, any warranty repair work, and other repair service conducted as an accessory use. "Vehicle Sales and Service" includes the sale or lease of new or used boats, cars, light trucks, motorcycles, off-road vehicles, camp trailers, recreational vehicles, motor homes, and utility or box trailers with a payload capacity of less than eight thousand five hundred (8,500) pounds. "Vehicle Sales and Service" does not include the sale or lease of semi-trailer trucks, semi-trailers, or utility or box trailers with a payload capacity of over five thousand (5,000) pounds.

"Vehicle Sales and Service, Commercial Vehicles and Trailers" means the sale or lease of semi-trailer trucks, semi-trailers, or utility or box trailers with a payload capacity of more than eight thousand five hundred (8,500) pounds. "Vehicle Sales and Service, Commercial Vehicles and Trailers" includes outside storage of inventory, indoor vehicle part and accessory sales, any warranty repair work, and other repair services conducted as an accessory use.

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"Vehicle Sales, Small Dealership" means a business specializing in the sale of a limited number of new and/or used vehicles, with no more than three (3) vehicles displayed outside at any one time and with no more than a total of eight (8) vehicles stored on-site at any given time and licensed as required by the State of Utah. A small dealership may be permitted as an accessory use to a related business on the same property and under the same ownership.

"Vending cart" means a small wheeled, nonmotorized device from which to sell food and/or merchandise for immediate consumption or use.

"Warehouse and Distribution Facilities" means buildings used primarily for the inside storage and distribution of goods and materials, which include land and buildings used as a relay station for the transfer of goods from one vehicle or party to another, and the parking and storage of tractor and/or other trailer units.

Water Pumping Plant and Reservoir" means a natural or artificial water storage basin with a pumping station to distribute potable or irrigation water.

"Water Treatment Facility" means the facility or facilities within the water supply system which can alter the physical, chemical, or bacteriological quality of the water.

"Wind Energy System, Accessory" means a wind energy system that is accessory to the main use and is designed to power only the site on which it is constructed.

"Wind Energy System, Commercial" means a wind energy system consisting of one or more wind turbines for commercial generation.

"Wireless Facility" means equipment at a fixed location that enables wireless communication between user equipment and a communications network, including (a) equipment associated with wireless communication; and (ii) regardless of the technological configuration, a radio transceiver, an antenna, a coaxial or fiber-optic cable, a regular or back up power supply, or comparable equipment. Wireless Facility does not include the structure or an improvement on, under, or within which the equipment is collocated; or a coaxial or fiber-optic cable that is: between wireless structures or utility poles; not immediately adjacent to or directly associated with a particular antenna; or a wireline backhaul facility. (Utah Code 54-21-§101)

"Wireless Telecommunications Antenna" means the physical device through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received. Antennas used by amateur radio operators are excluded from this definition.

"Wireless Telecommunications Equipment Shelter" means the structure in which the electronic receiving and relay equipment for a wireless telecommunications facility is housed.

"Wireless Telecommunications Site/Facility" means an unmanned structure that consists of equipment used primarily for the transmission, reception, or transfer of voice or data through radio wave or wireless transmissions. Such sites typically require the construction of transmission support structures to which antenna equipment is attached.

"Wireless Telecommunications Tower" means a facility consisting of the equipment and structures involved in receiving telecommunications or radio signals from a mobile radio communications source and transmitting those signals to a central switching computer that connects the mobile unit with the land-based telephone lines.

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"Yard" means a space on a lot, other than a court, unoccupied and unobstructed from the ground upward by buildings or structures, except as follows:

A. Fences and walls that conform with this code.
B. Landscape elements including trees, shrubs, and other plants.
C. Necessary appurtenances for utility services associated with minor public utilities.
D. Planter boxes or masonry planters not exceeding twenty-four inches (24”) in height.
E. Cornices, eaves, belt courses, buttresses, and other similar architectural features may project into any yard not more than two feet (2’).
F. Bay windows, cantilevered floors, and fireplace structures may project into any yard not more than two feet (2’), provided that they are not wider than eight feet (8’) wide.
G. Porches, door stoops, awnings, fire escapes, and stairways may project into an interior side yard not more than two feet (2’) and a front, rear, or corner side yard not more than four feet (4’).
H. Accessory structures subject to this title.

"Yard, Front" means a space on the same lot with a building, between the front line of the building and the front lot line, and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line of the building.

"Yard, Rear" means a space on the same lot with a building, between the rear line of the building and the rear lot line, and extending the full width of the lot. The "depth" of the rear yard is the minimum distance between the rear lot line and the rear line of the building.

“Yard, Required” means the open space around buildings which is required by the terms of this title.

"Yard, Side" means a space on the same lot with a building, between the side line of the building and the side lot line, and extending from the front yard to the rear yard. The "width" of the side yard shall be the minimum distance between the side lot line and the side line of the building. See “Side Yard, Interior Lot” and “Side Yard, Corner Lot”.

“Yurt (Remote Yurt)” means a membrane-covered frame structure that:

A. is no larger than 710 square feet;
B. is not used as a permanent residence;
C. is located in an unincorporated county area that is not zoned for residential, commercial, industrial, or agricultural use;
D. does not have plumbing or electricity;
E. is set back at least 300 feet from any river, stream, lake, or other body of water; and
F. registers with the local health department.

CHAPTER 19.22: PARKS AND RECREATION ZONE

DRAFT for Review Purposes Only – August 2nd, 2022

Parks and Recreation Zone – Staff Summary

Purposes:

1. Create new zoning districts that adequately preserve and enhance the natural environment, scenic character, recreational amenities, and access to parks and open space.
2. Distinguish between improved/developed park spaces and more natural open spaces.
3. Establish standards for lighting, landscaping, and other elements that enhance park and open space areas.

Applicability:

The **PR Zone** is intended to be applied to existing park areas, especially those that have been enhanced through paved trails and other recreational amenities.

The **OS Zone** is meant for more natural open spaces such as wildlife corridors, sensitive lands, and viewsheds. This should be applied in areas where the primary goal is conservation. Only limited improvements – such as non-paved trails – are allowed.

Justification:

General Plan 2022 Work Program:

Chapter 2: Land Use & Character Areas Work Program

- Goal 2.1: Preserve the culture, identity, and character of Emigration Canyon Metro Township's built environment
    - Objective 2.1.1: Enhance protection of the unique canyon ecosystem and scenery.
        - b. Preserve existing zoning standards that protect the unique canyon ecosystem and scenery, including those that mandate large-lot zoning where such zoning is appropriate for the mountain setting.
- Goal 2.2: Enhance community connectedness and sense of place.
    - Objective 2.2.2: Increase spaces for local community gatherings and recreation.
        - 1. Conduct a study of viable local park/open space access interests, needs, and future requirements for existing communities and new subdivisions.
        - 2. Progress local park/open space access study recommendations as resources become available.
- Goal 2.3: Preserve and enhance ecological features, viewsheds, wildlife corridors, and open space.
    - Objective 2.3.1: Improve management of existing open space amenities.
    - Objective 2.3.2: Preserve and enhance views of the night sky and protections for nocturnal wildlife.
        - b. Support the adoption of a natural view shed preservation ordinance.

Chapter 5: Environment Work Program

- Goal 5.3: Preserve and enhance natural areas and ensure that landscapes are functional and diverse.
    - Objective 5.3.1: Increase open space preservation and access in Emigration Canyon.

Goal

Preserve and enhance the natural environment, scenic character, recreational amenities, and access to parks and open space.

Action

Adjust zoning to preserve existing parks and recreation spaces under a 'parks and open space' zoning classification.

Resources Utilized:

- Vineyard Zoning Ordinance
- Salt Lake City Zoning Ordinance
- South Jordan Zoning Ordinance
- Portland Zoning Ordinance

Changes to Note:

This Chapter is entirely new. There are no changes to note. Parks and open spaces were previously held under different zoning designations that did not necessarily protect them from development.

Sections:

19.22.010 – Purpose of Provisions.

The purpose of the Parks and Open Space Zoning District is to preserve and enhance public and private open space, natural areas and habitats, and improved park and recreational areas. The Zone provides opportunities for active and passive outdoor recreation; provides contrasts to and relief from the built environment; preserves scenic qualities and viewsheds; protects sensitive or fragile environmental areas such as wetlands, steep slopes, ridge lines, meadows, and stream corridors; encourages sustainability and conservation; and provides transportation connections for people walking, biking, scootering, or using other forms of active transportation.

19.22.020 – Establishment of Parks and Open Space Zones.

To anticipate and respond to the changing needs of the municipality and implement greenway, natural resource preservation, and health and recreation concepts included in the adopted General Plan, the municipality establishes the following Zones:

> Parks and Recreation Zone (PR): The PR Zone is intended for improved parks, recreational areas, and other public and private open spaces which can accommodate human use and visitation. Encouraged uses in this Zone include public parks, multi-use trails, ball fields, special uses such as mobile food carts and festivals, and landscaping and equipment sheds.
>
> Natural Open Space Zone (OS): The OS Zone is intended for preserving natural areas of the municipality, including sensitive lands, critical habitats, wildlife corridors, viewsheds, and stream corridors. Limited, unimproved recreational uses may be allowed in the OS Zone when negative impacts of recreation and visitation can be mitigated.

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19.XX.030 – Schedule of Permitted Uses.

Schedule of Permitted Uses. The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.

Special Conditions. A number in a cell particular to a use indicates that special provisions or conditions apply to the use category for this zone. The special provisions or conditions follow the schedule of uses, in Section 19.55.040.

Procedure for Multiple Uses (Combination of Uses). If a development proposal involves a combination of uses other than accessory uses as identified in Table 19.XX.030, the more restrictive provisions of this Title shall apply. For example, if a portion of a development is subject to Conditional Use ("C") approval and the other portion is subject only to Permitted Use ("P) review, the entire development shall be reviewed and approved by the Conditional Use process.

Abbreviations. The abbreviations used in the schedule mean:

P = Permitted Use. This use is allowed in the zone but may be subject to additional restrictions and approval processes as provided in this Title.

C = Conditional Use. This use is conditional because of the unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent uses, incompatibility in some areas of the zone, or compatibility only if special provisions or conditions are required to mitigate the detrimental impacts of the use. The Planning Commission is the land use authority for uses with this designation.

X = Prohibited Use. This use is prohibited in this zone. Any use not specifically identified in Table 19.22.030 is prohibited in this zone.

Table 19.22.030: Schedule of Uses for PR and OS Zones.

