

DRAFT WHITE CITY ZONING ORDINANCE ALL CHAPTERS

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Chapter 19.02 Title, Purpose, Applicability

19.02.010 - Title.

This Title shall be known as "The Zoning Ordinance of White City Metro Township " and shall be referred to herein as "the Ordinance" or "this Ordinance."

19.02.020 - Organization.

The Zoning Ordinance of White City Metro Township is organized into five articles:

- A. Article I, "General Provisions" comprising chapters 19.02 – 19.10, addresses:
 - 1. The organization and purpose of the Ordinance, together with definitions and enforcement procedures; and
 - 2. The criteria for addressing nonconforming uses, as well as procedures for analyzing takings.
- B. Article II, "Administration" comprising chapters 19.12 – 19.20, addresses:
 - 1. The process for applying for various types of land use and land development permits, and the procedures for amending the General Plan, amending the Ordinance, and petitioning for zone changes; and
 - 2. The roles of each administrative body in the land use and development process;
- C. Article III, "Zone Regulations" comprising chapters 19.22 – 19.40, addresses the regulations for each zoning district, including the permitted or conditional land uses and densities that are allowed in each zone.
- D. Article IV, "Specific and Temporary Use Standards," comprising chapters 19.42 – 19.44, addresses standards that are specific to the activity or use of a given property, including standards for long-term as well as temporary uses.
- E. Article V, "Development Standards," comprising chapters 19.46 – 19.64, addresses:
 - 1. General standards applicable to the development of land;
 - 2. Standards particular to a development district or overlay zone; and
 - 3. Infrastructure, site design, signs, additional building standards (mass, height, setbacks), and natural conditions (such as slope, soils, drainage, etc.).

19.02.030 - Purpose.

- A. The Ordinance is intended to promote the health, safety, morals, order, prosperity and welfare of the inhabitants of White City Metro Township which includes:
 - 1. Reducing congestion on the streets and roads;
 - 2. Securing safety from fire and other dangers;
 - 3. Protecting the quality of light and air;
 - 4. Classifying land uses, development, and utilization;
 - 5. Protecting the tax base;
 - 6. Securing efficiency in governmental expenditures;
 - 7. Fostering agriculture and economic development;
 - 8. Protecting both urban and nonurban development; and
 - 9. Balancing private property rights with public purposes.

19.02.040 - Applicability.

- A. Territorial Application. All land and parcels of real property within the jurisdictional limits of White City Metro Township is covered by the provisions of this Ordinance.
- B. General Applicability.

1. Except where specific exemptions have been granted for nonconforming uses, noncomplying structures, or lots of record, the regulations contained in this Ordinance apply to all uses, structures, and parcels of real property, including those recorded prior to the enactment of this Ordinance.
 2. Every dwelling shall be located and maintained on a lot, as defined in this Ordinance. Except for dwelling groups and guest houses, and approved detached accessory dwelling units not more than one dwelling structure shall occupy one lot.
- C. General Prohibition. No portion or whole of any structure or land shall be used, occupied, constructed, moved, enlarged, or structurally altered except as provided by this Ordinance. Land needed to meet the width, yard, area, coverage, parking or other requirements of this title for a lot or building shall not be sold or conveyed away from such lot or building.
- D. Private Agreements. This Ordinance is not intended to enforce any private agreement or covenant. If this Ordinance is more restrictive than a private agreement or covenant, this Ordinance prevails.
- E. Other Laws and Regulations. This Ordinance controls over less restrictive State or municipal statutes, ordinances, or regulations.

19.02.050 – Transition Rules.

- A. In those instances where this Ordinance conflicts with previously applicable zoning regulations, the following rules apply:
1. Previously Approved Lots.
 - a. The requirements of this Ordinance as to minimum lot area or lot width shall not be construed to prevent the use of any lot or lot of record for a land use listed as a permitted use in the underlying zone, provided that:
 - (1) The use and development standards set forth in Articles IV and V of this Ordinance are followed, and
 - (2) The lot was legally divided according to the applicable laws at the time of division and was held in separate ownership no later than the effective date of an ordinance under which the lot would not meet the minimum lot area or width.
 2. Previously Issued Building Permits. If a building permit for a structure was lawfully issued prior to the effective date of this Ordinance or any amendments to this Ordinance, and if construction has begun within 180 days of the issuance of that permit, the structure may be completed in accordance with the plans on the basis of which the building permit was issued and upon completion may be occupied under an occupancy permit for the use originally intended.
 3. Previously Granted Approvals.
 - a. All approvals granted prior to the effective date of this Ordinance remain in full force and effect. The recipient of the approval may proceed to develop the property in accordance with the approved plans and any applicable conditions.
 - b. If the recipient has failed to act on an approval before the approval expires, including any periods of extension granted, the provisions of this Ordinance control.

19.02.060 – Severability.

If any provision of this Ordinance is adjudged by any court of competent jurisdiction to be invalid, that judgment does not affect, impair, invalidate or nullify the remaining provisions of this Ordinance. The effect of the judgment is confined to the provision immediately involved in the controversy in which the judgment or decree was rendered.

Chapter 19.04 Definitions

19.04.010 – 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.

19.04.020 – General Definitions.

A. General terms used in Title 19 are defined as follows:

1. "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:
 - a. The entity's services or facilities are likely to require expansion or significant modification because of an intended use of land;
 - b. The entity has filed with the municipality a copy of the entity's general or long-range plan;
 - c. 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.
2. "Agent" means a person with written authorization to represent a property owner.
3. "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.
2. "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 Chapter 19.42 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.
 - h. 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.
3. "Appeal Authority" means the same as "Land Use Hearing Officer."
4. "Applicant" means the person who makes formal application for a license, permit, subdivision or submits any application pursuant to Title 18 or 19.

5. "Bench Mark" means a mark affixed to a permanent or semi-permanent object along a line of survey to furnish a datum level.
6. "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.
7. "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.
8. "Business Day" means a day in which normal business operations are conducted. Saturdays, Sundays, and Holidays and days Planning and Development Services are not open are not considered business days.
9. "Concept Plat / Drawing" means a drawing that shows the overall concept of a proposed development, as further defined in these regulations.
10. "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.
11. "Conservation Easement" means an easement that 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.
12. "Council" means the municipal council, unless otherwise clearly indicated.
13. "Culinary Water Authority" means the department, agency, or public entity with the responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.
14. "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.
15. "Development Code" means Titles 18 and 19 of the Municipal Code.
16. "Development Review Committee (DRC)" means Planning and Development Services Staff, in consultation with agencies contracted with the municipality for engineering, health, fire, and surveying reviews and services. Comments from other affected entities, service providers or other reviewing agencies may also be solicited as needed.
17. "Director" means the Greater Salt Lake Municipal Services District Director of Planning and Development Services.
18. " Dwelling" means any building or structure, or portion thereof, intended for residential use.
19. " 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.
20. "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.
21. "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.
22. "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.
23. "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.
24. "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 municipal ordinances.
25. "Guest" means a person paying for staying or receiving services at a bed and breakfast, hotel, motel, resort, or similar facility.
26. "Guestroom" means a room that is designed for double occupancy by guests, for sleeping purposes.
27. "Health Department" means the Health Department of Salt Lake County, Utah.
28. "Inoperable Vehicle" means a vehicle that is not currently registered or licensed in the State of Utah or in another state, or which has been dismantled or wrecked to the point of being non-drivable.
29. "Land Trust" means a private non-stock, non-profit corporation that has as its purpose the preservation.
30. "Land Use Application" means an application required by the zoning or subdivision ordinances.
31. "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.
32. "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.

33. "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.
34. "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.
35. "Local Jurisdiction" means the municipality, or other political subdivision adopting this Ordinance.
36. "Membrane Covered Frame Structure" means a non-pressurized building wherein the structure is composed of a rigid framework to support a tensioned membrane that provides the weather barrier.
37. "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.
38. "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.
39. "Municipal Engineering Division" means the division or personnel hired by or contracted with the municipality to provide engineering services.
40. "Municipal Flood Control Division" means the division or personnel hired by or contracted with the municipality to provide flood control and water quality services.
41. "Municipal Geologist" means the personnel hired by or contracted with the municipality to provide geologic hazard review and geology services.
42. "Natural Condition" means the topography and vegetation of the area that is unaltered by clearing and grading during construction and protected in perpetuity.
43. "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.
44. "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.
45. "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.

46. "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.
47. "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.
48. "Permitted Use" means any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.
49. "Planning and Development Services or Planning and Development Services Department" means the Planning and Development Services Department of the Greater Salt Lake Municipal Services District.
50. "Planning Commission" means the municipal planning commission.
51. "Pre-Existing Lot" means a lot that was created prior to the adoption of this ordinance, 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.
52. "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.
53. "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.
54. "Provisional Parking" means an area or areas within a parking lot where parking spaces which are shown on the approved parking plan are landscaped rather than paved.
55. "Public Works Operations" means the division or personnel hired by or contracted with the municipality to provide road construction and maintenance, snow removal, and other related services.
56. "Road" can be used interchangeably with the word street.
57. "Record of Survey Map" means a map of a survey of land prepared in accordance with Utah Code.
58. "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.
59. "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.
60. "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.

61. "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.
62. "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.
63. "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.
64. "Structure" means anything constructed or erected which requires location on the ground, or attached to something having a location on the ground.
65. "Structural Alterations" means any change in supporting members of a building or structure, such as bearing walls, columns, beams, or girders.
66. "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:
 - i. 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
 - ii. 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:
 - i. 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;
 - ii. 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;
 - iii. 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;
 - (c) 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:

- (i) No new dwelling lot or housing unit will result from the adjustment; and
 - (ii) The adjustment will not violate any applicable land use ordinance;
 - (d) A bona fide division of land by deed or other instrument if the deed or other instrument states in writing that the division:
 - (i) Is in anticipation of future land use approvals on the parcel or parcels;
 - (ii) Does not confer any land use approvals; and
 - (iii) Has not been approved by the land use authority;
 - (iv) A parcel boundary adjustment;
 - (v) A lot line adjustment;
 - (vi) A road, street, or highway dedication plat;
 - (vii) A deed or easement for a road, street, or highway purpose; or
 - (viii) Any other division of land authorized by law.
67. "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.
68. "Subject Property" means the land area for which an approval is required to comply with this Ordinance.
69. "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:
 - i. Before the improvement or repair is started; or
 - ii. 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:
 - i. 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
 - ii. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.
70. "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.
71. "Utility Company" means a company regulated by the public service commission that provides a service including but not limited to electricity, telephone, or gas.
72. "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.

73. "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.
74. "Vehicle, Commercial" means any motorized vehicle or trailer used for or intended for business use - including but not limited to the transportation of commercial equipment, merchandise, produce, freight, commodities, passengers, or animals - and which is characterized by any of the following:
 - a. Heavy equipment, such as earth movers, backhoes, cranes, forklifts, bulldozers, and the like, which are commonly used for construction, excavation, demolition, or lifting;
 - b. Vehicles used to haul equipment or materials, such as dump trucks, tanker trucks, semi-tractors, semi-trailers, cement trucks, or other similar vehicles;
 - c. Pickup trucks over one ton with a commercial modification, such as a flat bed, a dumping mechanism, mechanical lifts or arms for loading and unloading materials/equipment, aerial buckets or platforms, or other similar feature;
 - d. Vehicles with more than two axles; or
 - e. Vehicles with a payload capacity of more than eight thousand five hundred (8,500) pounds.

19.04.030 – Site Standard Definitions.

- A. Site Development terms used in Title 19 are defined as follows:
 1. "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.
 2. "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.
 3. "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.
 4. "Alley" means a public or private way which affords a secondary means of access to abutting property.
 5. "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.
 6. "Base Density" means the original density permitted under the property's zoning category, in dwelling units per acre.
 7. "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.
8. "Building" means any structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals, or chattels.
9. "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.
10. "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.
11. "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 envelope is the area that remains for placing a structure on a site after building line, setback, side yard, height and bulk regulations are observed.
12. "Building Facade" means the exterior of a building located above ground and generally visible from public points of view.
13. "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.
14. "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.
15. "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.
16. "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.
17. "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.

18. "Cul-de-sac" means a minor street having one open end and being terminated at the other by a vehicular turnaround.
19. "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.
20. "Drive Approach" means an area, construction or facility, in the right of way intended to provide access for vehicles from the roadway of a public or private street to private property, including the curb radius.
21. "Entrance" means the location of ingress to a room, building, or lot; a location of admittance.
22. "Exit" means the location of egress from a room, building, or lot.
23. "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.
24. "Final plat" means a plat map prepared in accordance with the provisions of this ordinance for the purpose of 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.
25. "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.
26. "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".
27. "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".
28. "Green Space" means open space maintained in a natural, undisturbed, or revegetated condition.
29. "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.
30. "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.
31. "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.

32. "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.
33. "Lot, Double Fronting" means a lot having frontage on two (2) streets that are parallel or nearly so or do not intersect.
34. "Lot, Interior" means a lot other than a corner lot.
35. "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.
36. "Lot Line, Front" means the front boundary line of a lot bordering the street.
37. "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').
38. "Lot Line, Side" means any lot boundary line not a front lot line or a rear lot line.
39. "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.
40. "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.
41. "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.
42. "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.
43. "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.
44. "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.
45. "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.
46. "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.

47. "Parking Space" means space within a building, lot, or parking lot for the parking or storage of one automobile.
48. "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.
49. "Pavilion" means an open building, with no walls, used for temporary shelter from elements, may have tables or benches associated with it.
50. "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.
51. "Preliminary Plat" means a map or plan of a proposed land division or subdivision. A drawing that 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.
52. "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.
53. "Setback" means a distance from a curb, property line, or structure within which building is prohibited.
54. "Side Yard, Corner Lot" means a side lot line that abuts a street.
55. "Side Yard, Interior Lot" means a side lot line that abuts a side or rear lot line of another lot.
56. "Stall" means a division of a stable, a compartment for a horse for shelter for reasons pertinent to the health, welfare, and daily care of each animal.
57. "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 include field lights, clock towers, bell towers, water towers, flagpoles, windmills, monuments, etc.
58. "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.
59. "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.
60. "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.
61. "Yard" means a space on a lot, other than a court, unoccupied and unobstructed from the ground upward by buildings or structures, except as follows:
 - a. Fences and walls that conform with this code.
 - b. Landscape elements including trees, shrubs, and other plants.
 - c. Necessary appurtenances for utility services associated with minor public utilities.
 - d. Planter boxes or masonry planters not exceeding twenty-four inches (24") in height.

- e. Cornices, eaves, belt courses, buttresses, and other similar architectural features may project into any yard not more than two feet (2').
 - f. Bay windows, cantilevered floors, and fireplace structures may project into any yard not more than two feet (2'), provided that they are not wider than eight feet (8') wide.
 - g. Porches, door stoops, awnings, fire escapes, and stairways may project into an interior side yard not more than two feet (2') and a front, rear, or corner side yard not more than four feet (4').
 - h. Accessory structures subject to this title.
62. "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.
63. "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.
64. "Yard, Required" means the open space around buildings which is required by the terms of this title.
65. "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 lotline of the building. See "Side Yard, Interior Lot" and "Side Yard, Corner Lot".

19.04.040 – Telecommunications Definitions.

- A. Telecommunications terms used in Title 19 are defined as follows:
- 1. "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.
 - 2. "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.
 - 3. "Antenna" means a transducer, attached to a support structure, designed to transmit or receive electromagnetic waves.
 - 4. "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.
 - 5. "Earth Station" means a communication facility that transmits and/or receives signals to and from orbiting satellite(s).
 - 6. "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.
 - 7. "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.
 - 8. "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.

9. "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.
10. "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.
11. "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)
12. "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.
13. "Wireless Telecommunications Equipment Shelter" means the structure in which the electronic receiving and relay equipment for a wireless telecommunications facility is housed.
14. "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.
15. "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.

19.04.050 – Landscaping Definitions.

- A. Landscaping terminology used in Title 19 is defined as follows:
 1. "Active Recreation Area" means an area that is dedicated to active play where turf grass may be used as the playing surface. Examples of active recreation areas include sports fields, play areas, and other similar uses.
 2. "Bubbler" means an irrigation head that delivers water to the root zone by "flooding" the planted area, usually measured in gallons per minute. Bubblers exhibit a trickle, umbrella or short stream pattern.

3. "Check Valve" means a device used in sprinkler heads or pipe to prevent water from draining out of the pipe through gravity flow.
4. "Controller" means a device used in irrigation systems to automatically control when and how long sprinklers or drip systems operate.
5. "Drip Emitter" means drip irrigation fittings that deliver water slowly at the root zone of the plant, usually measured in gallons per hour.
6. "Grading Plan" means a plan that shows all finish grades, spot elevations, drainage as necessary and existing and new contours with the developed landscaped area.
7. "Ground Cover" means material planted in such a way as to form a continuous cover over the ground that can be maintained at a height not more than twelve (12) inches.
8. "Hardscape" means patios, decks and paths. Does not include driveways and sidewalks.
9. "Irrigation Plan" means a plan showing the components of the irrigation system with water meter size, backflow prevention, precipitation rates, flow rate and operating pressure for each irrigation circuit, and identification of all irrigation equipment.
10. "Landscape Architect" means a person who holds a professional license to practice landscape architecture in the state of Utah. Per State Code, licensed landscape architects, licensed architects, licensed land surveyors, and licensed engineers can professionally stamp plans that fall under the practice of landscape architecture. This includes commercial landscape and irrigation plans. Each municipality has the authority to require that only a licensed landscape architect can stamp plans that fall under the practice of landscape architecture.
11. "Landscape Designer" means a person who may or may not hold professional certificates for landscape design/architecture and cannot legally create commercial landscape plans. Landscape Designers generally focus on residential design and horticultural needs of home landscapes.
12. "Landscape Documentation Package" means the preparation of a graphic and written criteria, specifications, and detailed plans to arrange and modify the effects of natural features such as plantings, ground and water forms, circulation, walks and other features to comply with the provisions of this ordinance. The Landscape Documentation Package shall include a project data sheet, a Site Plan, a Planting Plan, an Irrigation Plan, Construction Details, and a Grading Plan.
13. "Landscape Zone" means a portion of the landscaped area having plants with similar water needs, areas with similar microclimate (i.e., slope, exposure, wind, etc.) and soil conditions, and areas that will be similarly irrigated. A landscape zone can be served by one irrigation valve, or a set of valves with the same schedule.
14. "Landscaping" means any combination of living plants, such as trees, shrubs, vines, ground covers, annuals, perennials, ornamental grass, or seeding; natural features such as rock, stone, or bark chips; and structural features, including but not limited to, fountains, reflecting pools, outdoor art work, screen walls, fences or benches.
15. "Localscapes[®]" means a locally adaptable and environmentally sustainable urban landscape style that requires less irrigation than traditional Utah landscapes (see www.Localscapes.com).
16. "Mulch" means any material such as rock, bark, wood chips or other materials left loose and applied to the soil.
17. "Park Strip" means a typically narrow landscaped area located between the back-of-curb and sidewalk.

