**Definitions Chapter – Staff Summary**

**Summary:** Readers will notice substantial changes from the existing definitions in Title 19. Staff began with a list of over four hundred (400+) use definitions that were dispersed throughout Title 19. They then worked to categorize uses with similar meanings and impacts in order to improve readability and reduce the number of uses that needed to be listed in each zone’s ‘Schedule of Permitted Uses’. For example, existing ordinance lists several uses as permitted in Commercial Zones: bookstore, clothing store, china and/or silver shop, gift shop, popcorn and/or nut shop. . . In this drafted Definitions Chapter, all these uses are combined under the category, “Retail and Service Commercial”. Retail and Service Commercial uses are allowed in the Commercial Zones, and the impact of these uses is regulated via building heights, bulk standards, yards and setbacks, and other development standards.

**Applicability:** This Chapter includes all definitions used throughout Title 19. This prevents redundancy by defining terms and uses up-front, reducing text and explanation needed in each Chapter. Clear definitions ensure ease of use both for applicants and for Staff.

**Resources:** The Definitions Chapter required the most time of any other chapter in Phase 1. Several staff members on both the Current and Long Range Planning teams worked over the course of several months to refine definitions. Definitions included in this Draft Chapter came from a number of sources:

* Utah State Code
* American Planning Association: *A Planner’s Dictionary*
* Existing Ordinance
* Planners’ Previous Professional Experiences, including work in Millcreek, Midvale, Mapleton, Brigham City, Gunnison, and Oregon.

**Chapter 19.04 DEFINITIONS**

DRAFT for Review Purposes Only – October 25th, 2022

**Sections:**

19.04.005 Definitions and interpretation of language.

For the purpose of this Titles 18 and 19 of this Ordinance, 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.

19.04.010 Terms Defined:

**"Accessory equipment"** means the portion of the system including equipment sites, transformers, switchgear, pedestals, terminals, meters, buildings (substations), and other similar equipment that is normally installed aboveground in accordance with accepted practices of underground systems.

“**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, Attached”** means a habitable living unit attached to 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. An “Accessory Dwelling Unit, Attached” may include an addition to the footprint of the primary dwelling.

“**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.

“**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.

**“Active Recreation”** means activities that involve inactive or less energetic activities often performed by leisurely walking or conducting small group gatherings that do not require physical activity.

**"Affected Entity"** means a county, municipality, local district, special service district under Title 17D, Chapter 1, Special Service District Act, school district, interlocal cooperation entity established under Title 11, Chapter 13, Interlocal Cooperation Act, specified public utility, property owner, property owners association, or the Utah Department of Transportation, if:

1. The entity's services or facilities are likely to require expansion or significant modification because of an intended use of land;
2. The entity has filed with the municipality a copy of the entity's general or long-range plan; or
3. The entity has filed with the municipality a request for notice during the same calendar year and before the municipality provides notice to an affected entity in compliance with a requirement imposed under this Ordinance or Utah Code.

**“Agent”** means a person with written authorization to represent a property owner.

“**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.

**“Arterial Street”** means a street, existing or proposed, which serves or is intended to serve as a major traffic way and which is designated on the UDOT Functional Classification Map as a controlled-access highway, limited-access road, major street, parkway or by equivalent terms suitable to identify streets comprising the basic structure of the street plan.

**“[All weather surface](https://www.lawinsider.com/dictionary/all-weather-surface)”** means a surface composed of gravel, stone, macadam or other approved pervious material, with sufficient depth and compaction to permit vehicular traffic in extremely inclement weather.

"**Alley**" means a public or private way which affords a secondary means of access to abutting property.

“**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 19.42.XXX 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. For regulations regarding the keeping of bees, see section 19.42.XXX of this title.

**Appeal Authority.** See “Land Use Hearing Officer.”

“**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.

**“Base Density”** means the original density permitted under the property’s zoning category, in dwelling units per acre.

“**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.

**"Bench mark"** means a mark affixed to a permanent or semi-permanent object along a line of survey to furnish a datum level.

“**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.

**“Boundary Line Agreement”** means an agreement to establish the location of a boundary between adjoining properties where the location of the boundary is ambiguous, uncertain, or disputed.

**“Buffer”** means an area along the course of any watercourse or roadway or boundary line to be maintained without the disturbance of buildings or structures other than fencing, if allowed.

“**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. The building envelop is the area that remains for placing a structure on a site after building line, setback, side yard, height and bulk regulations are observed.

“**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. Check cashing does not include the activities of depository institutions or persons who cash a check in a transaction that is incidental to the retail sale of goods or services for consideration that does not exceed the greater of one percent of the amount of the check or three dollars.