Use Categories	**PR**	**OS**
AGRICULTURAL:		
Agricultural Building	X	X
Agriculture	X	X
Agritourism [A]	C	X
Apiary	C	X
Aviary [B]	C	X
RESIDENTIAL USES:		
No residential uses are permitted in these zones.		
RETAIL AND SERVICES:		
Child Care [D]	C	X
FOOD AND DRINK:		
Food Truck / Mobile Restaurant / Food Cart	P	X
RECREATIONAL:		
Campground [C]	C	X
Commercial Recreation	P	X
Multi-use Trail, Paved	P	X
Multi-use Trail, Unpaved	P	P
Open Space	P	P
Private, Non-Profit Recreational Grounds and Facilities	P	X

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Recreation Facility - Private, Public, or Commercial	P	X
Stable, Public		X
Trailhead Infrastructure, Large Scale: paved parking, restrooms, wayfinding and interpretive signage, trash receptacles, other improvements	P	X
Trailhead Infrastructure, Small Scale: unpaved parking (10 or less spaces), pit toilet, wooden trail signage.	P	P
LODGING:		
Yurt	P	X
INDUSTRIAL:		
No industrial uses are permitted in these zones.		
INSTITUTIONAL USES:		
Church, Synagogue, Mosque, Temple, Cathedral, or Other Religious Buildings [F]	P	X
Cemetery [G]	P	X
Community Garden	P	X
Micromobility Support Infrastructure	P	X
Public Parks	P	X
Public Use	P	X
Solar Energy System, Accessory	P	X
Wind Energy System, Accessory	P	X
SPECIALTY:		
Park and Ride	P	X
ACCESSORY USES:		
Sidewalk Displays and Cafes	P	X

19.22.050 – Development Standards.

Development in the PR or OS Zones shall comply with the development standards of Table 19.22.050 and all other applicable standards in this Title.

Table 19.22.050: Development Standards for PR and OS Zones.

Standard	PR	OS
Minimum Lot Size (in square feet)	NA	NA
Minimum Frontage (in feet)	Any parcel in the Parks and Recreation Zone shall have a minimum frontage of 30’ on a public street.	NA
Minimum Lot Width (in feet)	NA	NA
Maximum Building Height (in feet) [A]	For lot areas of 5 acres or greater, the maximum is 45’.	15

	For lot areas smaller than 5 acres, the maximum is 35'.	
Minimum Floor Area Ratio	NA	NA
Maximum Building Lot Coverage	30%	NA

In the PR Zone, if necessary to ensure protection of public health, safety, or welfare, recreation equipment heights are permitted up to eighty feet (80'). For example, nets around batting cages or fences at driving ranges may exceed thirty-five feet (35') as necessary and as approved by the Director or Designee.

19.22.060 – Required Yards and Setbacks.

Development in the PR or OS Zones shall comply with the yard and setback standards shown in Table 19.22.060 and all other applicable standards in this Title.

Table 19.22.060: Yards and Setbacks for PR and OS Zones.

Standard	PR	OS
Front Yard Setback (in feet)	Minimum: 20 Maximum: NA	Minimum: 20 Maximum: NA
Side Yard Setback – Interior Lots (in feet)	Minimum: 20 Maximum: NA	Minimum: 20 Maximum: NA
Side Yard Setback – Corner Lots (in feet)	Minimum: 20 Maximum: NA	Minimum: 20 Maximum: NA
Rear Yard Setback (in feet)	Minimum: 20 Maximum: NA	Minimum: 20 Maximum: NA
Minimum Distance between Primary and Accessory Buildings (in feet)	10	10

19.22.070 – Height Exceptions.

Exceptions to the building heights specified in Table 19.22.050 apply, in accordance with 19.XX.XXX.

19.22.080 – Parking Requirements.

In addition to the requirements in 19.XX, the following shall apply:

A. In the PR Zone:
   1. Landscaped Strips: All parking areas for a commercial, institutional, or other public use that are adjacent to a public street shall have a landscaped strip of at least ten feet (10') placed between the sidewalk and the parking area. This strip shall contain drought-resistant vegetation, and at least one native or drought-friendly tree shall be placed every fifty feet (50').
   2. Pedestrian Access: Any parking lot with an area greater than twenty-thousand square feet (20,000 sq. ft.) shall provide dedicated ADA-compliant walkways, at least six feet (6') wide, for pedestrians navigating from their vehicles to a building or park entrance. At a minimum, walkways shall be placed through the center of the parking area and in front of the building(s) to serve as pedestrian access to the area. Walkways shall be landscaped with trees at least every fifty feet (50'). Walkways shall be easily accessed from designated ADA parking stalls.

B. In the OS Zone:
   1. Size Limitation: A parking area may not exceed ten (10) spaces in the OS Zone or one tenth of an acre (1/10th acre).
   2. Surfacing: Parking areas shall utilize low-impact surfacing materials, such as dirt or crushed gravel. The applicant shall demonstrate proper grading and drainage to dispose of excess surface water accumulated within the area and shall provide for the long-term maintenance of the parking area.
   3. Seasonality: Parking areas shall be closed during winter months if snow removal and maintenance is unable to be provided within twenty-four hours (24 hr) after a major snow event.

19.22.090 – Landscaping and Screening Standards.

A. All landscaping and screening standards found in Chapter 19.XX shall apply in the PR Zone. In addition, the following fencing standards shall apply:
   1. Fencing: Fencing may be allowed in the PR Zone where desirable to establish sense of privacy, protect children and pets, provide a buffer from street traffic, or enhance property appearance. The following standards apply to fencing in the PR Zone:
      a. Height: Fences may be up to six feet (6') tall at the property line. Fences taller than six feet (6') must be set back from the property line an additional foot for each foot of fence over six feet (6').
      b. Materials: Fences in the PR Zone shall be designed to enhance the visual appearance of the area. Chain link fencing is prohibited except where necessary to provide a perimeter or safety backing for recreational fields, as determined by the Director or Designee.
B. The intent of the OS Zone is to preserve critical habitats and natural spaces within the municipality. Any landscaping efforts shall facilitate ecosystem management for the benefit of native plant and animal species. The landscape and screening standards of Chapter 19.XX do not apply to this Zone.

19.22.100 – Lighting Standards.

All uses and developments in the PR and OS Zones must comply with the following lighting standards, in addition to any other applicable standards in this Title:

A. Lighting shall be located and installed to minimize any adverse impact on the natural environment, including avoiding lighting in critical habitat areas or where it may pose traffic safety problems.
B. All lighting shall be fully shielded to eliminate glare, prevent light trespass onto neighboring properties, and protect views of the night sky.
C. Lights for outdoor recreation equipment and infrastructure may be permitted up to eighty feet (80') in height, provided they are set back from any residential use at least fifty feet (50'). Such lights shall be directed in a manner that minimizes light trespass onto adjacent properties.

Figure 19.22.110 – Types of Lighting.

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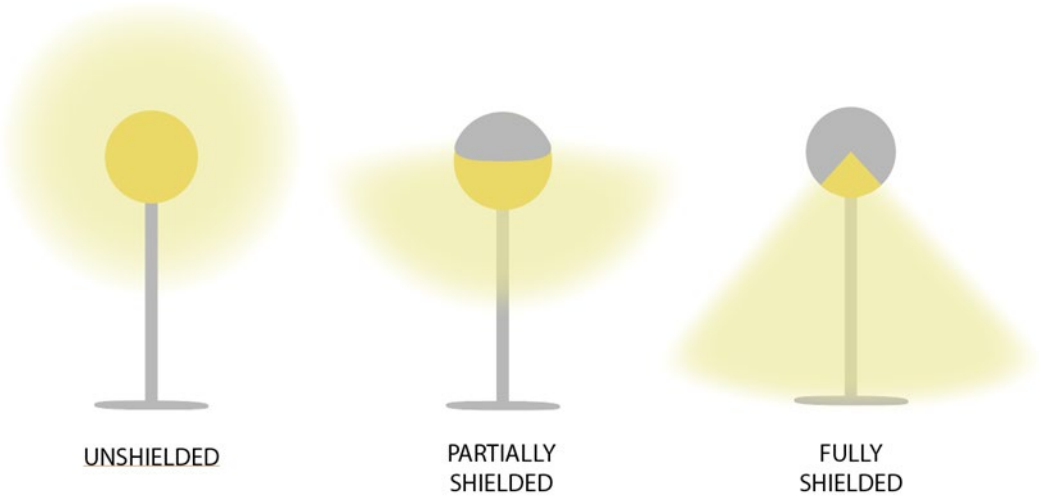

19.22.110 – General Information.

It is the responsibility of the applicant to comply with all other standards of Title 19 and all other municipal ordinances, including:

A. 19.XX: Supplementary and Qualifying Regulations
B. 19.XX: Off Street Parking Requirements
C. 19.XX: Signs

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Chapter 19.24 FORESTRY ZONES

DRAFT for Review Purposes Only – August 2nd, 2022

Forestry Zone – Staff Summary

Purpose of Provisions

The purpose of the provisions section has been updated to embody the spirit of all F zones which promote the preservation of the natural land while allowing some, compact and compatible uses that are accustomed in mountain communities.

Establishment of Forestry Zones

A description of each different zone has been added to create clear concise boundaries between zoning designations and to assist planners when considering rezones or conditional use processes.

Uses

The uses have been modified to the new use definitions. Conditional uses have been reduced as much as possible. The following uses have been removed from the ordinance.

- Agriculture
- Airport
- Cemetery
- Class B Beer Outlet
- Day Care / Preschool (not home based)
- Dude Ranch
- Dwelling Group
- Farm devoted to raising (including slaughtering, dressing, and marketing as incident to raising) beaver and nutria
- Forest industry, production of forest products
- Golf Course
- Horses and animals and fowl for family production
- Laundry Services
- Pigeons, subject to health department regulations
- Self-Service Gas Station, with or without Convenience Store

Special Conditions

The special conditions previously in the chapters have been moved to the special conditions chapter which will be done in the next phase of the project.

Development Standards

Development standards in this chapter are very minimal because most of the properties in the F zones also fall under the Foothills and Canyons Overlay zone (FCOZ). This zone will be modified later but due to the detailed conditions in the FCOZ, engineering and building officials will need to be consulted for any proposed changes. Setbacks, uses, and building heights will be discussed with the communities to find appropriate solutions compatible with the character areas in the General Plan. For now, until further changes are made, the original requirements in the F zones have been carried over and reorganized. Staff would like to remove the building height condition where building height is reviewed on a case-by-case basis but until a suitable building height can be discussed with the community it has remained.