18. "Planting Plan" means a plan that clearly and accurately identifies the type, size, and locations for new and existing trees, shrubs, planting beds, ground covers, turf areas, driveways, sidewalks, hardscape features, and fences.
19. "Pop-up Spray Head" means a sprinkler head that sprays water through a nozzle in a fixed pattern with no rotation.
20. "Precipitation Rate" means the depth of water applied to a given area, usually measured in inches per hour.
21. "Pressure Regulating Valve" means a valve installed in an irrigation mainline that reduces a higher supply pressure at the inlet down to a regulated lower pressure at the outlet.
22. "Pressure Compensating" means a drip irrigation system that compensates for fluctuating water pressure by only allowing a fixed volume of water through drip emitters.
23. "Rotor Spray Head" means a sprinkler head that distributes water through a nozzle by the rotation of a gear or mechanical rotor.
24. "Runoff" means irrigation water that is not absorbed by the soil or landscape area to which it is applied, and which flows onto other areas.
25. "Spray Sprinkler" means an irrigation head that sprays water through a nozzle.
26. "Stream Sprinkler" means an irrigation head that projects water through a gear rotor in single or multiple streams.
27. "Turf" means a surface layer of earth containing mowed grass with its roots.
28. "Water-Conserving Plant" means a plant that can generally survive with available rainfall once established although supplemental irrigation may be needed or desirable during spring and summer months.

19.04.060 – Sign Definitions.

- A. Sign terminology used in Title 19 is defined as follows:
 1. "Address Sign" means a sign that designates the street number and/or street name for identification purposes, as designated by the United States Postal Service.
 2. "Awning" means a shelter extending from the exterior wall of a building and composed of nonrigid materials, including cloth, plastic, or other nonrigid materials, except for the supporting framework.
 3. "Awning Sign" means any sign painted on, attached to, or supported by an awning.
 4. "Balloon Sign" means a sign that is an air-inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or a structure, and equipped with a portable blower motor that provides a constant flow of air into the device.
 5. "Banner" means a temporary sign composed of cloth, canvas, plastic, fabric or similar lightweight, non-rigid material that can be mounted to a structure with cord, rope, cable, or a similar method, or that may be supported by stakes in the ground. Banners do not include flags.
 6. "Billboard" means a freestanding ground sign located on industrial, commercial, or residential property if the sign is designed or intended to direct attention to a business, product, or service that is not sold, offered, or existing on the property where the sign is located (as defined in Utah State Code 10-9a-103).
 7. "Blade Sign" means the same as "Sign, projecting".
 8. "Canopy" means a freestanding, permanent roof-like shelter, other than an awning, that may be either freestanding or attached to an adjacent building or structure.

9. "Canopy Sign" means a permanent sign attached to or constructed on a canopy.
10. "Drive-Thru Facility Sign" means a freestanding sign that is located along the path or aisle utilized for a drive-through facility.
11. "Driveway Sign" means a small permanent sign located near driveway access points and/or at the intersection of internal access drives.
12. "Electronic Message Center" means a sign designed so that the characters, letters, or illustrations can be changed or rearranged automatically on a lamp bank or through mechanical means (e.g., electronic or digital signs).
13. "Flag" means any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff and anchored along only one edge or supported or anchored at only two corners. Flags do not include banner.
14. "Flat Sign" means the same as "Wall Sign".
15. "Holiday Decorations" means signs or displays including lighting which are a non-permanent installations timed around national, state, and local holidays, religious or cultural holidays, or other holiday seasons.
16. "Illegal Sign" 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.
17. "Incidental Sign" means signs that are often attached to doors, windows, gas pumps, or other structures that are small in nature and typically intended to be read by a user up close, rather than from a distance by pedestrians or drivers.
18. "Light Pole Banner" means a temporary banner or sign that is designed to be attached to a permanent light pole or other pole structure, and where the temporary sign element can be changed without modifying the permanent structure.
19. "Limited Duration Sign" means a non-permanent sign that is displayed on private property for more than 30 days, but not intended to be displayed for an indefinite period.
20. "Marquee Sign" means a permanent, roof-like canopy with an integral sign that extends from part or all of a building face that may or may not project over a public right-of-way.
21. "Marquee Sign" means a permanent, roof-like canopy with an integral sign that extends from part or all of a building face that may or may not project over a public right-of-way.
22. "Monument Sign" means a 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.
23. "Mural" means a large picture/image (including but not limited to painted art) which is painted, constructed, or affixed directly onto a vertical building wall, which may or may not contain text, logos, and/or symbols.
24. "Permanent Sign" means a sign attached or affixed to a building, structure, or the ground in a manner that enables the sign to resist environmental loads, such as wind, and precludes ready removal or movement of the sign and whose intended use appears to be indefinite.
25. "Pole Sign" means a freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground and not supported by a building or a base structure.
26. "Portable Sign" means a sign designed to be transported or moved and not permanently attached to the ground, a building, or other structure.

27. "Projecting Sign" means a double-sided sign, excluding canopy and awning signs, mounted on a building such that the faces of the sign are perpendicular to the building and normal flow of traffic. It may also be referred to as a blade sign.
28. "Roof Sign" means any sign erected upon a roof, parapet, or roof-mounted equipment structure and extending above a roof, parapet, or roof-mounted equipment structure of a building or structure.
29. "Sidewalk or Sandwich Board Sign" means a moveable sign not secured or attached to the ground or surface upon which it is located that's supported by its own frame. A common form of sidewalk sign may be referred to as a sandwich board sign that has the cross-sectional shape of the letter A. Sidewalk signs may also be in a form that has a cross-sectional shape of an upside-down letter T.
30. "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.
31. "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.
32. "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.
33. "Sign Copy" means the words logos, symbols, or message displayed on a sign.
34. "Sign Face" means an exterior display surface of a sign including non-structural trim exclusive of the supporting structure.
35. "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.
36. "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.
37. "Sign Setback" means the minimum distance that any portion of a sign or sign structure shall be from any street property line.
38. "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.
39. "Snipe Sign" means a temporary sign illegally tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, or other objects.
40. "Temporary Sign" means a type of non-permanent, sign that is located on private property that can be displayed for no more than 30 consecutive days at one time.

41. "Vehicle Sign" 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.
42. "Wall Sign" means a building-mounted sign that is either painted on, attached to, or displayed on a wall or its facing in a manner parallel to the wall surface.
43. "Window Sign" means any sign viewable through and/or affixed in any manner to a window or exterior glass door such that it is intended to be viewable from the exterior (beyond the sidewalk immediately adjacent to the window), including signs located inside a building but visible primarily from the outside of the building. Customary displays of merchandise behind a store window are not considered signs.

19.04.070 – Use Definitions.

A. Uses identified in Title 19 are defined as follows:

1. "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.
2. "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.
3. "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.
4. "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.
5. "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.
6. "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 the definition of "storage yard."

7. "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.
8. "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.
9. "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.
10. "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.
 - a. "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.
11. "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.
12. "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.
13. "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.
14. "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).

15. "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.
16. "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.
17. "Apiary" means the assembly of one or more colonies of bees at a single location. For regulations regarding the keeping of bees, see Chapter 19.42 of this Title.
18. "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.
19. "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.
20. "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".
21. "Bank" means the same as "Financial Institution."
22. "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.
23. "Bed and Breakfast" 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.
24. "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.
25. "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.
26. "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.
27. "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.
28. "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.
 29. "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.
 30. "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.
 31. "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.
 32. "Cemetery" means land used or dedicated to the burial of the dead, including crematoriums, mausoleums, necessary sales, and maintenance facilities.
 33. "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.
 34. "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.
 35. "Child Care Center" means a facility, operated by a person qualified and licensed by the State of Utah, which provides children with daycare and/or preschool instruction as a commercial business and complying with all applicable state standards and licensing and having regularly scheduled, ongoing enrollment for direct or indirect compensation that provides childcare for less than twenty-four (24) hours per day. Commercial Daycare Facilities excludes the following:
 - a. Kindergartens or nursery schools or other daytime programs operated by public or private elementary or secondary schools or institutions of higher learning;
 - b. Facilities operated in connection with a fitness center, shopping center, or other activity where children are cared for temporarily while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and readily available; or
 - c. Special activities or programs, including athletics, crafts instruction, and similar activities, are conducted on a periodic basis by civic, charitable, private, or governmental organizations.
 36. "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.

37. "Child Care, Residential" means the provision of childcare for eight 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 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.
38. "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.
39. "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.
40. "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.
41. "Commercial Plant Nursery" means a business where young plants or trees are raised for experimental horticultural purposes, for transplanting, or for sale.
42. "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.
43. "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.
44. "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).
45. "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.
46. "Contractor's Storage Yard" means the same as "Storage Yard".

47. "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.
48. "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.
49. "Court" means an occupied space on a lot, other than a yard, designed to be partially surrounded by group dwellings.
50. "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.
51. "Critical infrastructure materials" means sand, gravel, or rock aggregate.
52. "Critical Infrastructure Materials Operations" means the extraction, excavation, processing, or reprocessing of critical infrastructure materials.
53. "Critical Infrastructure Materials Operator" means a natural person, corporation, association, partnership, receiver, trustee, executor, administrator, guardian, fiduciary, agent, or other organization or representative, either public or private, including a successor, assign, affiliate, subsidiary, and related parent company, that:
 - a. Owns, controls, or manages a critical infrastructure materials operations; and
 - b. Has produced commercial quantities of critical infrastructure materials from the critical infrastructure materials operations.
54. "Dairy" means a commercial establishment for the manufacture or processing of dairy products.
55. "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.
56. "Duplex" means the same as "Dwelling, Two Family."
57. "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.
58. "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.
59. "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

60. "Dwelling, Multiple Family" means a building containing five (5) or more residential dwelling units.
61. "Dwelling, Single-Family" means a building containing one (1) residential dwelling unit.
62. "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.
63. "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.
64. "Dwelling, Two Family" means a building containing two (2) residential dwelling units.
65. "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.
66. "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.
67. "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.
68. "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.
69. "Farm Products" means fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese and other dairy products), and fish.
70. "Farmers' Market" means an outdoor market open to the public, operated by a governmental agency, a nonprofit corporation, or one or more Producers, at which (a) at least [75] percent of the products sold are Farm Products or Value- Establishing Land Use Protections for Farmers' Market 13 added Farm Products and (b) at least [75] percent of the vendors regularly participating during the market's hours of operation are Producers, or family members or employees of Producers.
71. "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.

72. "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.
73. "Fireworks Stand" means a type of temporary use that sells fireworks or explosives defined and regulated under state law Fire Prevention and Fireworks Act.
74. "Food Cart" means a cart:
 - a. That is not motorized; and
 - b. That a vendor, standing outside the frame of the cart, uses to prepare, sell, or serve food or beverages for immediate human consumption.
75. "Food Truck" means:
 - a. A fully encased food service establishment;
 - b. On a motor vehicle or on a trailer that a motor vehicle pulls to transport; and
 - c. 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;
 - d. A food cart; or
 - e. An ice cream truck.
76. "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.
77. "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.
78. "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.
79. "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.
80. "Guest Ranch" means a vacation resort offering activities (such as horseback riding) typical of western ranches; may be associated with a working ranch.
81. "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.
82. "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.

83. "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.
84. "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.
85. "Household Pet" means animals or fowl customarily permitted in the house and kept for company or pleasure, including dogs, cats, canaries, and similar pets.
86. "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.
87. "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.
88. "Junk" means any worn out or discarded materials including but not necessarily limited to scrap metal, inoperable motor vehicles or recreational vehicles which are inoperable for more than sixty (60) days, and parts, construction material, household wastes, including garbage and discarded appliances, and yard debris.
89. "Junkyard" means the same as "Salvage Yard."
90. "Kennel, Commercial" means a shelter or place where over three dogs or cats are bred, boarded, or trained for monetary gain.
91. "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.
92. "Laboratory, Medical or Dental" means an establishment providing biological, dental, medical, or optometrical laboratory and testing services.
93. "Laboratory, Research and Development" means facilities for the investigation of natural, physical, or social sciences that may include engineering and product development.
94. "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.
95. "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.
96. "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.
97. "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.
98. "Major Seasonal Sale" means a type of temporary use offering goods not offered year-round by another business on the property or is the only business on the property for the duration the use is occurring or occupies land in a designated park and is greater than eight hundred (800) square feet.

99. "Major Seasonal Use" means a type of temporary use that offers a service or activity not offered year-round by another business on the property or is the only business on the property for the duration the use is occurring or occupies land in a designated park and is greater than eight hundred (800) square feet.
100. "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.
101. "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.
102. "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.
103. "Medical, Urgent Care, and Dental Clinic" means the same as "Office, Medical."
104. "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.
105. "Mining (Subsurface)" means mining by digging or constructing access tunnels, adits, ramps, or shafts and excavating directly from the natural mineral deposits exposed.
106. "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.
107. "Minor Seasonal Sale" means a type of temporary use offering goods not offered year-round by another business on the property, and the total area of the use takes up eight-hundred (800) square feet or less.
108. "Minor Seasonal Use" means a type of temporary use that offers a service or activity not offered year-round by another business on the property and the total area of the use takes up eight-hundred (800) square feet or less.
109. "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.
110. "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.

111. "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.
112. "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.
113. "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.
114. "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.
115. "Motel" means the same as "Hotel."
116. "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.
117. "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.
118. "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.

119. "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.
120. "Outdoor Dining" means an area of designated size used as a seating area with tables and chairs for the contiguous restaurant.
121. "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.
122. "Outdoor Sales Event" means a type of temporary use that uses a portion of outside space to temporarily sell products from a business in a building already located on the property with a business license.
123. "Outdoor Storage" means the same as "Accessory Outside Storage"
124. "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.
125. "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.
126. "Park, Micro" means a public park with an area less than eight-thousand (8,000) square feet.
127. "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.
128. "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.
129. "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.
130. "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.

131. "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.
132. "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.
133. "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.
134. "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.
135. "Producer" means a person or entity that raises or produces Farm Products on land that the person or entity farms and owns, rents, or leases.
136. "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.
137. "Public Parks" means parks that are maintained by a public agency.
138. "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.
139. "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.
140. "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.
141. "Public Utility, Minor" means local utility structures that are necessary for a specific development or service like, but not limited to, poles and lines.
142. "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.

143. "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.
144. "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.
145. "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.
146. "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.
147. "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.
148. "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.
149. "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.
150. "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.
151. "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.

152. "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.
153. "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.
154. "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.
155. "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.
156. "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.
157. "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.
158. "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.
159. "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.

160. "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)
161. "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.
162. "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.
163. "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."
164. "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.

165. "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.
166. "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.
167. "Shared Mobility Device" means bicycles and motor-assisted scooters operated by a shared mobility device system.
168. "Shared Mobility Device System" means any transportation service that involves the commercial use of shared mobility devices by users, either concurrently or sequentially after one another.
169. "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.
170. "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.
171. "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.
172. "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.
173. "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.
174. "Solar Energy System, Commercial" means a solar array meant for commercial production of energy.
175. "Solar Evaporation Pond for the Processing of Salt" means the recovery of minerals in solution through natural evaporation and subsequent harvesting.

176. "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.
177. "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".
178. "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.
179. "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.
180. "Stable, Public" means a structure, either accessory or primary, in which the horses are boarded, trained, or rented for commercial purposes.
181. "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.
182. "Tavern" means the same as "Bar."
183. "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.
184. "Temporary Sale, Farm Products" means a type of temporary use that is less than six hundred square feet and at least seventy five percent (75%) of the products sold are farm products or value-added farm products.
185. "Temporary Use" means any use that does not continue more than one hundred twenty (120) days out of the year.
186. "Temporary Use, Weekly or Weekly Temporary Use" means any use occurs not more than two days a week and not more than one hundred twenty (120) days out of the year.
187. "Temporary Use, Inside" means a use on a property proposed to be established for a maximum period of one hundred and twenty (120) days or use being discontinued after the expiration of one hundred and twenty (120) days and conducted in compliance with all the requirements of this title that is inside a permanent building.
188. "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”).

189. “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)
190. “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.
191. “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.
192. “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.
193. “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.
194. “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.
195. “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.
196. “Twin Home” means the same as “Dwelling, Two Family.”

197. "Value-added Farm Products" means any product processed by a Producer from a Farm Product.
198. "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.
199. "Vehicle Assembly" means a business where finished vehicle-related parts are put together to develop a final product.
200. "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.
201. "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.
202. "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.
203. "Vehicle Rental" means a business primarily engaged in the rental of vehicles.
204. "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.