“**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:

1. Kindergartens or nursery schools or other daytime programs operated by public or private elementary or secondary schools or institutions of higher learning;
2. 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
3. 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.**"Collector Street"** means a street which carries traffic from local streets to the Arterial Street system, including the principal entrance streets of residence development and the primary circulating streets within such a development. A collector street may have prohibited movements and the number and spacing of driveways may be controlled.

“**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.

**“Concept Plat / Drawing”** means a drawing that shows the overall concept of a proposed development, as further defined in these regulations.

“**Concentrated Animal Feeding Operation**” An Animal Feeding Operation (AFO) is a “Concentrated Animal Feeding Operation” (“CAFO”) if it meets 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.

**“Conservation easement”** means an easement which perpetually prohibits further development or use inconsistent with, or harmful to, the enhancement, preservation, and protection of a defined area for the benefit of fish, wildlife, plants, or other similar ecosystems, or preserves such areas predominantly in their natural scenic or open condition; but which may, in the sole discretion of the [insert name of jurisdiction], permit recreational and/or agricultural uses which do not involve significant alteration or development of the restricted area in a manner which is inconsistent with, or harmful to, the preservation and protection of the restricted area.

“**Contractor’s Office**” 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.

**"Council"** means the municipal council, unless otherwise clearly indicated.

"**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.

**"Cul-de-sac"** means a minor street having one open end and being terminated at the other by a vehicular turnaround.

**“Culinary Water Authority”** means the department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.

"**Dairy**" means a commercial establishment for the manufacture or processing of dairy products.

**“Dedication”** means the setting aside of land by an owner for any public use for the enjoyment of the public and owned by a public agency.

"**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.

“**Development Code**” means Titles 18 and 19 of the Municipal Code.

"**Director**" means the Greater Salt Lake Municipal Services District Director of Planning and Development Services.

**"Distribution system"** means the portion of the system located between: (1) the service drop transformer and the distribution substation for electric service, (2) the service drop and the receive site (headend) for cable television, or (3) the service drop and the transmission system for telephone service.

**“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"** means any building or structure, or portion thereof, intended for residential use.

**“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”** 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).

**"Easement"** means the quantity of land set aside or over which a liberty, privilege or advantage in land without profit, existing distinct from the ownership of the land, is granted to the public or some particular person or part of the public.

**“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.

**"Facility company"** means a company not regulated by the public service commission that provides a service including but not limited to cable television or telecommunications.

**“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.

**"Final plat"** means a plat map prepared in accordance with the provisions of this ordinance for the purpose subdividing property. A final plat must be based on an accurate survey, and such survey marked on the ground so that streets, alleys, blocks, lots and other divisions thereof can be identified.

**“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.

**“Financial Institutions, Nondepository”** Establishments that are primarily engaged in short term lending, such as title loans, check cashing, deferred deposit loan, or similar type of businesses.

**“Floodway”** means the channel of a river or other watercourse and the adjacent land areas subject to erosive velocities and damage from flood-borne debris that must be reserved in order to discharge the base flood (Intermediate Regional Flood), without ultimately increasing the water surface elevation more than one foot.

**"Food Cart"** means a cart:

1. That is not motorized; and
2. That a vendor, standing outside the frame of the cart, uses to prepare, sell, or serve food or beverages for immediate human consumption.

**"Food Truck"** means:

1. A fully encased food service establishment:
2. On a motor vehicle or on a trailer that a motor vehicle pulls to transport; and
3. From which a food truck vendor, standing within the frame of the vehicle, prepares, cooks, sells, or serves food or beverages for immediate human consumption;
4. A food cart; or
5. An ice cream truck.

**“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”** 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.

**"Good Cause"** means incapacitating illness; death; lack of proper notice; unavailability due to unavoidable, unpreventable, or extenuating emergency or circumstance; if a required act causes an imminent and irreparable injury; or acts of nature adverse to performing required acts.

**“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 municipal ordinances.

“Green Space” means open space maintained in a natural, undisturbed, or revegetated condition.

**“Guarantee”** means a bond, escrow or irrevocable letter of credit given by the applicant(a) to ensure the proper installation of public infrastructure and improvements.

**“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.

**“Health Department”** The Health Department of Salt Lake County, Utah.

**“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 Trust”** means a private non-stock, non-profit corporation that has as its purpose the preservation.

**“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 Magna Municipal Council to act upon a land use application.

**“Land Use Decision”** means any final decision of the municipal council, planning commission, or final administrative decision of the Director or other official responsible for the enforcement of zoning and subdivision regulations.

**“Land Use Hearing Officer”** means the “Appeal Authority” created pursuant to section 10-9a.701 of the Utah Code annotated to hear appeals to zoning decisions applying to the zoning ordinance as provided in Section 19.16.020 and for decisions by the planning commission. The land use hearing officer is also the appeal authority for subdivision appeals subject to Section 18.08.040 of this Ordinance. The land use hearing officer is also charged with the powers and duties enumerated in Section 19.12.040.C of this Title.