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Sections:

19.24.010 - Purpose of Provisions

The purpose of the forestry, forestry and recreation, and forestry multi-family zones is to provide a mix of limited residential, limited multi-family, and recreation opportunities of the foothill and canyon areas of Emigration Canyon and other specified uses to the extent that such development is compatible with the protection of the natural and scenic resources of these areas for the continued benefit of future generations.

19.24.020 - Establishment of Forestry Zones (F Zones)

FR zones promote a mix of uses that contribute to the creation of small residential or recreational activities or uses that help sustain recreational or residential activities. The FR zones promotes small scale, compatible development but prioritizes the protection of the natural environment.

19.24.030 – Schedule of Uses

A. Schedule of Permitted Uses. The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Code. A description of each use category is in Section _____, Use Categories and Definitions.

B. Special Conditions. A number in a cell particular to a use and zone(s) indicates that special provisions or conditions apply to the use category for that zone(s). The conditions follow the schedule of uses, in Section 19.XX.

C. Abbreviations. The abbreviations used in the schedule have the following meanings:

1. P = Permitted Use. These uses are allowed in a zoning district but may be subject to restrictions and approval processes as provided in this Title.
2. C = Conditional Use ("C"). These are land uses that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas of a zone district, or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. The Planning Commission is the approval authority for uses with this designation.
4. X = Prohibited Use. These uses are not allowed in this zoning district. Uses not specifically permitted herein are prohibited.

Use Categories	FR-0.5	FR-1	FR-2.5	FR-5	FR-10	FR-20
Residential:						
Accessory Structures	P	P	P	P	P	P
Accessory Dwelling Unit, Internal subject to 19.15	P	P	P	P	P	P
Dwelling, Multi-Family	X	X	X	X	X	X
Dwelling, Single-Family	P	P	P	P	P	P
Planned Unit Development[A]	C	C	C	C	C	C
Educational Facility with Residential Accommodation	P	P	P	P	P	P
Living quarters for persons employed on the premises of any main commercial use.	P	P	P	P	P	P
Commercial:						
Bed and Breakfast[B]	P	P	P	P	P	P
Breweries and Distilleries, with or without restaurant	X	X	X	X	X	X

Bar	X	X	X	X	X	X
Home Business subject to 19.85	P	P	P	P	P	P
Home Daycare/Preschool subject to _____	P	P	P	P	P	P
Food Truck, Mobile Restaurant, Food Cart	X	X	X	X	X	X
Minor Ski Resort Improvements[C]	X	X	X	X	X	X
Offices – General, Professional,	C	C	C	C	C	C
Offices, incidental to main use	P	P	P	P	P	P
Outdoor Recreation, Small Scale	C	C	C	C	C	C
Reception Hall, Reception Center	X	X	X	X	X	X
Residential Facility for Persons with a Disability subject to 19.87	P	P	P	P	P	P
Residential Facility for Elderly Persons	P	P	P	P	P	P
Restaurant	X	X	X	X	X	X
Restaurant Liquor License	X	X	X	X	X	X
Retail Sales	X	X	X	X	X	X
Retail Shops or Galleries where Primary Product is Produced On-Site	C	C	C	C	C	C
Self-Service Gas Station, with or without Convenience Store	X	X	X	X	X	X
Ski Resorts and Ski Resort Facilities	C	C	C	C	C	C
Short-term Rentals[D]	P	P	P	P	P	P
Sidewalk Displays and Sidewalk Cafes	C	C	C	C	C	C
Industrial:						
Hydroelectric Dam	X	X	X	X	X	X
Logging and Lumber Processing[E]	C	C	C	C	C	C
Mineral Extraction[F]	C	C	C	C	C	C
Water pumping plant and reservoir	C	C	C	C	C	C
Water Treatment, water storage, and watershed management facilities	C	C	C	C	C	C
Wireless Telecommunications Facilities[G]	C	C	C	C	C	C
Other:						
Household Pets[H]	P	P	P	P	P	P
Public or Quasi-Public Use	P	P	P	P	P	P
Park and Ride	C	C	C	C	C	C
Parking Lot (not associated with other use)	X	X	X	X	X	X
Public Park	P	P	P	P	P	P
Private Park and recreational grounds; private camp or resort	P	P	P	P	P	P
Underground Record Storage Vaults[I]	C	C	C	C	C	C
Radio and/or Television Tower	C	C	C	C	C	C
Temporary Buildings Incidental to Construction Work, and Other Temporary Buildings[J]	P	P	P	P	P	P

19.24.040 - Development Standards

Lot Area, Lot Width, Density, and Slope

A. Lot area, Lot Width, and Density Requirements:

District	Minimum Lot Area	Minimum Lot Width	Maximum Residential Density
FR-0.5	0.5 Acre	100 Feet	2 d.u. per gross acre
FR-1	1 Acre	200 Feet	1 d.u. per gross acre

FR-2.5	2.5 Acres	250 Feet	1 d.u. per 2.5 gross acres
FR-5	5 Acres	300 Feet	1 d.u. per 5 gross acres
FR-10	10 Acres	300 Feet	1 d.u. per 10 gross acres
FR-20	20 Acres	300 Feet	1 d.u. per 20 gross acres

B. Measurement of Lot Width. The minimum lot width of any lot shall be measured at a distance of fifty feet from the front lot line. Lots fronting on a cul-de-sac, partial cul-de-sac, or oblique angled curved street from which the lot lines radiate shall be measured at a distance of fifty feet from the front lot line.
C. Slope Requirements. All developments in the F zones are subject to the slope protection standards set forth in 19.72.030B "Slope Protection Standards" and 19.72.030D "Streets and Roads".
D. Net Development Acreage Defined. For purposes of this section, "net development acreage" is defined as land with all of the following:
   1. Average slope less than thirty percent.
   2. Soils of suitable depth and type based on soil exploration and percolation tests in accordance with the regulations of the Utah Department of Environmental Quality to ensure against adverse impacts on surface water and groundwater quality.
   3. Minimum distance from any stream corridor of on hundred feet, as "stream corridor" is defined in section 19.72.070 of this title (Overlay Zone), and
   4. Free from any identified natural hazard such as flood, avalanche, landslide, high water table, and similar features. See Chapter 19.74 "Floodplain Hazards Regulations", and Chapter 19.75, "Natural Hazard Areas".

19.24.050 - Setbacks

Limits of Disturbance.

Because of the unique nature of the topography and climatic conditions of the foothill and canyon areas, limits of disturbance and setbacks for permitted uses including single-family dwellings and accessory structures in the FR zones in this chapter shall be determined on a case-by-case basis by the development services director. Limits of disturbance and setbacks for conditional uses shall be as finally approved by the Planning Commission, upon the recommendation of the development services director (see Chapter 19.72). All determinations of limits of disturbance shall be subject to the conditions and criteria set forth in the foothills and canyons overlay zone, Section 19.72.040, "Establishment of limits of disturbance."

Building Height

A. Conditional Uses—Case-by-Case Determination. Because of the unique nature of the topography, vegetation, soils, climatic and aesthetic characteristics of the foothills and canyons, the allowable height of conditional use structures in the FR zones shall be determined on a case-by-case basis by the planning commission, subject to consideration of the following criteria:
   1. Protection of the natural setting.
   2. Relationship to other structures and open spaces.
   3. Contour intervals and topographic features. To the maximum extent feasible, the building height should not exceed the height of surrounding trees and vegetation.
   5. Protection of scenic vistas, especially views from public rights-of-way and public lands; and
   6. Other elements deemed appropriate to ensure that the provisions of Section 19.10.010 are met.

B. Except as otherwise specifically provided in this title, no building or structure shall exceed the following height:

1. Thirty feet on property where the slope of the original ground surface exceeds fifteen percent, or the property is located in the hillside protection zone. The slope shall be determined using a line drawn from the highest point of elevation to the lowest point of elevation on the perimeter of a box which encircles the foundation line of the building or structure. The box shall extend for a distance of fifteen feet or to the property line, whichever is less, around the foundation line of the building or structure. The elevation shall be determined using a certified topographic survey with a maximum contour interval of two feet.
2. Thirty-five feet on other properties.

C. No dwelling structure shall contain less than one story.

Natural Hazards

Construction of permanent structures in areas subject to natural hazards, including floods, landslides, and avalanches, shall be subject to the requirements and limitations set forth in Chapter 19.74, "Floodplain Hazard Regulations," and Chapter 19.75, "Natural Hazard Areas."

Water Quality

A. Department of Health Approval Required. Prior to issuance of a conditional use permit or site development plan approval for all uses in the F zones, regardless of size or number of units, the applicant shall receive the written approval of the board of health certifying that all water quality and health requirements have been satisfied and that the proposed construction will not damage the natural watershed.

B. Developments of More than Nine Lots/Units. Developments of more than nine lots or units shall receive the written approval of the Utah Department of Environmental Quality certifying that the culinary water system and the sewerage system meet all state water quality and health requirements. All approvals shall be in accordance with the regulations of the Utah Department of Environmental Quality relating to culinary water supply and wastewater disposal.

C. Applicable State Regulations and Standards. The applicable state regulations for individual wastewater disposal systems can be found in the Utah Administrative Code, Sections R317-501 through R317-513, as amended from time to time. The applicable state regulations for culinary water supply can be found in Utah Administrative Code, as amended from time to time.

D. Subsequent Changes in Site Plan. If after health department or Utah Department of Environmental Quality review and action pursuant to this section, a site development plan is modified such that the original limits of disturbance change, the applicant must submit the modified site plan to the appropriate health agency for retesting and a new determination whether all state wastewater and culinary water standards have been met. Evidence of such retesting must be submitted prior to final approval of the site development plan.

Grading

Grading shall be permitted only in conformance with the standards and limitations set forth in the foothills and canyons overlay zone, Section 19.72.070, "Grading Standards."

Tree and Vegetation Protection

Removal of trees or natural vegetation shall not be permitted except in conformance with the standards and requirements set forth in the foothills and canyons overlay zone, Section 19.72.110, "Tree and Vegetation Protection."

Utilities

All utilities in the F zones shall be placed underground, except as may be provided for in Chapter 19.79, "Utility and Facility System Placement Regulations."

Building Location, Construction, and Design

All buildings and accessory structures in the F zones, including single-family dwellings, shall be located, constructed, and designed in compliance with the development standards set forth in the foothills and canyons overlay zone, Section 19.72.030, "Development Approval standards."