205. "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.
206. "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.
207. "Vested Critical Infrastructure Materials Operations" means critical infrastructure materials operations operating in accordance with a legal nonconforming use or a permit issued by the municipality that existed or was conducted or otherwise engaged in before:
- a. A political subdivision prohibits, restricts, or otherwise limits the critical infrastructure materials operations; and
 - b. January 1, 2019.
208. "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.
209. "Water Pumping Plant and Reservoir" means a natural or artificial water storage basin with a pumping station to distribute potable or irrigation water.
210. "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.
211. "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.
212. "Wind Energy System, Commercial" means a wind energy system consisting of one or more wind turbines for commercial generation.

Chapter 19.06 Nonconformities

19.06.010 - Continuation Of Use.

The occupancy of a noncomplying structure or of a structure occupied by a nonconforming use, which existed at the time this Ordinance or any amendment thereto became effective, may be continued, provided that the use has not been abandoned or the structure left vacant, as provided in this chapter.

19.02.020 - Noncomplying Structure or Structure Occupied by a Nonconforming Use.

- A. Maintenance Permitted. A noncomplying structure may be maintained.
- B. Repairs and Alterations Permitted.
 - 1. Repairs and structural alterations may be made to a noncomplying structure or to a structure occupied by a nonconforming use.
 - 2. Unless the new construction complies with this Ordinance, any remodel or structural alteration that requires the demolition of an outside wall of a noncomplying structure is only allowed upon approval by the Land Use Hearing Officer.
 - 3. The Land Use Hearing Officer decision regarding applications for the removal and replacement of outside walls of a noncomplying structure shall be based upon the following criteria:
 - a. The proposed change is in harmony with the purpose and intent of this Ordinance.
 - b. The proposed change does not impose any unreasonable burden upon the lands located in the vicinity.
- C. Additions, Enlargements, Moving and Reconstruction at Another Location.
 - 1. Additions, enlargements, relocations and/or tear down and replacements of a noncomplying structure or of a structure occupied by a nonconforming use that comply with the regulations and intent of this Ordinance shall be allowed.
 - 2. Additions, enlargements, relocations and/or tear down and replacements of a noncomplying structure or structure occupied by a nonconforming use that do not comply with the regulations of this title shall not be allowed, except as allowed by a permit authorized by the Land Use Hearing Officer, provided that the Land Use Hearing Officer finds:
 - a. The proposed change is in harmony with the purpose and intent of this Ordinance.
 - b. The proposed change does not impose any unreasonable burden upon the lands located in the vicinity.
- D. Restoration of Damaged Structure. A noncomplying structure or structure occupied by a nonconforming use that is damaged or destroyed by fire, flood, wind, earthquake or other calamity or act of God or the public enemy, and the damage is not the result of the intentional or reckless disregard of the owners or occupants, may be restored, and the occupancy or use of such structure or part thereof that existed at the time of such damage or destruction may be continued or resumed, provided that such restoration is started within a period of one year following damage or destruction, and the restoration is diligently prosecuted to completion.

19.06.030 - Structure Declared a Noncomplying Structure.

The owner of a structure in violation of the maximum height or minimum yard requirements of this Ordinance may file an application to have the structure declared noncomplying. The Director may approve the application when the evidence clearly establishes:

- A. The structure has existed at its current location for at least 10 years, with the same size, height and setbacks.
- B. The structure poses no threat to the health or safety of persons in or around the structure.
- C. No enforcement action for the violation has been taken or initiated for five consecutive years during which the violation existed.

19.06.040 - Nonconforming Use.

- A. Occupancy Within One Year. A vacant structure may be occupied by the nonconforming use for which the structure was designed or intended if occupied within one year after the use became nonconforming.
- B. Abandonment. With the exception of dwellings, a structure or portion thereof occupied by a nonconforming use which is abandoned can only be occupied by a use that conforms to the zone in which it is located. If a nonconforming use has not applied to the premises for at least 60 consecutive days during any 12 month period, the use is deemed abandoned.
- C. Expansion of Use Permitted. The area occupied by a nonconforming use may be expanded to include up to the entire floor area of the existing structure in which it is conducted, not to exceed the floor area that existed at the time the use became nonconforming.
- D. Change of Use.
 - 1. A nonconforming use may be changed to any use allowed in the most restrictive zone where such nonconforming use is allowed, provided the Planning Commission finds that such use would not be more intensive than the most recent existing legal nonconforming use.
 - 2. Any change of a nonconforming use to another nonconforming use is a conditional use and subject to the conditional use approval standards, except that the proposed nonconforming use need not conform to the adopted General Plan.
 - 3. As part of the change of use, structures cannot be enlarged, removed, reconstructed or otherwise altered except for interior remodeling and exterior restoration or renewal that will make the appearance of the structure more nearly conform to the character of the area in which it is located.
 - 4. As part of the change of use, the existing lot cannot be enlarged or modified except to create landscape, fencing, curb, gutter and sidewalk, road widening or minimum off-street parking to provide a safer and more compatible facility.
- E. Nonconforming Use of Land. Subject to the limitations in this section, the nonconforming use of land may continue, provided that no such nonconforming use of land can in any way expand or extend either on the same or adjoining property.

Chapter 19.08 Enforcement

19.08.010 - Enforcement Authority.

The Director is charged with the enforcement of this Ordinance and may employ all legal means available to do so as set forth in Title 12 Code Enforcement and Community Preservation.

19.08.020 - Unlawful Use Prohibited.

- A. No land, building or structure shall be developed, constructed, remodeled, restored, altered or used in violation of the provisions of this Ordinance or the zone in which such land, building or structure is located.
- B. Violation of any of the provisions contained in this title is prohibited. Any person who violates the provisions of this title shall be subject to the criminal and civil penalties set forth in the municipal code.

19.08.030 - Violation--Penalties and Remedies.

- A. Violation of any provision of this title is punishable as a Class C misdemeanor upon conviction. In addition, the provisions of this title may also be enforced by injunctions, mandamus, abatement, civil penalties, any other remedies provided by law, or any combination thereof.
- B. For purposes of penalties and remedies set forth in this title, each day that a violation continues is a separate offense.
- C. Accumulation of penalties for continuing violations, but not the obligation for payment of penalties already accrued, shall stop upon correction of the violation.

19.08.040 - Violation--Persons Liable.

Any person, corporation or other entity, whether as owner, occupant, agent or employee, who causes, permits or otherwise participates in any violation of the provisions of this title may be held jointly and severally responsible for the violation, suffer the penalties, and be subject to the remedies provided by law.

Chapter 19.10 Procedures for Analyzing Takings Claims

19.10.010 - Findings and Purpose.

The Council finds that:

- A. Enactment of zoning and other land development regulations within (the municipality) is necessary to protect the health, welfare and safety of the residents of (the municipality);
- B. When an owner of private property claims that the enforcement of any municipal land use regulation constitutes an unconstitutional taking of private property, it is in the municipality's best interests to have established procedures for obtaining relevant information for analyzing and resolving such claims.

19.10.020 - Takings Relief Petition.

- A. Takings Relief Petition.
 - 1. Any applicant may file a takings relief petition with the Director alleging that a final decision of the Director, Planning Commission, Land Use Hearing Officer, Mayor or Council on a land use application results in an unconstitutional taking of the applicant's private property.

2. A takings relief petition shall be filed no later than 30 calendar days from the final decision of the Director, Planning Commission, Land Use Hearing Officer, Mayor, or Council.
- B. Information to Be Submitted with Takings Relief Petition.
1. The takings relief petition shall be submitted on a form prepared by the Director, and shall be accompanied at a minimum by the following information:
 - a. The name of the petitioner;
 - b. Sufficient facts to show that the petitioner possesses a protectable interest in property under Article I, Section 22 of the Constitution of Utah or the Fifth Amendment to the United States Constitution.
 - c. The name and physical street address and mailing address of the current owner of the property; form of ownership (whether sole proprietorship, for-profit or not-for-profit corporation, partnership, joint venture, limited liability company, or other); and if owned by a corporation, partnership, joint venture, or limited liability company, the names and addresses of principal shareholders, partners, or members;
 - d. The price paid and other terms of any sale of the property or any portion thereof, including the date of purchase, the name of the seller, and the relationship, if any, between the petitioner (owner or developer) and the party from whom the property was acquired;
 - e. The nature of the protectable interest claimed to be affected, such as, but not limited to, fee simple ownership or leasehold interest;
 - f. All appraisals of the property prepared for any purpose, include financing, offering for sale, or ad valorem taxation, within the three years prior to the date of the petition;
 - g. The assessed value of and ad valorem taxes on the property for the three years prior to the date of the petition;
 - h. All information concerning current mortgages or other loans secured by the property, including name of the mortgagee or lender, current interest rate, remaining loan balance, term of the loan, and other significant provisions, including but not limited to, right of purchase to assume the loan;
 - i. All listings of the property for sale or rent, price asked and offers received (if any), during the period of ownership or interest in the property;
 - j. All studies commissioned by the petitioner or agents of the petitioner within the previous three years concerning feasibility of development or utilization of the property;
 - k. For income producing property, itemized income and expense statements from the property for the previous three years;
 - l. Evidence and documentation of improvements, investments, and expenditures for professional and other services related to the property made during the past three years;
 - m. Information from a title policy or other source showing all recorded liens or encumbrances affecting the property; and
 - n. Information describing all use(s) of the property during the five years prior to the petition.
 2. The Director may request additional information reasonably necessary to arrive at a conclusion concerning whether there has been a taking.
- C. Failure to Submit Information. In the event that any of the required information from the petitioner is not reasonably available, the petitioner shall file with the petition a statement of the information that cannot be obtained and the reasons why such information is unavailable.

19.10.030 - Procedures to Determine Takings Claims.

A. Preliminary Determination of Taking.

1. Within 30 days of the filing of a petition with all required information, the Council, in consultation with the Director and the Attorney, shall make a preliminary determination on the issue of whether a taking may have occurred.
2. If the Council makes a preliminary determination that a taking may have occurred, the Director and Attorney shall recommend whether a further hearing shall be formal or informal under the rules of procedure adopted by the Council for such hearings. The Council shall then:
 - a. Appoint a hearing officer,
 - b. Elect to conduct either formal or informal administrative proceedings, and
 - c. Proceed with a full review of the petition.
3. If the Council, upon consultation with the Director and the Attorney, determines that a taking has not occurred, the petition shall be denied and no hearing officer shall be appointed.

B. Appointment and Qualifications of Hearing Officer.

1. Within 30 days following a preliminary determination by the Council that a taking may have occurred, the Director shall contact the appointed hearing officer to review information by the petitioner. The hearing officer shall hold a public hearing to determine whether a taking has occurred, and make a recommendation to the Council concerning the petition.
2. The appointed hearing officer shall be licensed to practice law in the state of Utah. Prior to appointment, the hearing officer shall submit a statement of no potential or actual conflict of interest under the Utah Rules of Professional Conduct, in connection with the petitioner or petition at issue.

C. Notice of Public Hearing. Within ten days following appointment of the hearing officer, written notice of a public hearing shall be published and posted in accordance with the Utah Code 10-9a. The hearing shall be held within 30 days of the date of written notice unless a reasonable extension of time is agreed to by both the Director and petitioner.

D. Conduct of the Hearing.

1. Rules of Procedure. The hearing shall be conducted according to the requirements of the rules of procedure adopted by the Council for such hearings.
2. Burden of Proof. The petitioner shall have the burden of proving by a preponderance of the evidence that the final decision that is the subject of the takings relief petition constitutes an unconstitutional taking.
3. Municipality Response. (The municipality) shall have the right to respond to any allegations provided by the petitioner and present evidence at the hearing.

E. Determining the Takings Issue. The hearing officer shall consider, among other items, the following information or evidence:

1. Any estimates from contractors, appraisers, architects, real estate analysts, qualified developers, or other competent and qualified real estate professionals concerning the feasibility of construction or development on the property as of the date of the petition, and in the reasonably near future;
2. Any evidence or testimony of the market value of the property both under the uses allowed by the existing regulations and any proposed use; and

3. Any evidence or testimony concerning the value or benefit to the petitioner of clustered development on other remaining contiguous property owned by the petitioner, and eligibility for such clustering as provided elsewhere in this title.
- F. Findings of the Hearing Officer. On the basis of the evidence and testimony presented, the hearing officer shall make the following specific findings as part of his/her report and recommendations to the Council:
1. Whether the petitioner has provided the required information for a takings relief petition;
 2. Whether the petitioner has a protectable interest in the property that is the subject of the petition;
 3. The market value of the property under the existing zoning regulation;
 4. The market value of the property under the proposed use;
 5. Whether there are other economically viable uses that may be made of the property;
 6. The market value of, or benefit accruing from eligible clustered development on other remaining contiguous property owned by the petitioner;
 7. Whether it was feasible to undertake construction on, or development of, the property as of the date of the application, or in the reasonably near future thereafter;
 8. Whether the final decision that is the subject of the takings relief petition constitutes an unconstitutional taking of private property without just compensation
- G. Report and Recommendations of the Hearing Officer.
1. The hearing officer shall prepare a report and recommendation which shall be submitted to the Council and mailed to the petitioner within 30 days following the conclusion of the public hearing.
 2. If the hearing officer finds that the final decision that is the subject of the takings relief petition constitutes an unconstitutional taking of private property without just compensation, the matter shall be remanded to the Council with recommendations concerning relief that might be appropriate. In making such recommendations, the hearing officer shall consider, among other remedies:
 - a. Approval of development on some portion of the property;
 - b. A rezoning of the property to a more appropriate classification, approval of an alternative development plan, modification or waiver of normally applicable development standards, or other appropriate land-use regulatory action;
 - c. An opportunity to cluster development. Recommendations for clustering within the boundaries of the subject property owned by the petitioner shall require a written finding by the hearing officer that such clustering and the resulting increase in development density will be compatible with existing developments and land use patterns on properties surrounding the subject property. For purposes of such "compatibility" finding, the hearing officer shall compare the petitioner's proposed development, incorporating the increased transfer density with existing development on surrounding properties, and take into consideration the following factors:
 - (1) Architectural character;
 - (2) Building size, height, bulk, mass, and scale;
 - (3) Building orientation;
 - (4) Privacy considerations in terms of privacy for prospective residents within the petitioner's development and in terms of privacy protection for adjoining land uses;

- (5) Building materials;
 - (6) Building color; and
 - (7) When applicable, operations of the petitioner’s development project, including but not limited to hours of operation; activities that may generate adverse impacts on adjacent land uses such as noise or glare; location of loading/delivery zones; and light intensity and hours of full illumination.
- d. A waiver of permit fees; or
 - e. Acquisition of all or a portion of the property at market value.
- H. Council Review and Consideration.
- 1. Within 60 days following receipt of the hearing officer’s report, the Council shall review the report and recommendations and approve or deny the takings relief petition.
 - a. The Council may extend the period for final determination upon a finding that due to the size and complexity of the development or proposal and similar factors, additional review time is necessary.
 - 2. The Council may hold a public hearing and provide notice as set forth in Utah Code 10-9a. Only new testimony and evidence shall be presented at any such public hearing.
 - 3. The Council may adopt any legally available incentive or measure reasonably necessary to offset the taking and may condition such incentives upon approval of specific development or site plans.
 - 4. The decision of the Council shall not become final until it adopts a resolution approving or denying the petition and specifying any relief it may deem appropriate.
- I. Time Limits/Transfer of Relief or Incentives. Any relief or incentives adopted by the Council pursuant to this chapter may be transferred and utilized by successive owners of the property or parties in interest, but in no case shall the relief incentives be valid after the expiration date of a specific development approval.

Chapter 19.12 Administrative Bodies Powers and Duties

19.12.010 – Purpose.

The purpose of this chapter is to outline the specific powers and duties of the different boards, commissions and officials having administrative, legislative, or quasi-judicial roles set forth in this Ordinance.

19.12.020 – Council.

The council has the authority to enact and amend land use ordinances and to enact and amend a zoning map for the Municipality.

19.12.030 - Planning Commission

A. Appointment—Term.

- 1. The planning commission shall consist of five members and up to two alternate members, each of whom shall reside in the municipality. Members and alternate members shall be appointed by the council.
- 2. Terms shall commence on March 1st of each year. Members shall serve three-year terms or longer until successors are appointed. Terms shall be staggered so that the terms of at least two members, and not more than three, expire each year.

Chapter 19.12 Administrative Bodies Powers and Duties

3. If a member's term expires before a successor is appointed, the member shall continue to serve until a successor is appointed.

B. Vacancy—Removal.

1. Any vacancy occurring on the planning commission by reason of death, resignation, removal or disqualification shall be filled by the mayor with the advice and consent of the council for the unexpired term of such member.
2. The mayor, with the advice and consent of the council, may remove a member of the planning commission for cause after filing written charges against the member. The member will be provided with a hearing on the charges if requested by the member being removed.

C. Organization—Procedures.

1. The planning commission shall elect a chairperson from its members who shall serve a one-year term. The chairperson is a voting member.
2. The planning commission shall elect a vice chairperson from its members who shall serve a one-year term. The vice chairperson is the designated chair pro-tempore and a voting member.
3. The planning commission may create and fill any other necessary offices it deems necessary and may adopt policies and procedures for the conduct of its meetings, the processing of applications, and for any other purpose the planning commission considers necessary for its proper function.
4. A minimum of three (3) full and/or alternate members in attendance at the meeting is required to constitute a quorum.
5. The minimum number of "yes" votes necessary to carry an action of the commission shall be a majority of the members of the quorum in attendance but shall never be less than three (3).
6. Alternate members shall be designated to sit as voting members of the commission at any time one or more regular members are absent from the meeting. The designation of the alternate member to voting status shall be made by the chairman at the commencement of the meeting in accordance with the seniority of the alternate members in attendance at the time, and any alternate so designated shall serve as a voting member until the conclusion of the meeting.