**“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.

**“Legal lot of record”** means any land parcel that existed, as recorded in the Office of the Salt Lake County Recorder, with a separate property identification number as provided by the Office of the Salt Lake County Recorder and Office of the Salt Lake County Assessor, prior to December 17, 1952, and all land parcels that were legally created for the purposes of development pursuant to the applicable zoning and subdivision requirements and the laws of the State of Utah after the date of first Subdivision Ordinance enactment.

**“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.

**“Local Jurisdiction”** means the municipality, or other political subdivision adopting this Ordinance.

**"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 Adjustment”** means the relocation of the property boundary line in a subdivision between two adjoining lots with the consent of the owners of record.

**“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.

**"Major local street"** means a street, existing or proposed, which serves or is intended to serve to connect minor local streets with collector streets while also providing direct access to property. A major local street has more continuity for through traffic than a minor local street.

**“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.

**"Marginal access street"** means a local street, parallel and adjacent to a minor arterial or minor collector street providing access to abutting properties and protection from arterial or collector streets.

**“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 local street"** means a street, existing or proposed, often of limited continuity, the primary purpose of which is to provide access to property and serve the local needs of a neighborhood. A minor local street carries low volumes of traffic at the lowest speed limits.

**“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 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.

**“Monument”** means a permanent survey marker established by the Salt Lake County Surveyor and/or a survey marker set in accordance with the Salt Lake County Surveyor’s specifications and referenced to County survey monuments.

**“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.”

**"Municipal Engineering Division"** means the division or personnel hired by or contracted with the municipality to provide engineering services."

**"Municipal Flood Control Division"** means the division or personnel hired by or contracted with the municipality to provide flood control and water quality services.

“Natural Condition” means the topography and vegetation of the area that is unaltered by clearing and grading during construction and protected in perpetuity.

**"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.

**“Nonconforming lot”** means a legally established lot or parcel that met the applicable area, width and other applicable requirements in effect at the time the lot or parcel was created, but which fails by reason of such adoption, revision or amendment of the zoning ordinance, to conform to the present requirements 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 an area of land or water set aside to be preserved or reserved for use by residents of the development. An expanse of lawn, trees, plants, or other natural areas. Any landscaped area of the site including: required yards, setbacks, walkways, and limited common areas. It does not include parking, driveways, or buildings with habitable space for primary uses, but may include buildings for the purpose of providing an amenity. Open space may be distributed throughout the development and need not be in a single large area. Open space may include sensitive areas, such as areas with 30% or greater slope, fault zones, floodplains, high water tables, and wetlands if they have been designed as an integral element of the project. Any additional amenity that is located on the roof of a building shall not be considered open space.

**"Owner"** includes the plural as well as the singular, and may mean either a natural person, firm, association, partnership, private corporation, public or quasi-public corporation, or any combination thereof having a majority fee simple interest in real property, or a majority interest through any other form of ownership.

**“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 Outdside 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.

**"Parcel of land"** means a contiguous quantity of land, in the possession of, or owned by, or recorded as the property of, the same claimant or person.

**“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.

“Passive Recreation” means activities that involve inactive or less energetic activities often performed by leisurely walking or conducting small group gatherings that do not require physical activity.

**“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.

**“Planning and Development Services”** means the Planning and Development Services Department of the Greater Salt Lake Municipal Services District.

**"Planning Commission"** means the municipal planning commission.

**“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.

**"Preliminary approval"** means an approval, with or without recommended alterations, given to a preliminary plat by the planning commission and provides the necessary authority to proceed with the preparation and presentation of the final plat.

**"Preliminary plat"** means a map or plan of a proposed land division or subdivision. A drawing which shows the perimeter boundary, topography, lot layout arrangement, street layout, and other features of a proposed subdivision, as specified for a Preliminary Plat in the Ordinance.

**"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.

**“Public Utility”** includes 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”** 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 a centrally or otherwise appropriately located place designed and equipped for the conduct of sports, informal recreation and/or leisure-time activities operated as a business on private or public property and open to the public for a fee.

**“Recreation Facility, Private”** means a centrally or otherwise appropriately located place designed and equipped for the conduct of sports, informal recreation and/or leisure-time activities 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 centrally or otherwise appropriately located place designed and equipped for the conduct of sports, informal recreation and/or leisure-time activities 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.

**“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.

**“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)

**“Road”** can be used interchangeably with the word street.

**“Record of Survey Map”** means a map of a survey of land prepared in accordance with Utah Code.

**“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.

**“Sanitary Sewer Authority”** means the department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or onsite wastewater systems.

**“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.

**"Service drop"** means the portion of the system located between the distribution system and wall of the building or structure occupied or intended to be occupied by a customer.