Off-Street Parking

A. Permitted Uses. The planning and development services division director shall determine the number of off-street parking spaces required, provided the minimum requirements of Chapter 19.80 are met, except that the Pplanning Ccommission may modify the requirements of Sections 19.80.060 through 19.80.120 if such modification will better preserve views, protect existing trees/vegetation, or reduce the amount of disturbance to steep slopes, wetlands, streams, or other sensitive environmental areas.
B. Covered parking is encouraged for all developments in the FR zone.

Site Development Plan Approval

Site development plans for all development in the FR zone, including single-family dwellings, shall be approved prior to issuance of any building permits pursuant to the site development plan approval requirements set forth in the foothills and canyons overlay zone, Section 19.72.030, "FCOZ Development approval procedures."

Applicability To Lots Of Record And Waivers From Slope Requirements

A. Applicable to Lots of Record. All standards and requirements for development in the FR zones as set forth in this chapter shall apply to development on lots and in subdivisions that were recorded prior to the enactment date of the ordinance codified in this chapter.
B. Lots of Record—Waivers from Slope Requirements. For properties in the FR zones also located in the foothills and canyons overlay zone (see Chapter 19.72), the planning commission may waive grade requirements for streets/roads and slope protection requirements for lots of record and lots and plans of subdivisions that were approved prior to the enactment of Chapter 19.72, provided the conditions and criteria set forth in Section 19.72.060A are satisfied.

Chapter 19.30: MEDIUM DENSITY RESIDENTIAL ZONE

DRAFT for Review Purposes Only – July 22nd, 2022

Medium and High Density Residential Zones – Staff Summary

The RM Zones to creates new standards for medium and high-density residential development. The intent is to allow for some housing choice within communities while holding development to a high standard of quality.

Uses Removed

- Agriculture
- Cemetery
- Dwelling group
- Gold course
- Pigeons
- Private educational institutions
- Private non-profit recreational grounds
- Airport
- Boarding house
- Dental clinic
- Fraternity house
- Mobile home park
- Medical clinic
- Sorority house
- Sportmans kennel
- Banks
- Electrolysis of hair
- Gymastics dance, dramatic, art studio
- Hospital
- Hotel
- Tanning studio

Special Conditions

The special conditions previously in the chapters have been moved to the specific use conditions chapter which will be done in the next phase of the project.

Development Standards

The development standards for any single-family, duplexes, or four-family dwellings are very similar to development standards for single-family housing in single-family residential zones. It is anticipated that during the next phase of the code update the site development standards for larger development projects, like apartment buildings, will be included.

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Sections:

19.30.010 - Purpose of Provisions.

The purpose of the medium and high-density residential zones is to promote a mix of housing opportunities combined with some limited commercial opportunities. It is the intent of the medium and high-density housing zones to be located in walkable and transit-oriented areas that allow for a wide range of amenities and businesses in close proximity.

19. 30.020 - Establishment of Medium and High-Density Residential Zone.

Multi-Family Residential Zone (RM): The RM Zone is intended to promote medium and high-density residential housing of greater than 4 units.

19. 30.030 - Schedule of Permitted Uses.

A. Schedule of Permitted Uses. The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Code. A description of each use category is in Section _____, Use Categories and Definitions.

B. Special Conditions. A number in a cell particular to a use and zone(s) indicates that special provisions or conditions apply to the use category for that zone(s). The conditions can be found in Chapter 19.XX.

C. Abbreviations. The abbreviations used in the schedule have the following meanings:

1. *P = Permitted Use.* These uses are allowed in a zoning district but may be subject to restrictions and approval processes as provided in this Title.
2. *C = Conditional Use*. These are land uses that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas of a zone district, or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. The Planning Commission is the approval authority for uses with this designation.
4. *X = Prohibited Use.* These uses are not allowed in this zoning district. Uses not specifically permitted herein are prohibited.

Use Categories	RM
Residential:	
Accessory Structures	P
Dwelling, Single-Family	X
Dwelling, Single-Family Attached	P
Dwelling, Accessory Internal	P
Dwelling, Accessory Detached	P
Dwelling, Duplex	P
Dwelling, Tri-plex	P
Dwelling, Four-plex	P
Dwelling, Multi-Family (5 dwellings or more)	C
Mobile Home Park	X
Planned Unit Development [A]	C
Residential Facility for Persons with a disability subject to 19.87	P
Residential Facility for Elderly Persons	P
Commercial:	

Bed and Breakfast [B]	P
Home Business subject to 19.85	P
Home Daycare/Preschool subject to _____	P
Daycare	P
Short-term Rentals [C]	P
Other:	
Public or Quasi-Public Use	P
Shared Parking	P
Rail Transit Mixed-use [D]	P
Public Park and Open Space	P
Private Park and Recreational Grounds	P
Temporary Buildings Incidental to Construction Work, and Other Temporary Buildings [E]	P

19. 30.040 - Development Standards.

Development in the RM Zone shall comply with the development standards of Table 19.30.040 and all other standards in this Title, as applicable.

Table 19. 30.040: Development Standards.	
Zone	**RM**
Minimum Lot Area	1,452 Sq Ft per Dwelling
Minimum Lot Width	50 Feet
Maximum Density [1]	30 Dwelling Units per Acre

1. Density calculations are based on gross density: Gross density is defined as the total (or gross) area of the parcel in question.

19.30.050 – Required Yards, Setbacks, and Bulk.

Development in the RM Zone shall comply with the yard, setback, and bulk standards shown in Table 19. 30.050 and all other standards in this Title, as applicable.

Table 19.30.050: Yard and Bulk Regulations				
	Single-Family	**Two-Family Building**	**Three/Four Family Building**	**Multi-plex (Five or more families)**
Minimum Yards; Residential Uses				
Minimum Front Yard	25 Feet	25 Feet	25 Feet	25 Feet
Minimum Side Yard	8 Feet	8 Feet	8 Feet	10 Feet

Minimum Side Yard, Facing a Public Street	20 Feet	20 Feet	20 feet	20 Feet
Minimum Rear Yard, Without Garage	30 Feet	30 Feet	30 Feet	30 Feet
Minimum Rear Yard, With Garage	15 Feet	15 Feet	15 Feet	25 Feet
Distance Between Primary Buildings	16 Feet	16 Feet	16 Feet	20 Feet
Maximum Lot Coverage	30%	45%	45%	60%
Minimum Yards; Non-Residential Uses				
Minimum Front Yard	25 Feet	30 Feet	30 Feet	25 Feet
Minimum Side Yard	8 Feet	8 Feet	8 Feet	8 Feet
Minimum Side Yard, Facing a Public Street	20 Feet	20 Feet	20 feet	20 Feet
Minimum Rear Yard, Without Garage	30 Feet	30 Feet	30 Feet	30 Feet
Minimum Rear Yard, With Garage	15 Feet	15 Feet	15 Feet	15 Feet

A. On lots with more than one primary building, the minimum distance between primary buildings shall be sixteen feet (16'). It is intended that if lots with more than one primary building are ever subdivided, each building shall have a side yard of eight feet (8') or the current standard for side yards in the underlying zone. In the event that regulations conflict for sides, the stricter requirement shall take precedence.

B. **Limits of Disturbance**. Because of the unique nature of the topography and climatic conditions of the foothill and canyon areas, limits of disturbance and setbacks for permitted uses including dwellings and accessory structures in the RM zone in this chapter shall be determined on a case-by-case basis by the development services director. Limits of disturbance and setbacks for conditional uses shall be as finally approved by the Planning Commission, upon the recommendation of the development services director (see Chapter 19.72). All determinations

of limits of disturbance shall be subject to the conditions and criteria set forth in the foothills and canyons overlay zone, Section 19.72.040, "Establishment of limits of disturbance."

19.30.060 – Building Height.

Buildings RM Zone shall comply with the height standards of Table 19.30.060 and all other standards in this Title, as applicable.

Table 19.30.060: Building Height Regulations.				
Zone	**Single-Family**	**Two-Family Building**	**Three/Four Family Building**	**Multi-plex (Five or more families)**
Maximum Building Height	35 Feet	35 Feet	35 Feet	50 Feet

A. Conditional Uses—Case-by-Case Determination. Because of the unique nature of the topography, vegetation, soils, climatic and aesthetic characteristics of the foothills and canyons, the allowable height of conditional use structures in the RM zone shall be determined on a case-by-case basis by the planning commission, subject to consideration of the following criteria:
   1. Protection of the natural setting.
   2. Relationship to other structures and open spaces.
   3. Contour intervals and topographic features.
   4. To the maximum extent feasible, the building height should not exceed the height of surrounding trees and vegetation.
   5. Protection of scenic vistas, especially views from public rights-of-way and public lands; and
   6. Other elements deemed appropriate to ensure that the provisions of Section 19.10.010 are met.
B. Except as otherwise specifically provided in this title, no building or structure shall exceed the following height:
   1. Thirty feet on property where the slope of the original ground surface exceeds fifteen percent, or the property is located in the hillside protection zone. The slope shall be determined using a line drawn from the highest point of elevation to the lowest point of elevation on the perimeter of a box which encircles the foundation line of the building or structure. The box shall extend for a distance of fifteen feet or to the property line, whichever is less, around the foundation line of the building or structure. The elevation shall be determined using a certified topographic survey with a maximum contour interval of two feet.
   2. Thirty-five feet on other properties.
C. No dwelling structure shall contain less than one story.

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19.30.080 – Site Development Standards in all Medium and High-Density Residential Zones.

Natural Hazards

Construction of permanent structures in areas subject to natural hazards, including floods, landslides, and avalanches, shall be subject to the requirements and limitations set forth in Chapter 19.74, "Floodplain Hazard Regulations," and Chapter 19.75, "Natural Hazard Areas."

Water Quality

A. Department of Health Approval Required. Prior to issuance of a conditional use permit or site development plan approval for all uses in the RM zone, regardless of size or number of units, the applicant shall receive the written approval of the board of health certifying that all water quality and health requirements have been satisfied and that the proposed construction will not damage the natural watershed.

B. Developments of More than Nine Lots/Units. Developments of more than nine lots or units shall receive the written approval of the Utah Department of Environmental Quality certifying that the culinary water system and the sewerage system meet all state water quality and health requirements. All approvals shall be in accordance with the regulations of the Utah Department of Environmental Quality relating to culinary water supply and wastewater disposal.

C. Applicable State Regulations and Standards. The applicable state regulations for individual wastewater disposal systems can be found in the Utah Administrative Code, Sections R317-501 through R317-513, as amended from time to time. The applicable state regulations for culinary water supply can be found in Utah Administrative Code, as amended from time to time.