D. Powers and duties. The planning commission shall:

1. Prepare and recommend a general plan and amendments to the general plan to the council;
2. Prepare and recommend zoning ordinances and maps and amendments to zoning ordinances and maps to the council;
3. Prepare and recommend subdivision ordinances and amendments to those ordinances to the council;
4. Prepare and recommend condominium ordinances and amendments to those ordinances to the council;
5. Review subdivision plats as set forth in Title 18 Subdivisions;
6. Approve or deny condominium plans and plats;
7. Approve or deny conditional use permits;
8. Advise the council on matters that the council directs;
9. To make, at the request of the Director, an interpretation of the zone map regarding the location of zone boundary lines;

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10. To decide, at the request of the Director, the meaning of disputed terms or phrases within the text of the zoning regulations; and
 11. Provide other functions as specified in this chapter or as directed by the council.
- E. Effect on present members. Nothing in this chapter shall be construed to affect the eligibility or qualifications to serve of any of the present members of the planning commission whose terms have not expired or to affect their eligibility for reappointment.

19.12.040 - Land Use Hearing Officer.

A. Creation.

1. The position of land use hearing officer is created pursuant to the enabling authority granted by the Land Use, Development, and Management Act, section 10-9a-701 of the Utah Code Annotated.
2. The land use hearing officer shall be an administrative law judge appointed as provided in the Municipal Code.

B. Procedures.

1. The land use hearing officer may administer oaths and compel the attendance of witnesses.
2. Hearings the land use hearing officer holds on appeals of a land use decision are not subject to Chapter 4, Title 52, Utah Code, Open and Public Meetings Act.
 - a. The land use hearing officer shall:
 - (1) Keep minutes of all proceedings;
 - (2) Keep records of all examinations and other official actions; and
 - (3) File all records in the office of Planning and Development Services. All such records are public records.
3. Decisions of the land use hearing officer become effective immediately following the meeting in which the decision is made, unless a different time is designated at the time the decision is made.

C. Powers and duties. The land use hearing officer shall:

1. Act as the appeal authority for zoning decisions applying this title as provided in Section 19.16.020 and for decisions by a planning commission;
2. Hear and decide the special exceptions to the terms of the zoning ordinance set forth in Section 19.20.020.B.3;
3. Hear and decide variances from the terms of the zoning ordinance as set forth in Section 19.20.010;
4. Hear and decide applications for the expansion or modification of nonconforming uses; and
5. To make, upon appeal, an interpretation of the zone map regarding the location of zone boundary lines or decide the meaning of disputed terms or phrases within the text of the zoning regulations.

19.12.050 – Director.

The Director has the following powers:

- A. To make an interpretation of the zoning map regarding the location of zone boundary lines, or decide the meaning of disputed terms or phrases within the text or the zoning regulations. The Director, at his or her discretion, may defer interpretations of the zoning map or the meaning of disputed terms or phrases within the text of the zoning regulations to the Planning Commission;
- B. To make administrative determinations as to the classification of uses not specifically listed in this Ordinance subject to appeal to the Planning Commission. Administrative determinations shall be based upon a comparison of the nature and characteristics of the proposed use with those uses specifically authorized in the intended zone;
- C. To review and make decisions on conditional use amendments as set forth in 19.16.040.G.1
- D. To review and make decisions on occupancy permits;
- E. To receive and forward applications for zoning amendments, variances, conditional uses, zoning appeals and other administrative reviews required by this Ordinance to the appropriate board, commission or official;
- F. To maintain permanent and current records as required by this Ordinance including, but not limited to, all relevant information and official action on zoning amendments, variances, conditional uses, zoning appeals and other administrative reviews;
- G. To conduct inspections of structures or the use of land to determine whether there is compliance with this Ordinance, and, in case of any violation, to order corrective action;
- H. To administer application review procedures as set forth in chapter 19.16; and
- I. To review and make decisions on special exceptions, waivers, or modifications as specified in this Ordinance.

Chapter 19.14 Zones, Zoning Map, and Boundaries

19.14.010 - Zones Established.

For the purpose of this title, (the municipality) is divided into classes of zones, as follows:

R-1-8	Single family residential zone
R-1-10	Single family residential zone
R-1-15	Single family residential zone
R-1-21	Single family residential zone
R-1-43	Single family residential zone
R-2-6.5	Medium density residential zone
R-2-8	Medium density residential zone
R-2-10	Medium density residential zone
R-4-8.5	Medium density residential zone
A-1	Agricultural zone
A-2	Agricultural zone
NMU	Neighborhood Mixed Use zone
CMU	Corridor Mixed Use zone
C-1	Commercial zone
C-2	Commercial zone
P-R	Parks and Recreation zone

19.14.020 - Zoning Maps.

Each of the sections of (the municipality) which are zoned by this title are shown on the maps on file with Planning & Development Services, and such maps are made by this reference, as such, a part of this title as if fully described and detailed herein. Said maps may be in an electronic or Geographic Information System (GIS) format. Amendments to the zoning map shall follow the process outlined in Section 19.16.080 of this title.

19.14.030 - Filing of This Title and Zoning Maps.

This title and the maps shall be filed in the custody of the municipal clerk, and may be examined by the public subject to any reasonable regulations established by the municipal clerk.

19.14.040 - Boundary Location Rules.

- A. Where uncertainty exists as to the boundary of any zone, the following rules shall apply:
 1. Wherever the zone boundary is indicated as being approximately upon the centerline of a street, alley or block, or along a property line, then, unless otherwise definitely indicated on the map, the centerline of the street, alley or block, or such property line, shall be construed to be the boundary of the zone;
 2. Whenever such boundary line of such zone is indicated as being approximately at the line of any river, irrigation canal or other waterway or railroad right-of-way, or public park, or other public land, or any section line, then in such case the center of the stream, canal or waterway, or of the

railroad right-of-way, or the boundary line of such public land or such section line shall be deemed to be the boundary of the zone;

- B. Where the application of the above rules does not clarify the zone boundary location, the land use hearing officer shall interpret the map.

19.14.050 - Zoning of Annexed Areas.

Properties that are annexed into the municipality shall be given a zoning designation by action of the Council at the time of annexation. The Council shall be guided by the general plan and by the criteria set forth in Table 19.16-2 in zoning the subject property. Annexations of multiple parcels may result in more than one zone applying to the annexation area; however, except in the case of overlay zones, only one zone may apply to each parcel.

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Chapter 19.16 Land Use Processes and Procedures

19.16.010 – Purpose.

The purpose of this chapter is to delineate the procedures, requirements and approval standards that apply to land use and zoning applications and approvals.

Table 19.16-1

This table is an illustrative summary of the administrative and legislative decision processes in Title 19. If there are any inconsistencies between this table and the other provisions of this Title, the other provisions of the Title govern.

REFERENCE TABLE: APPLICATIONS & APPROVALS	ZONING MAP AND TEXT AMENDMENTS AND OTHER LEGISLATIVE ACTS	PERMITTED USE	CONDITIONAL USE	VARIANCES	SPECIAL EXCEPTIONS
APPLICATION INITIATION	Property owner, person authorized in writing by the property owner, Council or Planning Staff	Property owner or a person authorized in writing by the property owner	Property owner or a person authorized in writing by the property owner	Property owner or a person authorized in writing by the property owner	Property owner or a person authorized in writing by the property owner
NOTICE(1)	In accordance with Utah Code 10-9a	Not required	In accordance with Utah Code 10-9a	In accordance with Utah Code 10-9a	In accordance with Utah Code 10-9a(2)
RECOMMENDATION	Planning Commission, public input	Public agency review	Planning Commision, Public Input	Public input	Public input
FINAL DECISION	Council	Director or designee	Council	Land use hearing officer	Land use hearing officer, Planning Commission, or Director (dependent on application type)
APPEAL BODY	3rd District Court	Land use hearing officer	Land use hearing officer	3rd District Court	3rd District Court

TABLE 19.16-1: FOOTNOTES

1 When required, notices shall be mailed 10 days prior to the meeting to property owners within 300 feet of the subject property's boundary.

2 Not required for exceptions approved by the Director.

19.16.020 - General Administrative Procedures.

The Director is the administrator of the Zoning Ordinance with power to review and make decisions on zoning ordinance interpretations. The authority and responsibility of the Director shall include the following:

- A. Review of Development Plans. The Director shall establish development plan review processes to ensure that proposed land uses and development plans comply with the provisions of this Ordinance and protect the public health, safety, and general welfare. At the discretion of the Director or Designee, review of permit or license applications may be conducted without submittal of a land use application if compliance can be ascertained based on the permit or license application documents.
- B. Interpretation of Permitted and Conditional Uses – Administrative Determination. The Director shall determine whether proposed uses of property are consistent with the permitted and conditional uses within each zone. The procedure to request the Director's determination shall be as follows:
 - 1. Written Request. A written request for a determination shall be filed with the Director or Designee, which shall include a detailed description of the proposed use and such other information as the Director may require.
 - 2. Investigation. The Director shall undertake such investigations as deemed necessary to compare the proposed use with those uses specifically listed in this title, and to make a determination of the proper classification.
 - 3. Determination. Within 30 days of the filing of a written request, the Director shall prepare a written determination, which shall be provided to the applicant. The determination shall state the zone classification in which the proposed use will be permitted as well as the basis for finding that such use is of the same character as uses allowed in that zone classification. The determination and all information related thereto shall become a permanent public record in the office of the Director.
 - 4. Effect. The use as specified in the determination of the Director shall thereafter become a permitted or conditional use in the class of zoning district specified in the determination, and shall have the same status as a permitted or conditional use specifically named in the regulations for the zone classification.
 - 5. Appeal. The Director's determination may be appealed to the Land use hearing officer. Such appeal shall be filed in writing within 10 days after written notification to the applicant of the Director's determination.

19.16.030 - Land Use Applications.

- A. Applications. A property owner, or other person expressly authorized in writing by the property owner, may file for a land use permit. All land use applications for permitted or conditional uses shall be filed with the Director or Designee. Applications shall contain:
 - 1. An application form provided by Planning and Development Services which form may be via online submitting software.

2. Property identification documents such as a legal description, plat map, and if applicable, site survey. This is not required for text amendments.
3. Plans and other documents as necessary to evaluate the proposed application for compliance with applicable codes, including a site plan (see Subsection 19.16.030.B), building elevations, preliminary landscape and amenities plans, preliminary grading/drainage plan, and any other pertinent documents.
4. Applications are subject to the Completeness Review process outlined in 19.16.030.C. An application is considered as having been accepted only when deemed a complete application and the applicable application fees have been paid.

B. Plans.

1. Site Plan. A detailed site plan is required as part of all applications for land use or development approval, including conditional uses, permitted uses, variances, special exceptions, site development plans for the Foothills and Canyons Overlay Zone, and building permits. The Director may specify the number of plans required and the medium (electronic, paper, etc.) in which site plans may be submitted. The site plan shall show:
 - a. Scale.
 - b. Direction of North point.
 - c. Lot lines and adjacent streets, roads and rights-of-way.
 - d. Location of all existing structures on subject property and adjoining properties, completely dimensioned, including utility lines, poles, etc.
 - e. Location and building elevations of any proposed construction and improvements, including the location of all signs.
 - f. Vehicle access, including circulation patterns and the location of individual parking stalls, curbs, gutters, and sidewalks.
 - g. Any necessary explanatory notes, including calculations of lot coverage, parking ratios, gross floor area of buildings, easements, floodplains, topography, rights of way and other notes necessary to evaluate for compliance with all applicable land use requirements.
 - h. Name, address and telephone number of builder and owner.
 - i. Any other information required by the Director or indicated on the application form.
2. Building Elevations. Building elevations, when required, shall show:
 - a. Note of scale used
 - b. Orientation of each elevation, including distance to nearest property line
 - c. Explanatory notes describing building, cladding and trim materials
 - d. Original and finished grade at all points along each elevation of the building
 - e. A building envelope that describes that maximum buildable height of all elevations as measured from original grade
 - f. Finished floor elevations of all levels of a building including, but not limited to, basements, garages, patios, and decks
 - g. Top of footing elevations at each corner of the building
 - h. Total height of building, as measured from original ground surface to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the highest point of pitched or hipped roofs, or gambrel roofs
 - i. Necessary explanatory notes to address any requirements particular to the zone in which the property is located

- j. All other information that may be required, as determined by the Director
 - 3. Preliminary Landscape Plan. Preliminary landscape plans, when required, shall show:
 - a. Note of scale used, north arrow and preparation date
 - b. Project name and address
 - c. General landscape design intent statement including the general character and location of proposed landscaping and open areas
 - d. A legend showing all plant types and sizes, symbols, line types, hatching and abbreviations used in the plan set
 - e. Site boundary, property lines, and any construction phasing lines
 - f. All existing significant vegetation, including an indication of what is proposed to be removed
 - g. All existing and proposed structures
 - h. All proposed softscape and hardscape areas
 - i. A tabulation of the total project area, landscaped area, impervious areas, building coverage areas and building coverage percentage
 - j. Detailed landscape improvements with planting symbols clearly drawn to indicate each plant
 - k. The name and contact information of the landscape design professional who prepared the plan
 - 4. Other plans and documents. Other plans and documents may be required in order to verify compliance with this Title or other applicable codes, ordinances, statutes and regulations.
 - C. Completeness Review. Upon receipt of an application request and associated documents, the Director or Designee shall review the application to determine whether:
 - a. Complete and accurate plans have been submitted,
 - b. The application itself contains complete information regarding the property, applicant, proposed land use,
 - c. All prerequisite conditions for the specific land use have been addressed, and,
 - d. The property owner or authorized agent has authorized the submittal of the application.
 - 2. If the application is determined to be incomplete, the Director or Designee shall notify the applicant in writing within 14 days:
 - a. That the application is incomplete, and
 - b. The specific components of the application deemed insufficient.
 - 3. Upon notice being given, an application deemed incomplete shall be terminated after 60 days if the necessary components to complete the application have not been submitted.
 - 4. If the application is determined to be complete, the Director or Designee shall authorize the payment of the applicable application fees.
 - 5. At any time during the Completeness Review process outlined in this subsection, a pre-application meeting may be requested by the applicant or Director or Designee to discuss the application, plans, and anticipated review process. In order to facilitate efficiency of review process, the Director or Designee may invite representatives from other reviewing agencies as well as the applicant's design professionals to the meeting.
- D. Application Review. The application review process may include:
- 1. The creation of a planning file for reference by the applicant, staff and the public.

2. An on-site review by the Director or Designee as allowed in Utah Code 10-9a-303.
3. Review of the submitted site plan and elevations for compliance with this Ordinance.
4. Referral of the application and site plans to those government agencies and affected entities authorized to protect the health, safety and welfare of the public and to ensure the project's compliance with this Ordinance and all other applicable ordinances and codes.
5. Referral of the application for conditional uses to the appropriate decision-making body as set forth in section 19.16.040.
6. An action letter informing the applicant as to whether the application has been approved, approved with conditions, denied, or tabled pending the submittal of additional information or amended plans.

19.16.040 - Conditional Uses.

A. Initiation.

1. A property owner, or other person expressly authorized in writing by the property owner, may file for a conditional use permit for that property. In addition to the request for land use approval, a conditional use application may include a request for land development plan approval.
2. The Planning Commission is the land use authority and shall take formal action on requests for conditional use permits. When a land development plan is submitted in conjunction with a conditional use application, the land development plan shall be included in the materials presented to the planning commission. In rendering an approval, conditions of approval may be imposed by the planning commission that necessitate changes to the land development plan.
3. As administrator of the zoning ordinance, the director is responsible to ensure the land development plan not only complies with the applicable codes and ordinances, but also complies to the conditions of approval imposed by the planning commission. If, during the course of land development plan review, the director finds changes are made to the site plan not in harmony with the conditions imposed by the planning commission, the Director may, at their discretion, refer the land development plan to the planning commission for review.

B. Land Use Approval.

1. Approval Process.

- a. The Planning Commission shall consider applications for a conditional use permit in a public meeting and shall make a recommendation on the proposed conditional use, evaluating the application in accordance with the standards in subsection D below.
- b. The Planning Commission shall make a recommendation in the form of approval, modified approval or denial on applications for conditional uses which shall be forward on to the Council for final review.
- c. The Council shall consider applications for a conditional use permit in a public meeting and shall make a decision on the proposed conditional use with the recommendation from the Planning Commission and evaluating the application in accordance with the standards in subsection D below.
- d. The Council shall take action in the form of approval, modified approval, or denial on applications for conditional uses. Unless otherwise designated, a decision by the Council approval a conditional use application authorizes the Director or designee to proceed with approval of the land development plan.

- e. The Council shall take action on a complete conditional use permit application within a reasonable time frame, not to exceed 90 days from the date the application was first heard by the Council unless a further extension of time is requested by the applicant.
 - f. Failure by the applicant to provide information that has been requested by the Planning Commission, Council or the Director to resolve conflicts with the standards in Subsection D may result in an application being denied.
 - g. The Director, under authority of the Council, shall grant final approval of conditional use permit applications after all of the conditions and requirements of the preliminary approval have been met. Applications with a land development plan element shall not receive final conditional use approval until the land development plan has been approved by the director. As a condition of preliminary approval, the Council may require that final land development plan be brought before the Council for final approval.
 - h. Final approval of a conditional use permit application is in the form of a letter to the applicant, which, together with the approved land development plan if required, constitutes the conditional use permit. Final approval shall not modify or invalidate any of the conditions or terms imposed by the Council.
2. Approval Standards. The Planning Commission and Council shall review the site plan and other information submitted to evaluate the impacts of the proposed conditional use. The Planning Commission may recommend conditions to mitigate the reasonably anticipated detrimental impacts of the proposed use. The Council may impose conditions to mitigate the reasonably anticipated detrimental effects of the proposed use. A conditional use permit shall be approved unless the imposition of conditions cannot mitigate reasonably anticipated detrimental effects in accordance with the following standards:
- a. The proposed site development plan complies with all applicable provisions of the zoning ordinance, including specific use standards, parking, building setbacks, and building height.
 - b. The proposed use and site development plan complies with all other applicable laws and ordinances.
 - c. The proposed use and site development plan does not present a serious traffic hazard or create anticipated traffic increases on the nearby road system which exceeds the amounts called for under the adopted transportation engineering standards.
 - d. The proposed use and site development plan do not pose a serious threat to the safety of occupants or residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.
 - e. The proposed use and site development plan do not adversely impact properties in the vicinity of the site through lack of compatibility with adopted community general plan standards.
- C. Rules for Approved Conditional Uses. The following general rules apply to all approved conditional uses:
- 1. Approval of a conditional use authorizes only the particular use for which the conditional use is issued.