**“Setback”** means a distance from a curb, property line, or structure within which building is prohibited.

**“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 rental"** means a residential unit or any portion of a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days.

**“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, Snipe”** means an off-premises sign that is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, traffic control devices, or to other objects.

**“Sign, Vehicular”** 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.

**“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.

**“Standards and Specifications”** means the construction and design requirements and standards of the municipality for the construction and installation of public infrastructure and improvements. The documents shall be approved by the Municipal Engineer and approved by Resolution by the Council.

**"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.

**"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. May sometimes be referred to as road.

**“Street, Private”** means an access way, other than a driveway, similar to and having substantially the same or similar function as a public street, providing access to one or more properties, but held in private ownership.

**"Street light"** means a raised light installed within or adjacent to the street right-of-way, turned on or lit at a certain time every night. Modern lamps may also have light-sensitive photocells to turn them on at dusk and off at sunrise or activate automatically in foul weather.

**"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.

**"Subdivision"** means any land that is divided, resubdivided, or proposed to be divided into two or more lots or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

A. "Subdivision" includes:

1. The division or development of land, whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument, regardless of whether the division includes all or a portion of a parcel or lot; and

2. Except as provided in Subsection B, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

B. "Subdivision" does not include:

1. A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;

2. A boundary line agreement recorded with the county recorder's office between owners of adjoining parcels adjusting the mutual boundary in accordance with Section 10-9a-524 if no new parcel is created;

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

a. Revising the legal descriptions of multiple parcels into one legal description encompassing all such parcels; or

b. Joining a lot to a parcel;

4. A boundary line agreement between owners of adjoining subdivided properties adjusting the mutual lot line boundary in accordance with Utah Code Annotated, Sections 10-9a-524 and 10-9a-608, if:

a. No new dwelling lot or housing unit will result from the adjustment; and

b. The adjustment will not violate any applicable land use ordinance;

5. A bona fide division of land by deed or other instrument if the deed or other instrument states in writing that the division:

a. Is in anticipation of future land use approvals on the parcel or parcels;

b. Does not confer any land use approvals; and

c. Has not been approved by the land use authority;

6. A parcel boundary adjustment;

7. A lot line adjustment;

8. A road, street, or highway dedication plat;

9. A deed or easement for a road, street, or highway purpose; or

10. Any other division of land authorized by law.

**"Subdivision amendment"** means an amendment to a recorded subdivision in accordance with Utah Code Annotated, Section 10-9a-608, that:

A. Vacates all or a portion of the subdivision;

B. Alters the outside boundary of the subdivision;

C. Changes the number of lots within the subdivision;

D. Alters a public right-of-way, a public easement, or public infrastructure within the subdivision; or

E. Alters a common area or other common amenity within the subdivision.

**“Subject Property”** means the land area for which an approval is required to comply with this Ordinance.

**"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.

**"System"** means all poles, towers, wires, lines, cables, conduits, pipes and accessory equipment providing service such as electricity, telephone, telegraph, cable television, gas, water, sewer, steam or petroleum including service drops, distribution system, transmission system, and accessory equipment.

**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 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.

**"Trails"** means a system of public recreational pathways located within the municipality for use by the public for walking, biking and/or horseback riding as designated.

**“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.

**"Transmission system"** means the portion of the system which is used to carry the service from points of generation or switching centers to distribution points such as electrical substations and equipment sites. In the case of electrical service, a transmission system is defined as carrying a voltage of forty-six KV or more.

**“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.”

**"Utility company"** means a company regulated by the public service commission that provides a service including but not limited to electricity, telephone, or gas.**“Utilities or Improvements”** means all types of necessary utilities such as gas lines, culinary and secondary water lines, storm drainage systems, sanitary sewer systems, electrical power, cable, and telephone with all poles, wires, pipes, and structures as necessary to provide services, and surface improvements such sidewalks, curbs, gutters, and streets.

**“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:

1. Heavy equipment, such as earth movers, backhoes, cranes, forklifts, bulldozers, and the like, which are commonly used for construction, excavation, demolition, or lifting;
2. Vehicles used to haul equipment or materials, such as dump trucks, tanker trucks, semi-tractors, semi-trailers, cement trucks, or other similar vehicles,
3. 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,
4. Vehicles with more than two axles, or
5. 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”** includes 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.

**“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.

**“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.

**"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:

1. Fences and walls that conform with this code.
2. Landscape elements including trees, shrubs, and other plants.
3. Necessary appurtenances for utility services associated with minor public utilities.
4. Planter boxes or masonry planters not exceeding twenty-four inches (24”) in height.
5. Cornices, eaves, belt courses, buttresses, and other similar architectural features may project into any yard not more than two feet (2’).
6. 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.
7. 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’).
8. 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”.