D. Subsequent Changes in Site Plan. If after health department or Utah Department of Environmental Quality review and action pursuant to this section, a site development plan is modified such that the original limits of disturbance change, the applicant must submit the modified site plan to the appropriate health agency for retesting and a new determination whether all state wastewater and culinary water standards have been met. Evidence of such retesting must be submitted prior to final approval of the site development plan.

Grading

Grading shall be permitted only in conformance with the standards and limitations set forth in the foothills and canyons overlay zone, Section 19.72.070, "Grading Standards."

Tree and Vegetation Protection

Removal of trees or natural vegetation shall not be permitted except in conformance with the standards and requirements set forth in the foothills and canyons overlay zone, Section 19.72.110, "Tree and Vegetation Protection."

Utilities

All utilities in the RM zone shall be placed underground, except as may be provided for in Chapter 19.79, "Utility and Facility System Placement Regulations."

Building Location, Construction, and Design

All buildings and accessory structures in the RM zone shall be located, constructed, and designed in compliance with the development standards set forth in the foothills and canyons overlay zone, Section 19.72.030, "Development Approval standards."

Off-Street Parking

Permitted Uses. The planning and development services division director shall determine the number of off-street parking spaces required, provided the minimum requirements of Chapter 19.80 are met, except that the Planning Commission may modify the requirements of Sections 19.80.060 through 19.80.120 if such modification will better preserve views, protect existing trees/vegetation, or reduce the amount of disturbance to steep slopes, wetlands, streams, or other sensitive environmental areas.

Covered parking is encouraged for all developments in the RM zone.

Site Development Plan Approval

Site development plans for all development in the RM zone shall be approved prior to issuance of any building permits pursuant to the site development plan approval requirements set forth in the foothills and canyons overlay zone, Section 19.72.030, "FCOZ Development approval procedures."

Applicability To Lots Of Record And Waivers From Slope Requirements

A. Applicable to Lots of Record. All standards and requirements for development in the RM zone as set forth in this chapter shall apply to development on lots and in subdivisions that were recorded prior to the enactment date of the ordinance codified in this chapter.
B. Lots of Record—Waivers from Slope Requirements. For properties in the RM zone also located in the foothills and canyons overlay zone (see Chapter 19.72), the planning commission may waive grade requirements for streets/roads and slope protection requirements for lots of record and lots and plans of subdivisions that were approved prior to the enactment of Chapter 19.72, provided the conditions and criteria set forth in Section 19.72.060A are satisfied.

19.30.070 - Accessory Structure Development Standards.

A. The minimum yard requirements for an accessory building are as follows:

Table 19.30.070: Accessory Building Development Standards.

Zone	RM
Side Yard	1 Foot
Side Yard, Facing a Public Street	20 Feet
Rear Yard	1 Foot
Setback from the Main Dwelling	6 Feet

B. No building which is accessory to a one-family or two-family dwelling shall exceed twenty feet (20’) in height. For each one foot (1’) of height over fourteen feet (14’), accessory buildings shall be set back from property lines an additional one foot (1’) up to the allowed maximum height of twenty feet (20’).
C. No accessory building or group of accessory buildings shall cover more than twenty-five percent (25%) of the rear yard.

19.30.080 - Subdivision and PUD Standards for Medium and High-Density Residential.

Two-Family dwellings may be subdivided subject to the following standards:

A. The minimum lot area for duplexes shall be equally distributed until the following minimum lot standards are met for all newly created lots.

Zone	RM
Minimum Lot Area	1,452 Sq Ft per Dwelling

B. There is no minimum side yard requirement where property lines are drawn along a shared wall.
C. The division of ground is subject to the requirements of Title 18.
D. The subdivision plat shall specifically note that the purpose of the subdivision is to accommodate the division of a two-family dwelling(s).

All other subdivisions in the Medium and High-Density Residential zones shall be subject to all requirements in 19.78 and platted via a PUD plat.

19.32.110 – General Information

A. It is the responsibility of the applicant to comply with all other standards of Title 19 and all other municipal ordinances.

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CHAPTER 19.32: COMMERCIAL ZONES

DRAFT for Review Purposes Only – July 22nd, 2022

Commercial Zones – Staff Summary

Schedule of Uses

There are four commercial zones in the current code, C-1, C-2, C-3 and C-V. These zones each had their own chapter. This model ordinance combines the four commercial zones into one chapter.

There is only one parcel in all of the MSD Service Areas Zoned C-1. The model ordinance takes advantage of this by re-creating the C-1 as a modern commercial zone where buildings are located nearer the street to create a sense of scale and place, openings or at least the impression of doors and windows are placed on the street side of the building, and parking is located in the rear of the building. It is anticipated that most smaller scale commercial development will occur in the C-1 zone.

C-2 is the predominant commercial zone within the town, township and county. The C-2 is also modernized but becomes more of a "shopping center commercial" zone. Larger commercial projects will use the C-2 in most cases.

The C-3 zone is located almost exclusively along Magna Main, with only one parcel in Kearns and two others near Copperton. Magna has adopted a mixed-use zone tailored to Magna Main and it is anticipated that future development will use this new zone and that all of these parcels will be rezoned to Mixed Use.

The C-3 zone was written with warehousing and wholesale businesses in mind. This niche is now filled by the revised M-1, light industrial zone and the C-3 zone has become superfluous. The intent is that C-3 will be phased out and new development will not occur in the current zone. Most of the uses in the use table are prohibited in the C-3 zone.

C-V is geared toward visitors and tourism and is found only in the canyons and near the Great Salt Lake. It will be eliminated in most township zoning ordinances.

Among the most important parts of the ordinance project is updating the use tables to combine uses, eliminate obsolete uses, and define uses. The uses defined are typically more general in nature to both shorten the list by combining like uses and to include future like uses. These uses have been grouped together with similar uses for the ease of the user.

The use tables now combine permitted and conditional uses into one table. An administrative conditional use has been created to allow somewhat more deliberation for these uses while minimizing delays based on the Planning Commission meeting schedules. Larger projects such as PUD's and large commercial projects will require Planning Commission input and approval, most other uses will not. As a result, the Planning Commission will be able to concentrate on the big picture land use management items rather than the small details.

Most of the existing use list could be characterized as retail uses, service uses or person services. All of these uses now fall under either "retail and service commercial" or personal care services" unless they were of a type that councils were more wary of. Check cashing, pawn shops, reiki and retail tobacco specialty businesses are not included in the general "retail and service commercial" and are typically either prohibited or allowed as administrative conditional uses.

Development Standards

- There are no minimum lot size, frontage or width standards in any of the commercial zones. Because the intent is that the C-2 zone be used only for larger commercial projects, it has a 3-acre project area requirement.
- The front setback is also a build to line, meaning that in most cases 50% of the building must be built at the setback line. This front setback is landscaped, and parking is located to the side or rear of the building. This allows the buildings to frame the street, which emphasizes the buildings rather than the parking and gives the streetscape a more human scale. Exceptions for grocery and other larger commercial buildings and drive through windows are built into the ordinance.
- Outdoor dining and pedestrian access are encouraged by requiring walkways and site furnishings.
- Architectural standards have been created to improve the built environment. These standards primarily apply to new development. These standards should lead to the creation of buildings that are in line with buildings in the better developments in the region but should not be a significant burden on developers. Most construction in the last 5 years would need only moderate improvements to meet the proposed standards.
- Entrances and windows will be required on the street facing side of new buildings. This does not preclude other entrances.
- Open space and landscaping standards will have a separate chapter. The elements found in this chapter are intended to be an enhancement from the general regulations that apply to industrial and other zoning districts.
- Parking lot lighting standards are included to require lighting that does not trespass on neighboring property, is efficient and relatively uniform so that dark areas are minimized.
- Residential buffering and fencing requirements are created.

Resources Utilized

- Ogden Zoning Ordinance
- Vineyard Zoning Ordinance
- South Jordan Zoning Ordinance
- Midvale Zoning Ordinance
- Mapleton Zoning Ordinance
- Spanish Fork Zoning Ordinance

Sections:

19.32.010 – Purpose of Provisions.

The purpose of the commercial zones is to provide places in the municipality for a wide range of commercial and retail trades and uses, offices, business and professional services, and other uses that contribute to the economic stability of the community and wellbeing of its employees and residents. The zones intend to provide employment opportunities and expand the municipal tax base, while also encouraging sustainable development and providing an attractive transition between residential and non-residential uses.

19.32.020 – Establishment of Commercial Zoning Districts.

In order to anticipate and respond to the changing needs of our community and implement commercial node concepts included in the adopted General Plan, the following zoning districts are established:

A. *Commercial Zone – Shopping Center Commercial (C-2)*: The C-2 Zone is intended to provide retail uses, service-oriented businesses, offices, and restaurants in an integrated center. Each center shares common architecture, access, parking, signage, and landscape design. Centers will typically

include three (3) or more acres and provide regional or community level destination shopping while incorporating a design which enhances pedestrian orientation within the center.

B. *Commercial Zone – Visitor and Tourism (C-V):* The C-V Zone is intended to provide for areas in appropriate locations where commercial centers providing for the needs of tourists and travelers may be established, maintained, and protected, subject to conditional use approval by the Planning Commission. The regulations of this zone are designed to encourage the provision of transient housing facilities, restaurants, service stations, and other commercial activities providing for the convenience, welfare, or entertainment of the traveler.

19.32.030 – Schedule of Permitted Uses.

A. Schedule of Permitted Uses. The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Code.

B. Special Conditions. A number in a cell particular to a use indicates that special provisions or conditions apply to the use category for this zone. The conditions follow the schedule of uses.

C. Procedure for Multiple Uses (Combination of Uses). Where a development proposal involves a combination of uses other than accessory uses, the more restrictive provisions of this Code shall apply. For example, if a portion of a development is subject to Conditional Use ("CU") approval and the other portion is subject only to Permitted Use ("P") review, the entire development shall be reviewed utilizing the Conditional Use process.

D. Abbreviations. The abbreviations used in the schedule have the following meanings:

1. *P = Permitted Use*. These uses are allowed in the zoning district but may be subject to restrictions and approval processes as provided in this Title.
2. *C = Conditional Use*. These are land uses that, because of their unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas of the zoning district, or may be compatible only if certain conditions are required that mitigate the detrimental impacts. The Planning Commission is the approval authority for uses with this designation.
4. *X = Prohibited Use*. These uses are not allowed in this zoning district. Uses not specifically permitted herein are prohibited.