2. No use authorized by a conditional use may be enlarged, extended or relocated, unless an application is made for approval of a new conditional use in accordance with the procedures set forth in this section.
 3. Development of the property shall not commence until the applicant has secured all the permits and approvals required by municipal ordinances and any permits required by regional, state, and federal agencies.
- D. Expiration and Extension of Time.
1. A conditional use expires 12 months from the date of final approval by the Director, unless a building permit is obtained within such period and substantial construction is started or the use is commenced within such period in compliance with all required conditions and this Ordinance.
 2. One 12-month extension may be granted upon the payment of an additional filing fee equal to the original filing fee. Such extension shall be filed before the end of the initial 12-month period.
- E. Revocation of Conditional Use.
1. The Council may revoke a conditional use permit upon a finding of failure to comply with the terms and conditions of the original approval or for any violation of this Ordinance or other applicable law.
 2. The Council shall hold a public hearing prior to taking action on revocation. Notice of the hearing and the grounds for consideration of revocation shall be mailed to the permittee and affected entities at least 10 days prior to the hearing.
- F. Amendments to Conditional Uses. Applications may be submitted for amendments to previously approved conditional uses or to sites for which conditional uses have been approved. Applications for amendment will be reviewed and approved in harmony with the provisions of subsection D above but shall be evaluated for the anticipated impacts that will result from the specific amendment being requested. Approval authority for conditional use amendments is as follows:
1. Director Approval.
 - a. The Director has the authority to approve the following conditional use amendments:
 - (1) Changes of use from one conditional use to another, where no site modifications are proposed or required, and where no significant additional impact will result.
 - (2) Amendments to the site plan that do not involve changing the land use and that also meet the following criteria:
 - (A) The building footprint is not increased by more than 20%.
 - (B) The site acreage is not increased.
 - (C) No dwelling units are being added.
 - (D) No significant additional impact will result.
 - (3) Amendments to the conditions of approval imposed upon a conditional use that the Director previously approved if the proposed change in conditions is the result of a clear change in the circumstances of the property, and the change is in harmony with subsection D above.
 - (4) Approval of a use that is listed as a conditional use in the zone, but which is clearly accessory to another land use on the property, and no significant additional impact will result.
 2. Council Approval. The Council has the authority to approve:
 - a. All other amendments to conditional uses, and

- b. Amendments that may meet the criteria for Director approval outlined above, but for which the Director determines the public interest is better served by referring the application to the Council.
- G. Appeals. Appeals may be made to the Land use hearing officer within 10 days of the date of the decision of the Council or Director, as applicable.

19.16.050 - Withdrawal of Application.

- A. An applicant may withdraw an application at any time prior to the final decision on the application, including any time during which the application has been tabled.
- B. An applicant may request a refund of fees at the time the application is withdrawn. The Director shall consider the amount of work performed by Staff on the application when determining whether or to what extent fees may be refunded. Fees associated with a public meeting or hearing shall not be refunded if the item has been heard at a public meeting or hearing.
- C. A notice of withdrawal of an application and a request for refund of fees shall be in writing and submitted to the Director.

19.16.060 - Performance Bonds.

- A. Any required improvements such as curb, gutter and sidewalk, fences, and landscaping shall be satisfactorily installed prior to the municipality authorizing electrical service or, if no electrical service is required, prior to issuance of any occupancy permit.
- B. In lieu of completing such improvements, the developer may file a cash or surety bond, escrow agreement, or letter of credit with the Mayor, in an amount sufficient to ensure completion of improvements within one year.
 - 1. 10% of a bond amount for public improvements shall extend for a one year period beyond the date the improvements are completed to guarantee replacement of any defective public improvements.
 - 2. 10% of a bond amount for live plants shall extend for a one year period beyond the date of planting to guarantee replacement of diseased or dead plants.
 - 3. Upon completion of the improvements for which a bond or escrow agreement has been filed, the developer may call for inspections of the improvements by the Director.
- C. Whenever necessary in order to protect the health, safety and welfare of residents from traffic, flood, drainage or other hazards, the Mayor may require as part of bond approval that improvements be completed in a specified sequence and in less than one year. Such requirements shall be incorporated into the bond.
- D. Bonds will be processed and released in accordance with the procedures set forth in Chapter 3.56 of the Municipal Code.
- E. When the developer is a school district, municipality, service area, special-purpose district or other political subdivision of the State, the Mayor may waive the bond and accept in lieu thereof a letter from the governing body guaranteeing installation of the improvements. Before approving any such waiver, the Mayor shall receive a recommendation from the Director.

19.16.070 - Occupancy Permits.

- A. A permit of occupancy is required prior to the occupancy of any building hereafter erected, enlarged or structurally altered, or where any vacant land is hereafter proposed to be occupied or used for anything other than permitted agricultural uses.

- B. The permit of occupancy shall be issued by the chief building inspector and the Director if the use and/or building or premises conforms to the provisions of this title and related ordinances.
- C. A permit of occupancy shall also be required whenever the character or use of any building or land is proposed to be changed from one use to another use.
- D. Upon written request from the owner, a permit of occupancy shall also be issued covering any lawful use of a building or premises existing on the effective date of this Ordinance, including nonconforming buildings and uses.

19.16.080 - Zoning Map and Text Amendments.

- A. Initiation. A zoning map and text amendment may be initiated by the Council, the Planning Commission, the Director, a property owner(s) in the municipality, or a person authorized in writing by the property owner(s).
- B. Authority. The Council shall take formal action on requests for zoning map and text amendments after receiving a recommendation from the Planning Commission.
- C. Procedure.
 - 1. Filing of Application
 - a. All zoning map or text amendment applications shall be filed with the Director or Designee in accordance with the requirements of Chapter 19.14. The Director or Designee shall forward the application to the Planning Commission for further review and recommendation no later than 90 days from the date the application is deemed complete.
 - b. Disapproval of an application to amend the zoning map shall preclude the filing of another application to amend the zoning map to reclassify the same parcel of property, or any portion thereof to the same zone classification, or if the application is for a commercial classification to the same or any other commercial classification, within one year of the date of the final disapproval of the application unless the council finds that there has been a substantial change in the circumstances or sufficient new evidence since the disapproval of the application to merit consideration of a second application within the one-year time period.
 - 2. Notice. The Director or designee shall provide notice of proposed zoning map or text amendments in accordance with Utah Code Section 10-9a-205. An “adjacent property owner” under this section of State law is an owner of property located within 300 feet of land that is directly affected by the land use ordinance change.
 - 3. Action by Planning Commission.
 - a. The Planning Commission shall consider a proposed zoning map or text amendment in a public hearing.
 - b. After the close of the public hearing, the Planning Commission may evaluate the application against the applicable standards in subsection D below and shall make a recommendation to the Council for approval, modified approval, or denial.
 - 4. Action by Council
 - a. The Council shall consider the application within 45 days of receiving a recommendation from the Planning Commission.
 - b. After considering the recommendation of the Planning Commission at a public meeting, the Council may approve, deny, alter, or remand for further review and consideration any application.

- D. Approval Standards. Table 19.16-2: Guidelines for Zoning Map and Text Amendments. The Planning Commission recommendation and the Council decision on any zoning map or text amendment are matters of legislative discretion. In making a recommendation and decision, the Planning Commission and the Council, respectively, may consider one or more of the factors in Table 19.16-2 below.

Table 19.16-2: GUIDELINEs for CONSIDERING Zoning MAP & TEXT Amendments		
FACTORS	MAP AMENDMENTS	TEXT AMENDMENTS
1. The proposed amendment is compatible with the Adopted General Plan.	X	X
2. The proposed amendment promotes the public health, safety and welfare.	X	X
3. The proposed amendment is a more suitable zoning classification for the property than the current classification.	X	
4. The proposed amendment is compatible with the intent and general purposes of this Ordinance.	X	X
5. The proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.	X	X
6. The proposed amendment benefits the citizens of the Municipality as a whole.	X	X
7. The proposed amendment does not create a significant number of nonconformities.	X	X
8. The proposed amendment is compatible with the trend of development, if any, in the general area of the property in question.	X	

- E. Appeals. Any person adversely affected by a zoning amendment decision of the Council may appeal the decision to the 3rd District Court of Salt Lake County as provided for in Section 10-9a-801 of the Utah Code, as amended.

Chapter 19.18 (Reserved)

Chapter 19.20 Variance, Exceptions, and Appeals

19.20.010 – Variances.

A. Initiation.

1. A property owner or other person expressly authorized in writing by the property owner may apply for a variance for that property in those circumstances where the requirements of this Ordinance may create unnecessary hardship or practical difficulty as set forth in Subsection D below and Section 10-9a-702 of the Utah Code.
2. The Land Use Hearing Officer hears all applications for a variance.

- B. Procedure.
1. All applications shall be filed with the Director in accordance with the requirements of Chapter 19.14.
 2. Approval by the Land Use Hearing Officer
 - a. The Land Use Hearing Officer shall consider a proposed variance in a public meeting.
 - b. Based upon the evidence presented at the public meeting, the Land Use Hearing Officer shall make a decision on the variance, evaluating the application in accordance with the standards in Subsection D below.
 - c. The Land Use Hearing Officer may take action on applications for variances in the form of approval, modified approval, or denial.
- C. Conditions and Restrictions.
1. When approving a variance, the Land Use Hearing Officer may impose such conditions and restrictions upon the location, construction, design and use of the property, as appropriate to mitigate impacts and protect the public interest and adjacent property in recognition of 19.20.010.D.5 (below). The terms of relief granted, including any conditions or restrictions, shall be specifically set forth in the approval.
 2. The Land Use Hearing Officer may grant a variance less than that requested when the record supports the applicant's right to some relief, but not to the entire relief requested.
 3. Use variances are prohibited.
- D. Approval Standards. The Land Use Hearing Officer may grant a variance only if all of the following standards are met. The applicant shall bear the burden of proving that all the conditions justifying a variance have been met.
1. Literal enforcement of this Ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of this Ordinance. In determining whether or not enforcement of this Ordinance would cause unreasonable hardship, the Land Use Hearing Officer shall find all of the following:
 - a. The alleged hardship is located on or associated with the property for which the variance is sought;
 - b. The alleged hardship comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood; and
 - c. The alleged hardship is not self-imposed (including pre-existing conditions created by previous property owners) or economic.
 2. There are special circumstances attached to the property that do not generally apply to other properties in the same zone. In determining that there are special circumstances attached to the property, the Land Use Hearing Officer must find that:
 - a. The special circumstances relate to the alleged hardship; and
 - b. The special circumstances deprive the property of privileges granted to other properties in the same zone.
 - c. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.
 - d. The variance will not substantially affect the policies of the General Plan and will not be contrary to the public interest.
 - e. The purpose and intent of this Ordinance is observed, and substantial justice done.

- E. Appeals. Any person adversely affected by a variance decision of the Land Use Hearing Officer may appeal the decision to the 3rd District Court of Salt Lake County.
- F. Any variance granted shall run with the land.

19.20.020 – Special Exceptions.

A. Initiation and Authority.

- 1. A property owner or other person expressly authorized in writing by the property owner may file for any special exception identified in Subsection B for that property.
- 2. The Land Use Hearing Officer, Planning Commission, or Director, as appropriate, will take formal action on these requests.

B. Procedure.

- 1. Submittal of Application. All applications shall be filed in accordance with the requirements of Chapter 19.16.
- 2. Special Exceptions Approved by the Land Use Hearing Officer.
 - a. The Land Use Hearing Officer may consider approval of the following special exceptions:
 - (1) Where a zone boundary line divides a lot in single ownership, extension of a use allowed on either portion of the lot a maximum of 50 feet into the other portion of the lot.
 - (2) The enlargement of or addition to a noncomplying structure or a structure occupied by a nonconforming use.
 - (3) The relocation of a noncomplying structure or a nonconforming use to another portion of the lot.
 - (4) The reconstruction on a lot of a noncomplying structure or a structure occupied by a nonconforming use.
 - b. The Land Use Hearing Officer shall consider a proposed special exception in a public meeting.
 - c. During or after the close of the public meeting, the Land Use Hearing Officer may take action in the form of approval, modified approval or denial.
 - d. Based upon the evidence presented at the meeting, the Land Use Hearing Officer shall evaluate the application to determine that the exception is consistent with the purposes of this Ordinance and will not be detrimental to the health, safety or general welfare of persons residing or working, or injurious to property in the vicinity
- 3. Special Exceptions Approved by the Planning Commission.
 - a. The Planning Commission may consider approval of the following special exceptions:
 - (1) An exception to allow the continuation of an existing use that is in violation of the provisions of this Ordinance, pursuant to Chapter 19.06.
 - (2) Exceptions as set forth in the Foothills and Canyons Overlay Zone, Chapter 19.60.
 - b. The Planning Commission shall consider a proposed special exception in a public meeting.
 - c. Having heard the matter at a public meeting, the Planning Commission may take action in the form of approval, modified approval or denial on applications for a special exception.
- 4. Special Exceptions Approved by the Director. Whenever a structure is in violation of the height or yard provisions of this Ordinance, the owner may file an application with the Director to have the structure declared noncomplying.

- C. Conditions. The Land Use Hearing Officer or Planning Commission may impose such conditions and restrictions upon the location, construction, design or use of the property, as necessary or appropriate to protect the public interest and adjacent property.

D. Appeals.

1. Any person adversely affected by a decision of the Director or the Planning Commission regarding a special exception may appeal that decision to the Land Use Hearing Officer.
2. Any person adversely affected by a decision of the Land Use Hearing Officer regarding a special exception may appeal that decision to the 3rd District Court of Salt Lake County.

19.20.030 – Administrative Appeals.

A. Initiation.

1. Any person adversely affected by a decision made by the Director, Planning Commission or Council in administering or interpreting this Ordinance, may appeal such decision (“administrative appeal”). An appeal shall be filed in writing within 10 days of the decision, alleging how such action is arbitrary, capricious or illegal.
2. The Land Use Hearing Officer shall hear all appeals of such decisions by the Director, Planning Commission, or Council administering or interpreting this Ordinance.

B. Procedure.

1. Zoning appeals shall be considered in a public meeting.
2. Appeals may not be used to waive or modify the terms or requirements of the zoning ordinance unless those terms or requirements are applied in a manner that is arbitrary, capricious or illegal.
3. The person filing the appeal has the burden of proving that the decision was arbitrary, capricious or illegal.
4. If there is a record, the Land Use Hearing Officer’s review is limited to the record provided by the Director. The Land Use Hearing Officer shall not accept or consider any evidence outside the record unless that evidence was offered to and improperly excluded by the Council, the Planning Commission, or the Director. If there is no record, the Land Use Hearing Officer may call witnesses and take evidence.
5. After review of the record and written and oral argument from both parties, the Land Use Hearing Officer shall render a decision.
6. The Land Use Hearing Officer shall affirm the decision of the Council, the Planning Commission, or the Director, unless the Land Use Hearing Officer finds that decision was arbitrary, capricious or illegal.
7. If the decision of the Council, the Planning Commission, or the Director is determined to be arbitrary, capricious or illegal, the Land Use Hearing Officer may reverse, alter or remand the decision to the original decision-making body for further review and consideration of the action taken.

- C. Stay of Proceedings. The filing of a zoning appeal does not automatically stay the decision. However, the Land Use Hearing Officer has the authority to stay the decision while the appeal is pending.

19.20.040 – Conditions Precedent to Judicial Review.

- A. As provided by Utah Code Annotated section 10-9a-701(4), an adversely affected party of a land use decision shall present to the applicable appeal authority every theory of relief that it can raise in district court.
- B. Decisions regarding whether or not to amend the number, shape, boundaries, or area of any zoning district; any regulation of or within the zoning district; or any other provision of the development code may be appealed directly to the district court.

- C. An adversely affected party may not appeal to the district court a decision of the planning commission under subsection B of this section. Only final decisions of the municipal council regarding amendments to the zoning ordinance of the municipality (title 19 of this code) or other provisions of the development code may be appealed to the district court.
- D. An adversely affected party shall have thirty (30) days to appeal a final decision of the municipal council under subsection 19.16.080 of this title to the district court.

19.20.050 - Use Violation Declared Legal Through Special Exception.

- A. Whenever land or a structure is used in violation of this Ordinance, the owner may file an application with the Planning Commission to have the use declared legal through special exception. The Planning Commission may approve the application only when the evidence establishes all of the following:
 - 1. The use exists on the property at the time of the application and has been in continuous violation of this Ordinance for a period exceeding 10 years. The applicant is responsible to produce evidence in support of this finding.
 - 2. No complaint has been made to the Development Services Division concerning the violation for 10 consecutive years during which the violation existed.
 - 3. Continuation of the use will not have a detrimental effect on the health, safety or welfare of persons or property in the vicinity.
- B. The Planning Commission may consider any relevant evidence, including but not limited to:
 - 1. Documents that are part of the public record, such as tax appraisals, utility records, aerial photographs, building permits, etc.
 - 2. Documentation from third parties, such as affidavits, photographs, etc.
 - 3. Documentation from current or past property owners, such as tax records, rental/lease agreements, appraisal records, etc.
- C. In approving an application, the Planning Commission may set any conditions it deems necessary for protection of adjacent properties or the public welfare including provisions limiting the period of time the use may continue.
- D. Any person has the right to appeal a decision of the Planning Commission to the Land Use Hearing Officer. Appellants shall follow the appeal procedures set forth in this Ordinance.
- E. Land use violations not declared legal by the Planning Commission under this section are subject to the enforcement provisions of chapter 19.08.

Chapter 19.22 Parks and Open Space

19.22.10 – Purpose of Provisions.

- A. The purposes of the Parks and Recreation Zone are to preserve and enhance public and private open space, natural areas, and habitats, and improved park and recreational areas.
 - 1. These Zones provide opportunities for active and passive outdoor recreation;
 - 2. provide contrasts to and relief from the built environment;
 - 3. preserve scenic qualities and viewsheds;
 - 4. protect sensitive or fragile environmental areas such as wetlands, steep slopes, ridge lines, meadows, and stream corridors;
 - 5. encourage sustainability and conservation; and
 - 6. provide transportation connections for people walking, biking, scootering, or using other forms of active transportation.

19.22.020 – Establishment of Parks and Recreation Zone.

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

- A. **Parks and Recreation Zone (PR):** The PR Zone is intended for improved parks, recreational areas, and other public and private open spaces which can accommodate human use and visitation. Encouraged uses in this Zone include public parks, multi-use trails, ball fields, special uses such as mobile food carts and festivals, and landscaping and equipment sheds.

19.22.030 – Schedule of Permitted Uses.

- A. **Schedule of Permitted Uses.** The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.
- B. **Procedure for Multiple Uses (Combination of Uses).** If a development proposal involves a combination of uses other than accessory uses as identified in Table 19.22.030, the more restrictive provisions of this Title shall apply. For example, if a portion of a development is subject to Conditional Use (“C”) approval and the other portion is subject only to Permitted Use (“P”) review, the entire development is reviewed and approved by the Conditional Use process.
- C. **Abbreviations.** The abbreviations used in the schedule mean:
 1. P = Permitted Use. This use is allowed in the zone but may be subject to additional restrictions and approval processes as provided in this Title.
 2. C = Conditional Use. This use is conditional because of the unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent uses, incompatibility in some areas of the zone, or compatibility only if special provisions or conditions are required to mitigate the detrimental impacts of the use. The Planning Commission is the land use authority for uses with this designation.
 3. X = Prohibited Use. This use is prohibited in this zone. Any use not specifically identified in Table 19.22.030 is prohibited in this zone.

Table 19.22.030 – Schedule of Permitted Uses

Use Categories	Zone(s)
AGRICULTURAL:	PR
Agricultural Building	P
Agriculture	P
Agritourism	C
Apiary	P
Aviary	P
RESIDENTIAL USES:	
No residential uses are permitted in these zones.	

RETAIL AND SERVICES:	
Child Care	P
FOOD AND DRINK:	
Food Truck / Mobile Restaurant / Food Cart	P
RECREATIONAL:	
Commercial Recreation	P
Multi-use Trail, Paved	P
Multi-use Trail, Unpaved	P
Open Space	P
Private, Non-Profit Recreational Grounds and Facilities	P
Recreation Facility - Private, Public, or Commercial	P
Stable, Public	P
Trailhead Infrastructure, Large Scale: paved parking, restrooms, wayfinding and interpretive signage, trash receptacles, other improvements	P
Trailhead Infrastructure, Small Scale: unpaved parking (10 or less spaces), pit toilet, wooden trail signage.	P
INDUSTRIAL:	
No industrial uses are permitted in these zones.	
INSTITUTIONAL USES:	
Church, Synagogue, Mosque, Temple, Cathedral, or Other Religious Buildings	P
Cemetery	P
Community Garden	P
Micromobility Support Infrastructure	P
Public Park	P
Pavilion	P
Micro-Park	P
Public Use	P

Solar Energy System, Accessory	P
Wind Energy System, Accessory	P
SPECIALTY:	
Park and Ride	P
ACCESSORY USES:	
Sidewalk Displays and Cafes	P

19.22.040 – Development Standards.

Development in the PR zone shall comply with the development standards of Table 19.22.040 and all other applicable standards in this Title.

Standard	PR
Minimum Lot Size (in square feet)	NA
Minimum Frontage (in feet)	Parks and Recreation Zone shall have a minimum frontage of 30' on a public street.
Minimum Lot Width (in feet)	NA
Maximum Building Height (in feet) A	For lot areas of 5 acres or greater, the maximum is 45'. For lot areas smaller than 5 acres, the maximum is 35'. For micro-parks, the maximum is 18'.
Minimum Floor Area Ratio	NA
Maximum Building Lot Coverage	30%

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

19.22.050 – Required Yards and Setbacks.

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

Standard	PR
Front Yard Setback (in feet)	Minimum: 20 Maximum: NA
Side Yard Setback – Interior Lots (in feet)	Minimum: 20

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

Table 2 19.22.050: Yards and Setbacks for Accessory Buildings, not including pavilions.	
Standard	PR
Front Yard Setback (in feet)	10
Side Yard Setback – Interior Lots (in feet)	5
Side Yard Setback – Corner Lots (in feet)	5
Rear Yard Setback (in feet)	5
Minimum Distance between Primary and Accessory Buildings (in feet)	10

A. Pavilions in the PR zone shall be setback a minimum of one (1) foot from the property line.

19.22.060 – Height Exceptions.

Exceptions to the building heights specified in Table 19.22.050 apply, in accordance with 19.46.

19.22.070 – Parking Requirements.

- A. In addition to the requirements in 19.48 the following shall apply in the PR zone:
 - 1. Landscaped Strips. All parking areas for a commercial, institutional, or other public use that are adjacent to a public street shall have a landscaped strip of at least ten feet (10') placed between the sidewalk and the parking area. This strip shall contain drought-resistant vegetation, and at least one native or drought-friendly tree is placed every fifty feet (50').
 - 2. Pedestrian Access. Any parking lot with an area greater than twenty-thousand square feet (20,000 sq ft) shall provide dedicated ADA-compliant walkways, at least six feet (6') wide, for pedestrians navigating from their vehicles to a building or park entrance. At a minimum, walkways is placed through the center of the parking area and in front of the building(s) to serve as pedestrian access to the area. Walkways is landscaped with trees at least every fifty feet (50'). Walkways is easily accessed from designated ADA parking stalls.
- B. The following parking requirements shall apply to micro-parks in the PR Zone:
 - 1. Up to five (5) parking stalls for a micro-park may be provided without landscaping requirements. Any parking facilities created shall meet the requirements in 19.48.030.

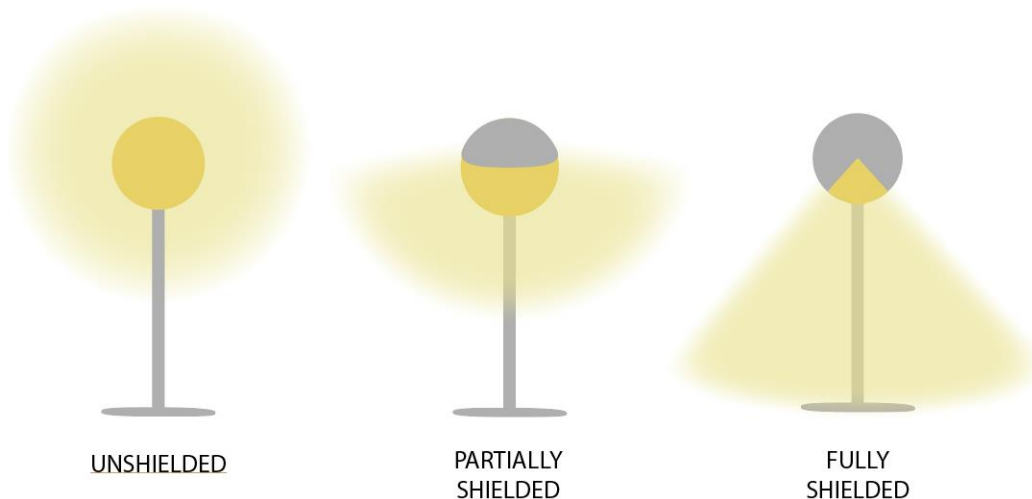
19.22.080 – Landscaping and Screening Standards. All landscaping and screening standards found in Chapter 19.50 shall apply in the PR Zone. In addition, the following fencing standards shall apply:

- A. **Fencing.** Fencing may be allowed in the PR Zone if desirable to establish sense of privacy, protect children and pets, provide a buffer from street traffic, or enhance property appearance. The following standards apply to fencing in the PR Zone:
- B. **Height.** Fences may be six feet (6') tall at the property line. Fences taller than six feet (6') shall be set back from the property line an additional foot for each foot of fence over six feet (6').
- C. **Materials.** Fences in the PR Zone is designed to enhance the visual appearance of the area. Chain link fencing is prohibited except if necessary to provide a perimeter or safety backing for recreational fields, as determined by the Director or Designee.

19.22.090 – Lighting Standards. All uses and developments in the PR Zone shall comply with the following lighting standards, in addition to any found in other Chapters of this Title:

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

Figure 19.22.100 – Types of Lighting



Chapter 19.24 (Reserved)

Chapter 19.26 Agricultural Zones

19.26.010 - Purpose of Provisions.

The purpose of the agricultural zones to provide limited residential and agricultural opportunities in the same zone. To this end, the A zones are intended to include activities normally related to agricultural

uses and to protect the zone from the intrusion of uses detrimental to the continuance of agricultural activity.

19.26.020 - Agricultural Zones.

- A. To anticipate and respond to the changing needs the municipality and preserve historical uses long established in the community and identified in the adopted General Plan, the following zone(s) are established:
 - 1. A-1 Agricultural Zone. Promotes the development of small residential in association with small agricultural uses like gardens, pastures, horses, and other animals for family food production.
 - 2. A-2 Agricultural Zone. Promotes the development of more intense agricultural uses like the keeping and raising of farm animals, including horses, and small agricultural businesses as well as providing some single-family housing on lots.

19.26.030 – Schedule of Permitted Uses.

- A. Schedule of Permitted Uses. The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.
- B. Specific Use Conditions. Specific Standards applying to the permitted and conditional uses allowed in this chapter are found in Chapter 19.42 Specific Use Standards of this Title.
- C. Procedure for Multiple Uses (Combination of Uses). If a development proposal involves a combination of uses other than accessory uses as identified in Table 19.26.030, the more restrictive provisions of this Title shall apply. For example, if a portion of a development is subject to Conditional Use (“C”) approval and the other portion is subject only to Permitted Use (“P”) review, the entire development is reviewed and approved by the Conditional Use process.
- D. Abbreviations. The abbreviations used in the schedule mean:
 - 1. P = Permitted Use. This use is allowed in the zone but may be subject to additional restrictions and approval processes as provided in this Title.
 - 2. C = Conditional Use. This use is conditional because of the unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent uses, incompatibility in some areas of the zone, or compatibility only if special provisions or conditions are required to mitigate the detrimental impacts of the use. The Planning Commission is the land use authority for uses with this designation.
 - 3. X = Prohibited Use. This use is prohibited in this zone. Any use not specifically identified in Table 19.26.030 is prohibited in this zone.

Table 19.26.030 - Permitted, Conditional and Specific Use Standards in Agricultural Zones		
Use Categories	Zones	
AGRICULTURAL:	A-2	A-2
Agriculture	P	P
Agricultural Building subject to Accessory Building standards of this Chapter	P	P
Animals and Fowl for Family Food Production, Existing	P	P
Animal Right, New	P	P
Apiary	X	P
Aviary	X	P

Gardening for Personal Use	P	P
Residential Keeping of Chickens or Ducks	P	P
Stable, Private	P	P
Stable, Public	P	P
RESIDENTIAL:		
Dwelling, Single-Family	P	P
Dwelling, Two-Family	P	P
Residential Facility for Elderly Persons	P	P
Residential Facility for Persons with a Disability Subject to Chapter 19.42	P	P
ACCESSORY USES:		
Accessory Buildings, Garages, Carports, and Structures subject to 19.28.050	P	P
Home Daycare/Preschool subject to Chapter 19.42	P	P
Home Business subject to Chapter 19.42	P	P
Household Pets	P	P
COMMERCIAL:		
Nursery and Greenhouse	P	P
Riding Academy	P	P
INSTITUTIONAL:		
Parks/Open Space	P	P
Utilities, Major	P	P
Utilities, Minor	P	P
School, Public	P	P
School, Private/Charter	P	P
Religious Institutions and Uses	P	P
OTHER USES:		
Temporary Buildings for Uses Incidental to Construction Work	P	P

19.26.040 - Lot and Area Standards

Development in the A-1 or A-2 zones shall comply with the development standards of Table 19.26.040 and all other applicable standards in this Title.

Zone	Minimum Lot Area	Minimum Lot Width	Maximum Lot Coverage (Primary Buildings)	Density
A-1	10,000 Sq Ft	65 Feet	30%	1 unit per 10,000 Sq Ft
A-2	1 Acre	100 Feet	30%	1 unit per acre

19.26.050 - Bulk and Yard Requirements.

Development in the A-1 or A-2 zones shall comply with the development standards of Table 19.26.050 and all other applicable standards in this Title.

Zone	Front Yard	Side Yard	Side Yard for Corner Lots Side Yard Faces the Street	Rear Yard
A-1	30 Feet	8 Feet	20 feet	30 Feet
A-2	30 Feet	10 Feet	20 Feet	30 Feet

19.26.060 - Building Height.

- A. Except as otherwise specifically provided in this Title, no building or structure may exceed the following height:
 - 1. Thirty-five feet (35’);
 - 2. A dwelling structure may not contain less than one story.

19.26.070 - Accessory Structure Development Standards.

- A. Area. Accessory Structures may not exceed eight hundred square feet (800 sq. ft.) on lots under one-half acre or one thousand two hundred square feet (1,200 sq. ft.) on lots one-half acre or larger.
- B. Accessory Structure Location and Setbacks.
 - 1. Shall be located in the side or rear yard and six feet (6’) away from the dwelling. No accessory building may be located within the required front yard setback or between the main building and a street.
 - 2. Shall be located at least one foot (1’) from an interior side property line. If the accessory building is located in a side yard between two existing main buildings, the accessory building must be located between at least five feet (5’) from the property line.
 - 3. Shall be twenty feet (20’) from a street facing side property line. No accessory building may be located between the main building and a street.
 - 4. Shall be located at least one foot (1’) from the rear property line, except if the rear yard is adjacent to the side yard of an adjacent lot, the minimum setback shall be ten feet (10’) from the adjoining side yard.
- C. Accessory Structure Height. A building which is accessory to a single-family dwelling may not exceed twenty feet in height. For each foot (1’) of height over fourteen feet (14’), accessory buildings shall be set back from the side and rear property lines an additional foot to allow a maximum height of twenty feet (20’).

19.26.080 - Lot Coverage.

- A. No combination of buildings, including accessory buildings and other structures, may not cover more than forty percent (40%) of the area of the lot or parcel of land.
- B.
- C. Concrete, asphalt and other impervious surfaces may not cover more than fifty percent (50%) of the any yard area between a structure and a property line. This includes both the required setback area and any other yard area between the main building and the front property boundary.

Chapter 19.28 Single-Family Residential Zones

19.28.010 - Purpose of provisions.

The purpose of the R-1 zones is to establish single-family neighborhoods which provide persons who reside therein a comfortable, healthy, safe and pleasant environment.

19.28.020 – Single-Family Residential Zones.

- A. To continue to preserve historical single-family residential neighborhoods in the community and identified in the adopted General Plan, the following zone(s) are established:
1. R-1-8 Residential Single-Family. Promotes the development of small residential in association with small agricultural uses like gardens, pastures, horses, and other animals for family food production.
 2. R-1-10 Residential Single-Family. Promotes the development of small residential in association with small agricultural uses like gardens, pastures, horses, and other animals for family food production.
 3. R-1-15 Residential Single-Family. Promotes the development of small residential in association with small agricultural uses like gardens, pastures, horses, and other animals for family food production.
 4. R-1-21 Residential Single-Family. Promotes the development of small residential in association with small agricultural uses like gardens, pastures, horses, and other animals for family food production.
 5. R-1-43 Residential Single-Family. Promotes the development of small residential in association with small agricultural uses like gardens, pastures, horses, and other animals for family food production.

19.28.030 – Schedule of Permitted Uses.

- A. Schedule of Permitted Uses. The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.
- B. Procedure for Multiple Uses (Combination of Uses). If a development proposal involves a combination of uses other than accessory uses as identified in Table 19.28.030, the more restrictive provisions of this Title shall apply. For example, if a portion of a development is subject to Conditional Use (“C”) approval and the other portion is subject only to Permitted Use (“P”) review, the entire development shall be reviewed and approved by the Conditional Use process.
- C. Abbreviations. The abbreviations used in the schedule mean:
1. P = Permitted Use. This use is allowed in the zone but may be subject to additional restrictions and approval processes as provided in this Title.
 2. C = Conditional Use. This use is conditional because of the unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent uses, incompatibility in some areas of the zone, or compatibility only if special provisions or conditions are required to mitigate the detrimental impacts of the use. The Planning Commission is the land use authority for uses with this designation.
 3. X = Prohibited Use. This use is prohibited in this zone. Any use not specifically identified in Table 19.28.030 is prohibited in this zone.