Table 19.32.030 - Uses Allowed in Commercial Zoning Districts		
Use Categories		
RETAIL AND SERVICE:	**C-2**	**C-V**
Car and Light Truck Wash	X	X
Child Care Center	P	P
Check Cashing	X	X
Commercial Plant Nursery	P	P
Financial Institution	P	P
Kennel, Commercial	P	P
Laundry Cleaning, Automatic Self-Help and/or Drop Off	X	X
Liquor and/or Wine Store and Package Agency	P	P
Mobile Store	P	P
Pawn Shop	X	X

Personal Care Services	P	P
Personal Instruction Services	P	P
Reception Hall, Reception Center	P	P
Reiki	P	P
Retail and Service Commercial	P	P
Retail Shops or Galleries where Primary Product is Produced On-Site	P	P
Retail Tobacco Specialty Business	X	X
Self-Service Fuel Station	X	X
Sexually Oriented Business or Activity	X	X
Shopping Center	C	X
Vehicle and Equipment Repair, Minor	X	X
Vehicle Rental	C	C
Vehicle Sales and Service	X	X
Vehicle Sales, Small Dealership	X	X
FOOD AND DRINK:	**C-2**	**C-V**
Bars and Clubs	C	P
Breweries and Distilleries in association with a Restaurant	P	P
Food truck / mobile restaurant / food cart	C	P
Restaurant, Fast Food	P	P
Restaurant, Sit-Down with or Without Alcohol	P	P
LODGING:	**C-2**	**C-V**
Bed and Breakfast Inn	P	P
Hotel/Motel	C	C
OFFICE:	**C-2**	**C-V**
Office, General	P	P
Office, Intensive	P	P
Office, Medical	P	P
RECREATIONAL:	**C-2**	**C-V**
Athletic Clubs	P	P
Commercial Recreation	P	P
Recreation Facility, Commercial	P	P
Recreation Facility, Public	P	P
Theatres and Concert Halls (Indoor)	P	P
RESIDENTIAL USES:	**C-2**	**C-V**
Planned Unit Development, subject to Chapter 19.18	C	C

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INSTITUTIONAL USES:	**C-2**	**C-V**
Animal Control or Rescue Facility	P	P
Animal Hospital or Clinic	P	P
Animal Hospital or Clinic with Outdoor Holding Facilities	P	P
Cemetery	C	X
Church, Synagogue, Mosque, Temple, Cathedral, or other religious buildings	P	P
Hospital	P	P
Libraries	P	P
Parks/Open Space	P	P
Public Uses	P	P
Public Utilities, Major	C	X
Public Utilities, Minor	P	P
Schools, Public	P	P
Schools, Private/Charter	C	X
SPECIALTY:	**C-2**	**C-V**
Crematorium	P	X
Laboratory, Medical or Dental	P	X
Laboratory, Research and Development	P	X
Mortuary or Funeral Home	P	X
Nursing Home, Convalescent Care Center	P	X
Rehabilitation/Treatment Facilities	P	X
Self-Service Storage Facilities, Enclosed	X	X
ACCESSORY USES:	**C-2**	**C-V**
Accessory Outside Storage	C	C
Home Business, subject to chapter 19.40	P	P
Household Pets, not including kennels	P	P
Drive-Thru and Drive-Up Facilities appurtenant to a permitted use	C	X
Outdoor dining appurtenant to a permitted restaurant use	P	P
Sidewalk Displays and Sidewalk Cafes appurtenant to a permitted use	P	P
Temporary buildings subject to 19.42	P	P
NONCONFORMING USES:	**C-2**	**C-V**
Pre-Existing Lot	P	P
Pre-Existing Structure	P	P
Pre-Existing Use	P	P

19.32.040 – Lot and Area Standards.

Development in the , C-2, and C-V Zones shall comply with the lot and project area standards shown in Table 19.32.040 and all other standards in this Title, as applicable.

Table 19.32.040 - Required Yards and Setbacks		
Lot and Area Standards	C-2	C-V
Minimum Project Area	None	None
Minimum Lot Size	There is no minimum lot size required in the Commercial Zones.	
Minimum Lot Width and Frontage	No minimum lot width is required for lots in Commercial Zones. Lots not fronting on a street must be accessible to the public via a recorded easement or right-of-way.	

19.32.050 – Site Standards.

The following site standards shall apply in the C-2 and C-V Zones:

A. *Setbacks.* Setback standards frame streets spatially and encourage a consistent building wall along street edges. Parking setbacks enhance pedestrian safety and comfort while reducing the visual prominence of automobiles as viewed from streets, building entrances, and sidewalks. See Table 19.32.050 for setback requirements.

Table 19.32.050 – Site Standards		
Setback Standards	C-2	C-V
Front Yard Setback, Major Street	18' landscaped setback from back of sidewalk	20' landscaped setback from public right of way
Front Yard Setback, Minor Street or Drive	10' landscaped setback from back of curb	10' landscaped setback from back of curb
Side Yard Setback – Corner Lots	Same as the front yard setback	Same as the front yard setback
Build to Line	The front yard setback is the build-to-line. At least fifty percent (50%) of the adjacent façade must be built within three feet (3') of the build-to-line. A side yard, corner lot setback is also a build-to-line.	N/A
Side Yard Setback – Interior Lots	No setback required when sharing a common wall. 8’ setback to property line or 16’ between buildings where building pads are used. 20’ landscaped buffer required to separate residential uses from commercial uses.	
Rear Yard Setback	10’ setback to property line or 20’ between buildings where building pads are used. 20’ Landscaped buffer required to separate residential uses from commercial uses.	

B. Location and Orientation of Buildings. Structures frame streets spatially by being constructed at the build-to line. Buildings shall be sited to face the street with parking lots on the side or rear. At street or drive intersections the buildings shall be located directly on the corner with parking in the rear. At least fifty percent of the adjacent façade must be built within three feet of the build-to line.

C. Build-to-Line Exceptions.

1. Some big box development, such as a grocery stores, may have parking in front, provided other commercial pad sites are proposed along the frontage that would comply with the

build-to-line requirements. These pads must create a forty percent (40%) building street frontage along the width of the project area when combined with public plazas or courtyards.

2. Drive-through windows shall be located at the side or rear of buildings. While not desirable, a single drive aisle may be located between the building and the street so long as its width does not exceed twelve feet (12'), any pedestrian crossings of it are clearly delineated with special paving treatments, no parking spaces occur off of it and a low wall, railing with landscaping, or a continuous hedge at least three feet high exists between stacked cars and the sidewalk. When a drive-through is located between the building and the street, the front setback/build to line is 12' feet further from the back of sidewalk or public right of way.

D. Sidewalks or Trails. All building front entryways shall have a continuous sidewalk to the street sidewalk. Sidewalks at least six feet (6') wide are required along the entire front of the lot or project area. A six foot (6') wide park strip must be installed between the street and the sidewalk as a pedestrian buffer. No fencing that is parallel to any sidewalk shall be within two feet (2') of the edge of the sidewalk.

E. Outdoor Dining. Where outdoor dining is allowed, the patio or dining area may encroach on up to ten feet (10') of the required landscaped setback.

F. Utilities. All overhead utilities shall be placed underground unless the applicable utility company deems it to be infeasible.

G. Screening. All garbage dumpsters shall be enclosed by a masonry wall or architectural design with materials that are consistent with the building. The enclosure gate shall be metal and accessible to service vehicles. The enclosure wall and gate shall be a minimum of twelve inches (12") higher than the trash receptacle bin. Service areas, mechanical equipment, and meters shall be completely screened from the street.

H. Site Furnishings. The developer or builder is responsible for providing site furnishings as required in this document. All site furnishings shall be specified on the plans.

1. *Benches.* Each project shall provide 1 outdoor bench per small building (buildings 20,000 square feet or smaller) and 2 outdoor benches for larger buildings (greater than 20,000 sf). Benches are encouraged in places where people congregate and at pedestrian intersections and nodes. Benches shall be durable and permanently installed on a hardscape (concrete, pavers, etc.) surface.
2. *Bike Rack.* Bike racks shall be provided and installed at a minimum of 3 bike stalls per 50 vehicle parking stalls within each development (minimum of 3 bike rack stalls). Bike racks should be located near the entrance to the building and visible from the street or drive. Bike racks shall be durable and permanently installed over a hardscape surface.
3. Trash and Recycle Receptacles. Trash and recycle receptacles are required to be provided at a minimum of 1 (both trash and recycle) per public entrance at commercial buildings.

19.32.60 - Architectural Standards.

All new development must present an attractive, coordinated streetscape, incorporate architectural and site design elements appropriate to a pedestrian scale and provide for the safety and convenience of pedestrians. All new development shall comply with the following architectural standards:

A. General Design Standards: The following building design requirements shall apply in the C-2 and C-V Zones:

1. *Walls.* No more than three materials shall be used for primary wall surfaces. Exterior finishes shall be of traditional, time- and weather-tested techniques. Retaining and screening walls shall be of materials complementary to the building's materials. Buildings shall use a cohesive palette of colors which complement nearby buildings. Without limiting the use of color, large

areas of wall shall be subdued in color and not reflective. Intense colors should be used as accent only.

2. *Building Heights.* Buildings should provide a sense of street enclosure for pedestrians in more urban environments. New commercial buildings adjacent to existing neighborhoods shall step-down in height to help minimize the visual impact to residential areas. See Table 19.32.060A for requirements.
3. *Transparency.* Where applicable, the intent of transparency standards is to promote economic activity by creating active street walls and visual interest for pedestrians at the ground-level. They also serve to promote personal and property safety by introducing more "eyes on the street" or natural surveillance of the public right-of-way and building interiors. See Table 19.32.060A for requirements.