Table 19.28.020 - Permitted, Conditional and Specific Use Standards in Residential Zones
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Use Categories	R-1-8	R-1-10	R-1-15	R-1-21	R-1-43
RESIDENTIAL:					
Dwelling, Single Family	P	P	P	P	P
Dwelling, Manufactured Home	P	P	P	P	P
Residential facilities for persons with a disability	P	P	P	P	P
	R-1-8	R-1-10	R-1-15	R-1-21	R-1-43
ACCESSORY USES:					
Accessory Uses and Buildings Subject to Sections 19.28.050	P	P	P	P	P
Accessory Dwelling Unit, Internal, subject to Section 19.42	P	X	X	X	X
Home Occupations, subject to chapter 19.42	P	P	P	P	P
Home Day Care/Preschool, subject to Section 19.42	P	P	P	P	P
Household Pets, not including kennels	P	P	P	P	P
	R-1-8	R-1-10	R-1-15	R-1-21	R-1-43
INSTITUTIONAL USES:					
Parks/Open Space	P	P	P	P	P
Public and Quasi Public	P	P	P	P	P
Public Utilities, Major	C	C	C	C	C
Public Utilities, Minor	P	P	P	P	P
Religious Institutions and Uses	P	P	P	P	P
Schools, Public	P	P	P	P	P
Schools, Private/Charter	C	C	C	C	C
	R-1-8	R-1-10	R-1-15	R-1-21	R-1-43
OTHER USES:					
Apiary	X	X	P	P	P
Gardening for personal use	P	P	P	P	P
Animals and Fowl for family food production established prior to (The date of the adoption of this ordinance)	X	X	X	P	P
Animal Rights, one animal unit per 10, 000 square feet	X	X	X	P	P
Bed and Breakfast Inn	X	X	X	C	C

Residential Keeping of Chickens or Ducks subject to Chapter 19.42	C	C	P	P	P
Child Care, Residential and Licensed Family	C	C	C	C	C
Fences, walls and hedges subject to Chapter	P	P	P	P	P
Private, nonprofit recreational grounds and facilities	C	C	C	C	C
Sportsmen's Kennel (one-acre minimum lot area)	X	X	C	C	C
Temporary Construction Office associate with a permitted development project	C	C	C	C	C

19.28.030 - Lot area, width and maximum density.

A. The minimum lot area and width requirements and maximum density are as follows:

Zone	Minimum Lot Area	Minimum Lot Width	Density
R-1-8	8,000 Square Feet	65 feet at a distance 25 feet from the front lot line	4.5 Units per acre
R-1-10	10,000 Square Feet	80 feet at a distance 30 feet from the front lot line	4.0 Units per acre
R-1-15	15,000 Square Feet	80 feet at a distance 30 feet from the front lot line	2.5 Units per acre
R-1-21	21,7800 Square Feet	100 feet at a distance 30 feet from the front lot line	2.0 Units per acre
R-1-43	43,560 Square Feet	100 feet at a distance 30 feet from the front lot line	1.0 Units per acre

19.28.040 – Primary Structure Development Standards.

The following development standards apply to all primary residential and non-residential structures.

A. Required Yards:

1. Dwellings: The minimum yard requirements for a Primary Residential Dwelling are as follows:

Zone	Front Yard	Side Yard, Interior	Side Yard, Corner Lot	Rear Yard
R-1-8	25 Feet	8 Feet or 11/5 split	20 Feet	25 Feet
R-1-10, R-1-15, R-1-21	30 Feet	10 Feet	20 Feet	30 Feet
R-1-43	30 Feet	15 Feet	20 Feet	30 Feet

- Unless attached to a dwelling on an adjacent lot.
- Five (5) feet on one side and 11 feet on the garage or driveway side.
- Homes with a garage existing prior to the adoption of this ordinance may maintain a 15' rear setback.

2. The minimum yard requirements for a main building other than residential are as follows:

Zone	Front Yard	Side Yard	Rear Yard
R-1-8	25 Feet	20 Feet	25 Feet
R-1-10, R-1-15, R-1-21, R-1-43	30 Feet	20 Feet	30 Feet

1. Projections into Required Yards. The following structures may be erected on or projected into any required yard:
 - a. Fences and walls that conform with this code.
 - b. Landscape elements including trees, shrubs and other plants.
 - c. Necessary appurtenances for utility services associated with minor public utilities.
 - d. Planter boxes or masonry planters not exceeding twenty-four inches (24") in height.
 - e. Cornices, eaves, belt courses, buttresses and other similar architectural features may project into any yard not more than two feet (2').
 - f. Bay windows, cantilevered floors and fireplace structures may project into any yard not more than two feet (2'), provided that they are not wider than eight feet (8') wide.
 - g. Porches, door stoops, awnings, fire escapes and stairways may project into an interior side yard not more than two-feet (2') and a front, rear, or corner side yard not more than four-feet (4').
 - h. An attached deck may encroach up to four feet (4') into a rear yard if it is accessed from and appurtenant to the ground floor of a residential structure.
 - i. Accessory structures subject to section 19.28.050.
- E. Building Height. Except as otherwise specifically provided in this Title a building or structure may not exceed the following height:
 1. Thirty feet on property if the slope of the original ground surface exceeds fifteen percent, or the property is located in the hillside protection zone. The slope shall be determined using a line drawn from the highest point of elevation to the lowest point of elevation on the perimeter of a box which encircles the foundation line of the building or structure. Said box shall extend for a distance of fifteen feet or to the property line, whichever is less, around the foundation line of the building or structure. The elevation shall be determined using a certified topographic survey with a maximum contour interval of two feet.
 2. Thirty-five feet on properties other than those listed in number one of this subsection.
 3. A dwelling may not contain less than one story.

19.28.050 – Accessory Structure Development Standards.

- A. Accessory Structure Location and Setback Requirements. The location and minimum setback requirements for an accessory building in a single-family residential zone are as follows:
 1. Shall be located in the side or rear yard and 6 feet away from the dwelling. No accessory building may be located within the required front yard or between the main building and a street.
 2. Shall be located at least one foot (1') from an interior side property line, measured from the nearest portion of the structure, including eaves and overhangs. When the accessory building is located in a side yard between two existing main buildings, the accessory building must be located at least 5 feet from the property line.
 3. Shall be twenty feet (20') from a street facing side property line. No accessory building may be located between the main building and a street.

4. Shall be located at least one foot (1') from the rear property line, except that if the rear yard is adjacent to the side yard of an adjacent lot, the minimum setback shall be ten feet (10') from the adjoining side yard.
 5. No part of any accessory structure may be placed within one foot (1') of the property line, including eaves, cantilevers and other protrusions from the structure.
- B. Accessory Structure Height requirements. A building which is accessory to a single-family dwelling may not exceed twenty feet (20') in height. For each foot (1') of height over fourteen feet (14'), accessory buildings shall be set back from the side and rear property lines an additional foot (1') to allow a maximum height of twenty feet (20').

19.28.060 - Lot Coverage.

- A. No combination of buildings, including accessory buildings and other structures, may not cover more than thirty-three percent (33%) of the area of the lot or parcel of land.
- B. An accessory building or group of accessory buildings may not cover more than twenty-five percent (25%) of the rear yard.
- C. Concrete, asphalt and other impervious surfaces may not cover more than fifty percent (50%) of the front or rear yard area between a structure and a property line. This includes both the required setback area and any other yard area between the main building and the property boundary. Any lot less than 40' wide may install one driveway that exceeds the fifty percent (50%) impervious surface rule as long as that driveway does not exceed twenty feet (20') in width.

19.28.070 - Fencing Standards.

- A. The term "fence" shall include 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. Notwithstanding the provisions of this section, a fence, wall, screen, hedge or other material serving as a fence, may not create a sight distance hazard to vehicular or pedestrian traffic as determined by the city engineer.
- B. Front Yard/Side Yard. A fence made of materials which are sight obscuring may be built to a maximum of three feet (3') in any required front/side yard perimeter. A fence made of materials which are not sight obscuring (at least 50 percent open) may be built to a maximum of four feet (4') in any required front/side yard. If an existing home is located on the property, the front/side yard perimeter is measured from the front property line to the front edge of the existing home. The fencing may slope upward to connect with a higher rear yard fence. The length of a sloped fence section may not exceed a maximum of ten feet (10').
- C. Rear Yard. A fence in a rear yard may be built to a maximum of seven feet (7'). If an existing home is located on the property, the rear yard perimeter is measured from the front edge of the existing home to the rear property line.
- D. Corner Lots. A fence not more than seven feet (7') high may be constructed in the rear yard as defined in subsection B, "Rear Yard", of this section adjacent to a public street on a corner lot, if it does not obstruct clear view of intersecting streets as defined in subsection D, "Clear Sight Triangle", of this section.
- E. Clear Sight Triangle. At intersections of alleys and driveways (this includes private driveways and adjacent private driveways), the triangle shall be defined by drawing a line between two (2) points that are a minimum of ten feet (10') from the intersection along the property lines. At intersections of public streets, the triangle shall be defined by drawing a line between the two (2) points that are a minimum of forty feet (40') from the intersection along the property lines.

- F. Larger Clear Sight Triangle. Larger clear vision triangles may be required if local streets enter arterial streets, major collector streets, or parkways, except that "clear vision triangles" need not be maintained at signed or signalized intersections in the community center. "Clear vision triangles" may also be waived at signed or signalized intersections in neighborhood centers.
- G. Grade Differences. If there is a difference in the grade of the properties on either side of a fence, wall or other similar structure, the height of the fence shall be measured from the natural grade of the property upon which it is located.
- H. Retaining Walls. If a retaining wall protects a cut below or a fill above the natural grade and is located on the line separating lots or properties, such retaining wall may be topped by a fence, wall or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed. Retaining walls below a fence in the rear yard shall not count toward the maximum height calculation for the fence.
- I. Double Frontage Lots. A fence or wall may be erected in the rear yard of a double frontage lot.
- J. Fire Hydrants And Mailboxes. Fire hydrants and mailboxes shall be accessible from the public streets and may not be enclosed behind fences. Location of the fire hydrant shall be in accordance with the uniform fire code.
- K. Exceptions. The provisions of this section may not apply to certain other fences including tennis court backstops or patio enclosures as approved by the Planning Commission, if it is determined that the fences do not create a hazard or violation of other sections of the city ordinances, in no case is a fence permitted where the fence impedes the flow of water.
- L. Sidewalk Setback. If a sidewalk or paved trail exists parallel to the fence, the fence shall be setback at least twelve inches (12") from the back of the sidewalk. The area between the fence and sidewalk shall be landscaped or covered with mulch, bark, gravel or landscape rocks and include a weed barrier.
- M. Double Fencing. Double fencing is permitted in the rear yard of a property. Fences constructed in the rear of yard a property must be within twelve inches (12") of any adjacent parallel fence.

Chapter 19.30 Medium Density Residential Zones

19.30.010 - Purpose of Provisions.

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

19.30.020 - Establishment of Medium Density Residential Zones.

- A. To continue to provide opportunities for diverse housing options in the community and allow for the option to provide housing that may be qualify as moderate income housing the following zone(s) are established:
1. **R-2-8 Medium Density Residential Zone.** Promotes the development of small residential in association with small agricultural uses like gardens, pastures, horses, and other animals for family food production.
 2. **R-2-10 Medium Density Residential Zone.** Promotes the development of small residential in association with small agricultural uses like gardens, pastures, horses, and other animals for family food production.

19.30.030 – Schedule of Permitted Uses.

- A. Schedule of Permitted Uses. The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.
- B. Procedure for Multiple Uses (Combination of Uses). If a development proposal involves a combination of uses other than accessory uses as identified in Table 19.30.030, the more restrictive provisions of this Title shall apply. For example, if a portion of a development is subject to Conditional Use (“C”) approval and the other portion is subject only to Permitted Use (“P”) review, the entire development shall be reviewed and approved by the Conditional Use process.
- C. Abbreviations. The abbreviations used in the schedule mean:
1. P = Permitted Use. This use is allowed in the zone but may be subject to additional restrictions and approval processes as provided in this Title.
 2. C = Conditional Use. This use is conditional because of the unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent uses, incompatibility in some areas of the zone, or compatibility only if special provisions or conditions are required to mitigate the detrimental impacts of the use. The Planning Commission is the land use authority for uses with this designation.
 3. X = Prohibited Use. This use is prohibited in this zone. Any use not specifically identified in Table 19.30.030 is prohibited in this zone.

Use Categories	R-2-8	R-2-10
RESIDENTIAL:		
Accessory Structures	P	P
Dwelling, Single-Family	P	P
Dwelling, Single-Family Attached	P	P
Dwelling, Accessory Internal	P	P

Dwelling, Accessory Detached	X	X
Dwelling, Duplex	P	P
Dwelling, Tri-plex	X	X
Dwelling, Four-plex	X	X
Dwelling, Multi-Family (5 dwellings or more)	X	X
Mobile Home Park	X	X
Residential Facility for Persons with a disability subject to 19.42	P	P
Residential Facility for Elderly Persons	P	P
COMMERCIAL:		
Bed and Breakfast	X	X
Home Business subject to 19.42	P	P
Home Daycare/Preschool subject to 19.42	P	P
Daycare	X	X
Short-term Rentals	P	P
OTHER:		
Public or Quasi-Public Use	P	P
Shared Parking	P	P
Rail Transit Mixed-use	X	X
Public Park and Open Space	P	P
Private Park and Recreational Grounds	P	P
Temporary Buildings Incidental to Construction Work, and Other Temporary Buildings	P	P

19.30.040 - Lot Standards and Density.

Development in the R-2-6.5, R-2-8, or R-2-10 zones shall comply with the development standards of Table 19.30.040 and all other applicable standards in this Title.

Zone	R-2-6.5	R-2-8	R-2-10
Minimum Lot Area	6,500 Sq Ft	8,000 Sq Ft	10,000 Sq Ft
Minimum Lot Width	60 Feet	60 Feet	60 Feet
Maximum Density	6 Dwelling Units per Acre	5 Dwelling Units per Acre	9 Dwelling Units per Acre

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

19.30.050 - Bulk and Yard Regulations.

A. Development in the R-2-6.5, R-2-8, or R-2-10 zones shall comply with the development standards of Table 19.30.050 and all other applicable standards in this Title.

Table 19.30.050 Bulk and Yard Regulations		
	Single-Family	Two-Family Building
MINIMUM YARDS; RESIDENTIAL USES		
Minimum Front Yard	25 Feet	25 Feet
Minimum Side Yard	8 Feet	8 Feet
Minimum Side Yard, Facing a Public Street	20 Feet	20 Feet
Minimum Rear Yard, Without Garage	30 Feet	30 Feet
Minimum Rear Yard, With Garage	15 Feet	15 Feet
Distance Between Primary Buildings	16 Feet	16 Feet
Maximum Lot Coverage	30%	45%
MINIMUM YARDS; NON-RESIDENTIAL USES		
Minimum Front Yard	25 Feet	30 Feet
Minimum Side Yard	8 Feet	8 Feet
Minimum Side Yard, Facing a Public Street	20 Feet	20 Feet
Minimum Rear Yard, Without Garage	30 Feet	30 Feet
Minimum Rear Yard, With Garage	15 Feet	15 Feet

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

19.30.060 - Building Height.

Development in the R-2-6.5, R-2-8, or R-2-10 zones shall comply with the development standards of Table 19.30.060 and all other applicable standards in this Title.

Table 19.30.060 Building Height		
	Single-Family	Two-Family Building
Maximum Building Height	35 Feet	35 Feet

A. Properties where the slope of the original ground surface exceeds fifteen percent (15%): the slope shall be determined using a line drawn from the highest point of elevation to the lowest point of elevation on the perimeter of a box that encircles the foundation line of the building or structure. Said box shall extend for a distance of fifteen feet (15') or to the property line, whichever is less,

around the foundation line of the building or structure. The elevation shall be determined using a certified topographic survey with a maximum contour interval of two feet (2').

B. A dwelling may not contain less than one story.

19.30.070 - Accessory Structure Development Standards.

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

	R-2-6.5	R-2-8	R-2-10
Side Yard	1 Foot	1 Foot	1 Foot
Side Yard, Facing a Public Street	20 Feet	20 Feet	20 Feet
Rear Yard	1 Foot	1 Foot	1 Foot
Setback from the Main Dwelling	6 Feet	6 Feet	6 Feet

A. No building which is accessory to a one-family or two-family dwelling shall exceed twenty feet (20') in height. For each one foot (1') of height over fourteen feet (14'), accessory buildings shall be set back from property lines an additional one foot (1') up to the allowed maximum height of twenty feet (20').

B. No accessory building or group of accessory buildings shall cover more than twenty-five percent (25%) of the rear yard.

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

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

Zone	R-2-6.5	R-2-8	R-2-10
Minimum Lot Area	3,000 Sq Ft	4,000 Sq Ft	5,000 Sq Ft

A. There is no minimum side yard requirement if property lines are drawn along a shared wall.

B. The division of ground is subject to the requirements of **Title 18.**

C. The subdivision plat shall specifically note that the purpose of the subdivision is to accommodate the division of a two-family dwelling(s).

19.30.100 – General Information.

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

Chapter 19.32 Commercial Zones

19.32.010 – Purpose of Provisions.

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

19.32.020 – Establishment of Commercial Zones.

- A. In order to anticipate and respond to the changing needs of our community and implement commercial node concepts included in the adopted General Plan, the following zones are established:
1. **C-1 Commercial Zone.** The C-1 Zone is intended to provide for a wide range of commercial uses designed to serve neighborhood, community, and regional needs. Uses may be freestanding or integrated in a center. Development will be orientation to the street to encourage a pedestrian relationship and buildings will be placed to allow interconnected walkways and shared site accesses, as applicable, for increased convenience, accessibility, and enhanced safety for pedestrians. Development will include elements and façades at the pedestrian level and shall achieve a sense of human scale and create visual interest at eye-level.
 2. **C-2 Commercial Zone.** The C-2 Zone is intended to provide retail uses, service-oriented businesses, offices, and restaurants in an integrated center. Each center shares common architecture, access, parking, signage, and landscape design. Centers will typically include three (3) or more acres and provide regional or community-level destination shopping while incorporating a design which enhances pedestrian orientation within the center.