Table 19.32.060A - Commercial Development Standards

Standard	C-2	C-V
Building Height	*Minimum*: No primary building within this district shall be erected to a height less than fifteen feet (15') above grade. Maximum: 45'	*Minimum*: No primary building within this district shall be erected to a height less than fifteen feet (15') above grade. Maximum: 30'
Step-down Height Adjacent to Residential Areas.	Within one hundred feet (100') of sites zoned for single family residential, the following standards shall apply: a. On the portion of the site within one hundred feet (100') of a site zoned R-1, the maximum height shall be thirty-five feet (35'). b. On the portion of the site within one hundred feet (100') of a site zoned R-2, R-4, RM, or RMH the maximum height shall be forty-five feet (45').	
Transparency	Ground Floor (frontage) 30% Ground Floor (exposed sides) 30% Upper Floors (frontage) 20%	Ground Floor (frontage) 30%

4. *Roofs.* All the roofs and dormer roofs of a building shall be constructed of the same material. Slopes of roofs shall be of equal pitch if a gable or hip roof is employed. All metal roofs must be of a subdued color. Painted roof shingles are prohibited.
   a. Flat Roofs on stand-alone buildings are allowed when variation to the roof line is provided through the use of parapets, towers, step-backs, or accessory structures.
   b. Large building roofs shall have parapets and enclosures concealing flat roofs and rooftop equipment from public view. Parapet and enclosure materials shall match the building in quality and detail.
   c. Pitched roofs have a sloped or pitched roof. The slope is measured with the vertical rise divided by the horizontal span or run.
      1. The roof may not be sloped less than a 4:12 (rise: run) or more than 16:12.
      2. Slopes less than 4:12 are permitted to occur on second story or higher roofs.
      3. Hipped, gabled, and combination of hips and gables with or without dormers are permitted.

4. Gambrel, butterfly (inverted gable roof), and mansard roofs are not permitted.
5. A gabled end or perpendicular ridge line shall occur at least every one-hundred feet (100') of roof when the ridge line runs parallel to the front lot line.

B. Exterior Structure Standards: All exterior walls of all structures shall be constructed in compliance with the following:

1. *Materials.* All buildings shall use one or more of the following durable materials as significant finish: architectural precast concrete, architecturally treated concrete masonry units, brick cladding, natural and cast stone, architectural metals, and glazing. Architectural site-cast concrete may be allowed if designed, articulated, and colored for a finished appearance on all buildings. At least fifty percent of all buildings visible from a major street shall be composed of brick, stone, architecturally treated CMU, architectural precast concrete, architectural metals, and/or glazing.
2. *Exterior Insulation and Finish System (EIFS)/Stucco.* The design and application of EIFS or synthetic stucco are expected to be of a high enough quality to allow for crisp detailing and substantial relief. The use of EIFS on ground floor walls shall be limited to the surface area three or more feet above finished grade. The wall area from finished grade to where the use of EIFS begins shall be clad by a hard, durable material such as brick, stone, architectural precast concrete, or architecturally treated concrete masonry units.
3. *Detail and Finish.* Building façades that face the street but do not have pedestrian entries shall be composed of high-quality materials such as brick or stone and shall provide variety and interest in the façade through the introduction of such elements as pilasters, recessed or protruding bays, changes in materials and/or colors, building lighting elements, display windows with products or product graphics, transparent windows or clerestories, and well-designed signs and graphics.
4. *Surface Variation.* Continuous building wall surfaces shall be relieved with significant variations of wall planes or overhangs that create shadow areas and add visual interest. Variations should result from significant dimensional changes in plane, color, or detail as accomplished by such devices as protruding bays, recessed entries, upper-level step-backs, arcades, offsets in the general plane of the façade, changes in materials or color, bay windows, vestibules, porches, balconies, exterior shading devices, nonretractable canopies or awnings, projecting cornices, or eaves.
5. *Vertical Separation and Human Scale.* Buildings in excess of two (2) stories in height shall exhibit architectural detailing that establishes a vertical separation between lower and upper stories. This may be accomplished by a mid-façade cornice or trim, a change in material, style or color, a façade step-back or roof pitch with dormer windows, or other methods. Buildings in excess of two (2) stories shall also exhibit architecture design that incorporates the human scale, which is specific architecture features below 10 feet (10').
6. *Façade Features.* All large retail building façades visible from public streets shall include architectural treatments that add detail, character, and reduce the appearance of massive blank walls. Techniques such as color and material changes, expression of structure, shifts in plane, offsets and projections, belt courses, reveals, pilasters, windows, doors, arcades, canopies, and other similar elements may achieve this standard. *Opaque (solid) storefront security closures (rolling doors, etc.) are not allowed.*

C. *Entrances.* The intent of entrance standards is to provide direct and comfortable access to businesses for pedestrians. Entrances on public streets are particularly important to promote pedestrian traffic and activities on the sidewalks. The following standards apply to the entrances of all structures:

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1. Street front entrances shall be developed on all new buildings. An unobstructed sidewalk connection from the door location must be provided to connect to the public sidewalk. Entry doors must be located on the front façade or be placed within three feet (3') of the front façade.
2. Primary public entry(s) shall be architecturally emphasized so that pedestrians can easily find them.
3. Weather protection features such as awnings, canopies, doors inset by at least three feet (3'), or arcades shall be provided at all customer entrances.

D. *Corner Buildings.* Special attention shall be given to corner buildings that are highly visible, that may serve as landmarks, and provide a sense of enclosure at intersections. Special attention can be achieved by architecture, landscape, and public place.

19.32.070 – Off-Street Parking Standards.

In addition to the parking standards specified in Chapter 19.48, "Off Street Parking Standards", the following parking standards shall apply:

A. Change Of Use: Whenever the existing use of a structure or the existing use of land is changed to another use or another occupancy, parking and loading facilities shall be provided as required by this title, except that the Planning Commission may reduce this requirement in cases of hardship and practical difficulty covering the land on which the building is located.

B. Surface parking areas, except for approved street parking, shall not be located between a building and a public right-of-way on lots or parcels adjacent to a public right-of-way. This requirement shall only apply to one side of a lot or parcel that is adjacent to a public right-of-way on multiple sides. Surface parking for a big box development, such as a grocery store, that meets the standards for a build-to-line exception as described in 19.32.050.C, is allowed parking between the building and the right of way as long as the pad sites each comply with this part.

C. Surface parking areas, except for approved street parking, located within thirty feet (30') of a public right-of-way shall be screened by grading, landscaping, walls/fences, or a combination of these, to a height of three feet (3') above the surface of the parking area.

D. All commercial development should be designed to allow for cross-access to adjacent properties to encourage shared parking and shared access points on public or private streets, unless otherwise specified. A minimum distance of one hundred (100) feet should be required between a cross-access way and an entrance. UDOT standards may supersede this requirement in areas of UDOT jurisdiction. When cross-access is deemed impractical by Director on the basis of topography, the presence of natural features, or vehicular safety factors, this requirement may be waived provided that appropriate bicycle and pedestrian connections are provided between adjacent developments or land uses.

E. The Director or Designee may approve an exception to the requirements of this subsection if he or she determines that any of the requirements are not reasonably possible based on the unique characteristics of the site.

19.32.080 - Open Space and Landscaping

In addition to the parking standards specified in Chapter 19.50, "Landscaping and Screening", the following parking standards shall apply:

A. Physical Connections. Each lot shall have a system of pedestrian walkways and sidewalks that provide connections between the building entrances, neighboring building entrances, sidewalks, parking areas, open space, and public trails.

B. Minimum Landscaped Area. Thirteen percent (13%) of the area of each commercial site shall be developed as landscaped setbacks, courtyards, plazas, open space, or walkways.

C. Landscaped Setback from Edge of a Street or Drive. The entirety of the required setback between a building or parking lot and a street or drive shall consist of landscaping, sidewalks, or a combination thereof. Courtyard or plaza areas shall be deemed to be a part of the front setback of the building.
D. Prohibitions. Maintenance buildings, trash collection and recycling areas, storage and service areas, mechanical equipment, and off-street loading areas shall not be permitted in the front setback of any building and shall be located behind the main building structure, or completely screened from public view.
E. Building Foundation Landscaping. The ground adjacent to the building foundation must be landscaped if it is visible from public vantage points.
F. Residential Buffer. A landscaped buffer shall be required to separate residential uses from commercial and industrial uses.
   a. *Landscaped Buffer Area.* The landscape buffer area must be a minimum of thirty feet wide to provide adequate screening, buffering, and separation of these uses. The landscape treatment should use a combination of distance and low-level screening to separate the uses to soften the visual impact of the commercial or industrial use. The thirty-foot (30') buffer area may be shared between adjoining properties, upon adequate proof of reciprocal easements to preserve and maintain the buffer area. The landscaped buffer area shall include a minimum of one tree for every two hundred fifty square feet (250 sq. ft).
   b. *Fully Sight-Obscuring Fence.* The Planning Commission shall require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and landscaping is not practical. Such fence must be a minimum of six feet (6') high (up to eight feet (8') if warranted and approved by the Planning Commission) and completely sight-obscuring. Fences may be of wood, metal, bricks, masonry, or other permanent materials.

19.32.090 – Lighting

Except for ordinary repairs and maintenance of lighting approved and installed after (The adoption of this ordinance), all new development must comply with the following outdoor lighting standards:

A. Light Source. Light sources shall be at least as efficient as LED and no greater than four thousand kelvins (4000K) in correlated color temperature (CCT). Light levels shall be designed such that light trespass measured at the property line does not exceed 0.01 foot-candles. Light fixtures shall use a cutoff luminaire that is fully or partially shielded with no light distributed above the horizontal plane of the luminaire or into nearby residential structures. In no case shall the total lumens emitted for a single site exceed one hundred thousand (1000) lumens per acre.
B. Parking Lot Lighting. Parking lot lighting shall be designed and constructed to comply with the following standards:
   1. *Pole Height/Design.*
      a. Luminaire mounting height is measured from the parking lot or driveway surface and may range from ten feet (10') to thirty feet (30'), based on review of site plan, proposed land uses, surrounding land uses, parking area size, building mass, topography of site, and impacts on adjacent properties.
      b. Poles and fixtures shall be black, dark brown, or another neutral color approved by the Director or Designee.
      c. All attempts shall be made to place the base of light poles within landscape areas.
      d. Light poles in parking areas shall not exceed thirty feet (30') in height. Poles exceeding twenty feet (20') in height are appropriate only for parking areas exceeding two hundred (200) stalls and not within 75' of a residential zone.

C. Other Outdoor Lighting Standards.
   1. Wall-mounted lighting fixtures shall not be located above eighteen feet (18') in height unless being used as building accent lighting. Fixture styles and finishes shall complement the building exterior.
   2. Lighting located along pedestrian pathways or in areas primarily dedicated to human activity shall be bollard style lighting or down-directed lighting not to exceed twelve feet (12') in height. Pedestrian lighting shall be coordinated through each project and shall complement adjacent projects to the greatest extent practical.
   3. In order to avoid light pollution, backlit awnings, up-light spotlights, and floodlights are prohibited.
   4. Street lighting shall either be chosen from the city's approved streetlight list or installed to match a theme set by developments within the zone or neighborhood.
   5. Lighting for outdoor athletic facilities may be mounted on a roof or wall at a height above the typical eighteen-foot (18') maximum, provided it is demonstrated by the applicant. through submittal of appropriate documentation and light studies, that the facility cannot otherwise be properly lighted. This lighting shall comply with the following requirements:
      a. Light fixtures and necessary supports shall not extend more than four feet (4') above the roof line;
      b. Light fixtures shall include appropriate shields to ensure no light trespass off the site;
      c. Light fixtures shall include appropriate shields and louvers to minimize, to the greatest extent possible, any point source light pollution;
      d. Light fixtures and supports shall be painted to blend with the color scheme of the structure to which they are mounted;
      e. Light fixtures shall be dimmable to address any possible unforeseen light impacts once they are constructed and operable; and
      f. The planning commission shall review the hours of light usage and shall approve an appropriate usage schedule depending on the specific situation and impacts on the surrounding area.

D. Upgrading Preexisting Lighting. An applicant must bring preexisting lighting into compliance with this code upon application with the business license department for a change in ownership, new business in a stand-alone structure or a multi-tenant structure in which the new business utilizes more than fifty percent (50%) of the building square footage on the site, in conjunction with an application for a building permit for any alteration, remodel or expansion of any structure on the site, or in conjunction with changes to the approved site plan.

E. Lighting Plan Submission Requirements. A lighting plan is required for all developments and must contain the following:
   1. Plans indicating the location on the premises and the type of illumination devices, fixtures, lamps, supports, reflectors, installation and electrical details;
   2. Description of illuminating devices, fixtures, lamps, supports, reflectors, and other devices that may include, but is not limited to, manufacturer catalog cuts and drawings, including a section where required; and photometric data, such as that furnished by manufacturers, or similar showing the angle of the cutoff or light emission; and
   3. A point-by-point light plan to determine the adequacy of the lighting over the site.

19.32.100 – Fences Hedges and Walls.

The following standards apply to new development of fences, hedges, and walls:

A. Required Setbacks. A fence, hedge, wall, column, pier, post, or any similar structure or any combination of such structures is permitted in the required setback of a zone district if it meets the following conditions:
   1. No fence, hedge, or wall extends beyond or across a property line without a recorded agreement with the abutting property owner;
   2. Only one fence or wall shall be allowed per property line. Double fences, walls or combination thereof are prohibited; and
   3. No barbed wire or other sharp, pointed, or electrically charged fence may be erected or maintained, except a temporary fence on a construction site to protect the property during the period of construction may be topped with barbed wire where the barbed wire is not less than eight feet (8') above the ground and does not extend more than two feet (2') above the temporary fence.
B. Height. No fence or wall may exceed seven feet (7') in height, four feet (4') in height from the front of the primary structure forward, or three feet (3') in the sight distance triangle, measured as follows:
   1. In a required yard abutting a street, the total effective height above the finished grade measured on the side nearest the street;
   2. In any other required yard, the total effective height above the finished grade measured on the side nearest the abutting property;
   3. On a property line, measured from the finished grade of either side when the abutting property owners are in agreement; and
   4. A temporary fence on a construction site may be as high as required to protect the property during the period of construction.
C. Athletic Facilities. Fencing around athletic facilities, including, without limitation, tennis courts, may be fourteen feet (14') in height so long as all portions above six feet (6') are constructed with at least fifty percent nonopaque materials.

19.32.110 – General Information.

It is the responsibility of the applicant to comply with all other standards of Title 19 and all other municipal ordinances.

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CHAPTER 19.38: PUBLIC FACILITIES AND INSTITUTIONS ZONES

DRAFT for Review Purposes Only – August 2nd, 2022

Public Facilities and Institutions Zones – Staff Summary

Summary:

Kearns' Public Facilities and Institutions Zones were first adopted in 2019. In this draft, the nature of the Zones remains the same. The same use and development standards are carried through from the existing ordinance to this draft. However, content has been reorganized and cleaned-up to match the style of other drafted Chapters and enhance resident usability.

Applicability:

The Public Facilities (PF) and Public Institutions (PI) Zones may still work well for civic uses, educational buildings, religious institutions, and large sports complexes. However, staff recommends that the new Parks and Recreation (PR) Zone (Chapter 19.22) is used for Kearns' parks and open spaces. The PR Zone preserves the environmental and recreational quality of Kearns' green spaces. We recommend a map amendment to appropriately designate PF/PI vs PR areas after these ordinances are adopted.

Changes Made:

- The previously listed permitted and conditional uses were transferred into a 'Schedule of Uses' to match the format of other chapters.
- Some conditional uses were removed, such as golf courses, which require more space than can be obtained in Emigration Canyon without significant redevelopment and demolition of buildings.
- The 'Maximum Floor Area at Ground Level' standard was clarified and re-named to a 'Maximum Lot Coverage' standard for primary and accessory buildings.
- A final section was added clarifying that the applicant is responsible for complying with any other applicable regulations in the Title or Ordinance.

Sections:

19.38.010 – Purpose of Provisions.

Public Facilities and Institutions Zones are established to provide public or quasi-public uses.

A. Public Facilities Zone (PF): The purpose of the PF zone is to provide areas for facilities owned by public and quasi-public entities which utilize relatively large areas of land. This zone is intended to provide immediate recognition of such areas on the official zoning map.
B. Public Institutions Zone (PI): The purpose of the PI zone is to provide areas for educational institutions, municipal uses, and athletic facilities, whether publicly or privately owned, that host organized team sports. These uses utilize relatively large areas of land and are established for the health and betterment of the community at large. This zone is intended to provide immediate recognition of such areas on the official zoning map.

19.38.020 – Scope.

The provisions of this Chapter shall apply to any real property located in a PF or PI Zones as shown on the official zoning map. No building, structure or real property may be used, and no building or structure may be hereafter erected, structurally, or substantially altered, or enlarged except as set forth in this Chapter. Such requirements shall not be construed to prohibit or limit other applicable provisions of this Title, this code, or other laws.

19.38.030 – Schedule of Permitted Uses.

A. Schedule of Permitted Uses. The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.

B. Procedure for Multiple Uses (Combination of Uses). If a development proposal involves a combination of uses other than accessory uses as identified in Table 19.38.030, the more restrictive provisions of this Title shall apply. For example, if a portion of a development is subject to Conditional Use ("C") approval and the other portion is subject only to Permitted Use ("P) review, the entire development shall be reviewed and approved by the Conditional Use process.

C. Abbreviations. The abbreviations used in the schedule mean:

1. P = Permitted Use. This use is allowed in the zone but may be subject to additional restrictions and approval processes as provided in this Title.
2. C = Conditional Use. This use is conditional because of the unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent uses, incompatibility in some areas of the zone, or compatibility only if special provisions or conditions are required to mitigate the detrimental impacts of the use. The Planning Commission is the land use authority for uses with this designation.
3. X = Prohibited Use. This use is prohibited in this zone. Any use not specifically identified in Table 19.38.030 is prohibited in this zone.

Table 19.38.030 – Uses Allowed in the PF and PI Zones.		
Use Categories	**PF**	**PI**
AGRICULTURAL:		
No Agricultural Uses are permitted in the PF or PI Zones.		
RESIDENTIAL USES:		
No Residential Uses are permitted in the PF or PI Zones.		
RETAIL AND SERVICES:		
Child Care	P	P
FOOD AND DRINK:		
See "Accessory Uses"		
RECREATIONAL:		
Commercial Recreation	X	P
Private, Non-Profit Recreational Grounds and Facilities	P	P
Reception Center	P	P
Recreation Facility - Private, Public, or Commercial	X	P
Theaters and Concert Halls, Indoor	X	C
LODGING:		
No Lodging Uses are permitted in the PF or PI Zones.		
INDUSTRIAL:		
No Industrial Uses are permitted in the PF or PI Zones.		
INSTITUTIONAL USES:		
Church, Synagogue, Mosque, Temple, Cathedral, or Other Religious Buildings	P	P

Cemetery	C	X
Community Garden	P	P
Hospital	P	P
Micromobility Support Infrastructure	P	P
Private or Charter School	C	C
Public Parks	P	P
Public School	P	P
Public Use	P	P
Solar Energy System, Accessory	P	P
Wind Energy System, Accessory	P	P
Wireless Telecommunication Facility	P	P
SPECIALTY:		
Park and Ride	P	X
ACCESSORY USES:		
Sidewalk Displays and Cafes	P	P
Food Truck / Mobile Restaurant / Food Cart	P	P
Mobile Store	P	P
Recreational Areas and Facilities	P	P
Solar Energy Systems	P	P
Swimming Pools and Hot Tubs	P	P
Temporary Uses, subject to 19.XX.	P	P

19.38.040 – Development Standards.

Any development in the PF and PI Zones shall comply with the development standards of Table 19.38.040 and all other applicable standards in this Title.

Table 19.38.040: Development Standards.		
Standard	**PF**	**PI**
Minimum Lot Size, in square feet (sq. ft.) [A]	10,000	217,800 (5 acres)
Minimum Frontage, in feet (ft.)	NA	
Minimum Lot Width, in feet (ft.)		
Maximum Lot Coverage of Primary and Accessory Buildings Combined, in square feet (sq.ft.)	40%	
Maximum Height, *Main Buildings* (in feet) [B]	35’	
Maximum Height, *Accessory Buildings* (in feet)	20’	

A. Multiple parcels that are part of the same public facility “campus” may be combined in calculating the lot area.
B. Public or Quasi-Public Buildings may be allowed additional height at a ratio of one (1) additional foot for every five (5) feet of additional setback above the minimum from the nearest adjoining residential use. In no case shall the building height exceed sixty-five feet (65’).

19.38.050 – Required Yards and Setbacks.

Any development in the PF or PI Zones shall comply with the yard and setback standards shown in Table 19.38.050 and all other applicable standards in this Title. Pursuant to Section 19.XX.XXX, the front, side, and/or rear yard setbacks for Public Uses may be reduced by the Commission.

Table 19.38.050: Yard and Setback Standards.		
Standard	**PF**	**PI**
Minimum Front Yard Setback, in feet (ft.)	25’	
Minimum Rear Yard Setback, in feet (ft.)	25’	
Minimum Side Yard Setback, in feet (ft.) - *Main Buildings*	20’	
Minimum Side Yard Setback, in feet (ft.) - *Accessory Buildings of 120 sq ft or less*	6’	
Minimum Side Yard Setback, in feet (ft.) - *Accessory Buildings Greater than 120 sq.ft.*	10’	

19.38.060 – Additional Standards.

It is the responsibility of the applicant to comply with all other standards of Title 19 and all other municipal ordinances.

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