19.32.030 – Schedule of Permitted Uses.

- A. Schedule of Permitted Uses. The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.
- B. Procedure for Multiple Uses (Combination of Uses). If a development proposal involves a combination of uses other than accessory uses as identified in Table 19.32.030, the more restrictive provisions of this Title shall apply. For example, if a portion of a development is subject to Conditional Use (“C”) approval and the other portion is subject only to Permitted Use (“P”) review, the entire development shall be reviewed and approved by the Conditional Use process.
- C. Abbreviations. The abbreviations used in the schedule mean:
1. P = Permitted Use. This use is allowed in the zone but may be subject to additional restrictions and approval processes as provided in this Title.
 2. C = Conditional Use. This use is conditional because of the unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent uses, incompatibility in some areas of the zone, or compatibility only if special provisions or conditions are required to mitigate the detrimental impacts of the use. The Planning Commission is the land use authority for uses with this designation.
 3. X = Prohibited Use. This use is prohibited in this zone. Any use not specifically identified in Table 19.32.030 is prohibited in this zone.

Table 19.32.030 – Schedule of Permitted Uses		
Use Categories		
RETAIL AND SERVICE:	C-1	C-2
Child Care Center	P	P
Commercial Plant Nursery	P	P
Financial Institution	P	P
Laundry Cleaning, Automatic Self-Help and/or Drop Off	P	P
Personal Care Services	P	P
Personal Instruction Services	P	P
Retail and Service Commercial	P	P
Retail Shops or Galleries if Primary Product is Produced On-Site	P	P
FOOD AND DRINK:	C-1	C-2
Food truck / mobile restaurant / food cart	P	P
Restaurant, Fast Food	P	P
Restaurant, Sit-Down with or Without Alcohol	P	P
LODGING:	C-1	C-2
Bed and Breakfast Inn	X	P
Hotel/Motel	X	P
OFFICE:	C-1	C-2
Office, General	P	P
Office, Intensive	P	P
Office, Medical	P	P
RECREATIONAL:	C-1	C-2
Athletic Clubs	X	P
Commercial Recreation	P	P
Recreation Facility, Commercial	P	P
Recreation Facility, Public	P	P
Theatres and Concert Halls (Indoor)	X	P
INSTITUTIONAL USES:	C-1	C-2
Animal Control or Rescue Facility	X	P
Animal Hospital or Clinic	X	P
Animal Hospital or Clinic with Outdoor Holding Facilities	X	P
Cemetery	X	C
Church, Synagogue, Mosque, Temple, Cathedral, or other religious buildings	P	P
Libraries	P	P
Parks/Open Space	P	P

Public Uses	P	P
Public Utilities, Major	C	C
Public Utilities, Minor	P	P
Schools, Public	P	P
Schools, Private/Charter	C	C
ACCESSORY USES:	C-1	C-2
Accessory Outside Storage	X	P
Home Business, subject to chapter 19.42	P	P
Household Pets, not including kennels	P	P
Drive-Thru and Drive-Up Facilities appurtenant to a permitted use	X	P
Outdoor dining appurtenant to a permitted restaurant use	P	P
Sidewalk Displays and Sidewalk Cafes appurtenant to a permitted use	P	P
Temporary buildings subject to 19.44	P	P
NONCONFORMING USES:	C-1	C-2
Pre-Existing Lot	P	P
Pre-Existing Structure	P	P
Pre-Existing Use	P	P

19.32.040 – Lot and Area Standards.

Development in the C-1 and C-2 Zones shall comply with the lot and project area standards shown in Table 19.32.040 and all other standards in this Title, as applicable.

Table 19.32.040 – Lot and Area Standards		
Lot and Area Standards	C-1	C-2
Minimum Lot Size	10,000 Square Feet	10,000 Square Feet
Minimum Lot Width and Frontage	60 Feet	100 Feet

19.32.050 – Site Standards.

The following site standards shall apply in the C-1, and C-2 Zones:

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

Table 19.32.050 – Bulk and Yard Regulations		
	C-1	C-2

Front Yard Setback, Major Street	18' landscaped setback from back of sidewalk	30' landscaped setback from public right of way
Front Yard Setback, Minor Street or Drive	10' landscaped setback from back of curb	15' landscaped setback from back of curb
Side Yard Setback – Corner Lots	Same as the front yard setback	Same as the front yard setback
Build to Line	The front yard setback is the build-to-line. At least fifty percent (50%) of the adjacent façade shall be built within three feet (3') of the build-to-line. A side yard, corner lot setback is also a build-to-line.	
Side Yard Setback – Interior Lots	No setback required if sharing a common wall. 8' setback to property line or 16' between buildings if building pads are used. 20' landscaped buffer required to separate residential uses from commercial uses.	
Rear Yard Setback	10' setback to property line or 20' between buildings if building pads are used. 20' Landscaped buffer required to separate residential uses from commercial uses.	

- B. Location and Orientation of Buildings. Structures frame streets spatially by being constructed at the build-to line. Buildings shall be sited to face the street with parking lots on the side or rear. At street or drive intersections the buildings shall be located directly on the corner with parking in the rear. At least fifty percent of the adjacent façade shall be built within three feet of the build-to line.
- C. Build-to-Line Exceptions. Some big box development, such as a grocery stores, may have parking in front, provided other commercial pad sites are proposed along the frontage that would comply with the build-to-line requirements. These pads shall create a forty percent (40%) building street frontage along the width of the project area if combined with public plazas or courtyards.
- D. Drive-through windows shall be located at the side or rear of buildings. While not desirable, a single drive aisle may be located between the building and the street so long as its width does not exceed twelve feet (12'), any pedestrian crossings of it are clearly delineated with special paving treatments, no parking spaces occur off of it and a low wall, railing with landscaping, or a continuous hedge at least three feet high exists between stacked cars and the sidewalk. If a drive-through is located between the building and the street, the front setback/build to line is 12' feet further from the back of sidewalk or public right of way.
- E. Sidewalks or Trails. All building front entryways shall have a continuous sidewalk to the street sidewalk. Sidewalks at least six feet (6') wide are required along the entire front of the lot or project area. A six foot (6') wide park strip shall be installed between the street and the sidewalk as a pedestrian buffer. No fencing that is parallel to any sidewalk shall be within two feet (2') of the edge of the sidewalk.
- F. Outdoor Dining. If outdoor dining is allowed, the patio or dining area may encroach on up to ten feet (10') of the required landscaped setback.

- G. Utilities. All overhead utilities shall be placed underground unless the applicable utility company deems it to be infeasible.
- H. Screening. All garbage dumpsters shall be enclosed by a masonry wall or architectural design with materials that are consistent with the building. The enclosure gate shall be metal and accessible to service vehicles. The enclosure wall and gate shall be a minimum of twelve inches (12”) higher than the trash receptacle bin. Service areas, mechanical equipment, and meters shall be completely screened from the street.
- I. Site Furnishings. The developer or builder is responsible for providing site furnishings as required in this document. All site furnishings shall be specified on the plans.
- J. Bike Rack. Bike racks shall be provided and installed at a minimum of 3 bike stalls per 50 vehicle parking stalls within each development (minimum of 3 bike rack stalls). Bike racks should be located near the entrance to the building and visible from the street or drive. Bike racks shall be durable and permanently installed over a hardscape surface.
- K. Trash and Recycle Receptacles. Trash and recycle receptacles are required to be provided at a minimum of 1 (both trash and recycle) per public entrance at commercial buildings.
- L. Architectural Standards. All new development shall present an attractive, coordinated streetscape, incorporate architectural and site design elements appropriate to a pedestrian scale and provide for the safety and convenience of pedestrians. All new development shall comply with the following architectural standards:
 1. General Design Standards. The following building design requirements shall apply in the C-1 and C-2 Zones:
 - a. Walls. No more than three materials shall be used for primary wall surfaces. Exterior finishes shall be of traditional, time- and weather-tested techniques. Retaining and screening walls shall be of materials complementary to the building’s materials. Buildings shall use a cohesive palette of colors which complement nearby buildings. Without limiting the use of color, large areas of wall shall be subdued in color and not reflective. Intense colors should be used as accent only.
 - b. Building Stepbacks. Buildings should provide a sense of street enclosure for pedestrians in more urban environments. New commercial buildings adjacent to existing neighborhoods shall step-down in height to help minimize the visual impact to residential areas. See Table 19.32.060A for requirements.
 - c. Transparency. If applicable, the intent of transparency standards is to promote economic activity by creating active street walls and visual interest for pedestrians at the ground-level. They also serve to promote personal and property safety by introducing more “eyes on the street” or natural surveillance of the public right-of-way and building interiors. See Table 19.32.060A for requirements.

Table 19.32.060A – Building Height and Transparency Standards		
Standard	C-1	C-2

Building Height	Minimum: No primary building within this district shall be erected to a height less than fifteen feet (15') above grade. Maximum: 45'	Minimum: No primary building within this district shall be erected to a height less than fifteen feet (15') above grade. Maximum: 60'
Step-down Height Adjacent to Residential Areas.	Within one hundred feet (100') of sites zoned for single family residential, the following standards shall apply: On the portion of the site within one hundred feet (100') of a site zoned R-1, the maximum height shall be thirty-five feet (35'). On the portion of the site within one hundred feet (100') of a site zoned R-2, R-4, RM, or RMH the maximum height shall be forty-five feet (45').	
Transparency	Ground Floor (frontage) 30% Ground Floor (exposed sides) 30% Upper Floors (frontage) 20%	Ground Floor (frontage) 30% Upper Floors (frontage) 20%

- d. Exterior Structure Standards. All exterior walls of all structures shall be constructed in compliance with the following:
- e. Materials. All buildings shall use one or more of the following durable materials as significant finish: architectural precast concrete, architecturally treated concrete masonry units, brick cladding, natural and cast stone, architectural metals, and glazing. Architectural site-cast concrete may be allowed if designed, articulated, and colored for a finished appearance on all buildings. At least fifty percent of all buildings visible from a major street shall be composed of brick, stone, architecturally treated CMU, architectural precast concrete, architectural metals, and/or glazing.
- f. Exterior Insulation and Finish System (EIFS)/Stucco. The design and application of EIFS or synthetic stucco are expected to be of a high enough quality to allow for crisp detailing and substantial relief. The use of EIFS on ground floor walls shall be limited to the surface area three or more feet above finished grade. The wall area from finished grade to if the use of EIFS begins shall be clad by a hard, durable material such as brick, stone, architectural precast concrete, or architecturally treated concrete masonry units.
- g. Detail and Finish. Building façades that face the street but do not have pedestrian entries shall be composed of high-quality materials such as brick or stone and shall provide variety and interest in the façade through the introduction of such elements as pilasters, recessed or protruding bays, changes in materials and/or colors, building lighting elements, display windows with products or product graphics, transparent windows or clerestories, and well-designed signs and graphics.
- h. Surface Variation. Continuous building wall surfaces shall be relieved with significant variations of wall planes or overhangs that create shadow areas and add visual interest.

Variations should result from significant dimensional changes in plane, color, or detail as accomplished by such devices as protruding bays, recessed entries, upper-level step-backs, arcades, offsets in the general plane of the façade, changes in materials or color, bay windows, vestibules, porches, balconies, exterior shading devices, nonretractable canopies or awnings, projecting cornices, or eaves.

- i. Vertical Separation and Human Scale. Buildings in excess of two (2) stories in height shall exhibit architectural detailing that establishes a vertical separation between lower and upper stories. This may be accomplished by a mid-façade cornice or trim, a change in material, style or color, a façade step-back or roof pitch with dormer windows, or other methods. Buildings in excess of two (2) stories shall also exhibit architecture design that incorporates the human scale, which is specific architecture features below 10 feet (10').
- j. Façade Features. All large retail building façades visible from public streets shall include architectural treatments that add detail, character, and reduce the appearance of massive blank walls. Techniques such as color and material changes, expression of structure, shifts in plane, offsets and projections, belt courses, reveals, pilasters, windows, doors, arcades, canopies, and other similar elements may achieve this standard. Opaque (solid) storefront security closures (rolling doors, etc.) are not allowed.
- k. Entrances. The intent of entrance standards is to provide direct and comfortable access to businesses for pedestrians. Entrances on public streets are particularly important to promote pedestrian traffic and activities on the sidewalks. The following standards apply to the entrances of all structures:
 - l. Street front entrances shall be developed on all new buildings. An unobstructed sidewalk connection from the door location shall be provided to connect to the public sidewalk. Entry doors shall be located on the front façade or be placed within three feet (3') of the front façade.
 - m. Primary public entry(s) shall be architecturally emphasized so that pedestrians can easily find them.
 - n. Weather protection features such as awnings, canopies, doors inset by at least three feet (3'), or arcades shall be provided at all customer entrances.
 - o. Corner Buildings. Special attention shall be given to corner buildings that are highly visible, that may serve as landmarks, and provide a sense of enclosure at intersections. Special attention can be achieved by architecture, landscape, and public place.

19.32.060 – Off-Street Parking Standards.

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

- A. Change Of Use: If the existing use of a structure or the existing use of land is changed to another use or another occupancy, parking and loading facilities shall be provided as required by this Title, except that the Planning Commission may reduce this requirement in cases of hardship and practical difficulty covering the land on which the building is located.
- B. Surface parking areas, except for approved street parking, may not be located between a building and a public right-of-way on lots or parcels adjacent to a public right-of-way. This requirement shall only apply to one side of a lot or parcel that is adjacent to a public right-of-way on multiple sides. Surface parking for a big box development, such as a grocery store, that meets the standards for a

build-to-line exception as described in 19.32.050.C, is allowed parking between the building and the right of way as long as the pad sites each comply with this part.

- C. Surface parking areas, except for approved street parking, located within thirty feet (30') of a public right-of-way shall be screened by grading, landscaping, walls/fences, or a combination of these, to a height of three feet (3') above the surface of the parking area.
- D. All commercial development should be designed to allow for cross-access to adjacent properties to encourage shared parking and shared access points on public or private streets, unless otherwise specified. A minimum distance of one hundred (100) feet should be required between a cross-access way and an entrance. UDOT standards may supersede this requirement in areas of UDOT jurisdiction. If cross-access is deemed impractical by Director on the basis of topography, the presence of natural features, or vehicular safety factors, this requirement may be waived provided that appropriate bicycle and pedestrian connections are provided between adjacent developments or land uses.
- E. The Director or Designee may approve an exception to the requirements of this subsection if he or she determines that any of the requirements are not reasonably possible based on the unique characteristics of the site.

19.32.070 - Open Space and Landscaping.

- A. In addition to the parking standards specified in Chapter 19.50, "Landscaping and Screening", the following parking standards shall apply:
 - 1. Physical Connections. Each lot shall have a system of pedestrian walkways and sidewalks that provide connections between the building entrances, neighboring building entrances, sidewalks, parking areas, open space, and public trails.
 - 2. Minimum Landscaped Area. Thirteen percent (13%) of the area of each commercial site shall be developed as landscaped setbacks, courtyards, plazas, open space, or walkways.
 - 3. Landscaped Setback from Edge of a Street or Drive. The entirety of the required setback between a building or parking lot and a street or drive shall consist of landscaping, sidewalks, or a combination thereof. Courtyard or plaza areas shall be deemed to be a part of the front setback of the building.
 - 4. Prohibitions. Maintenance buildings, trash collection and recycling areas, storage and service areas, mechanical equipment, and off-street loading areas may not be permitted in the front setback of any building and shall be located behind the main building structure, or completely screened from public view.
 - 5. Building Foundation Landscaping. The ground adjacent to the building foundation shall be landscaped if it is visible from public vantage points.
 - 6. Residential Buffer. A landscaped buffer shall be required to separate residential uses from commercial and industrial uses.
 - 7. Landscaped Buffer Area. The landscape buffer area shall be a minimum of thirty feet wide to provide adequate screening, buffering, and separation of these uses. The landscape treatment should use a combination of distance and low-level screening to separate the uses to soften the visual impact of the commercial or industrial use. The thirty foot (30') buffer area may be shared between adjoining properties, upon adequate proof of reciprocal easements to preserve and maintain the buffer area. The landscaped buffer area shall include a minimum of one tree for every two hundred fifty square feet (250 sq. ft).

8. Fully Sight-Obscuring Fence. The Planning Commission shall require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and landscaping is not practical. Such fence shall be a minimum of six feet (6') high (up to eight feet (8') if warranted and approved by the Planning Commission) and completely sight-obscuring. Fences may be of wood, metal, bricks, masonry, or other permanent materials.

19.32.080 – Lighting.

- A. Except for ordinary repairs and maintenance of lighting approved and installed after the adoption of this ordinance all new development shall comply with the following outdoor lighting standards:
- B. Light Source. Light sources shall be at least as efficient as LED and no greater than four thousand kelvin (4000K) in correlated color temperature (CCT). Light levels shall be designed such that light trespass measured at the property line does not exceed 0.01 foot-candles. Light fixtures shall use a cutoff luminaire that is fully or partially shielded with no light distributed above the horizontal plane of the luminaire or into nearby residential structures. In no case shall the total lumens emitted for a single site exceed one hundred thousand (1000) lumens per acre.
- C. Parking Lot Lighting. Parking lot lighting shall be designed and constructed to comply with the following standards:
- D. Pole Height/Design.
 1. Luminaire mounting height is measured from the parking lot or driveway surface and may range from ten feet (10') to thirty feet (30'), based on review of site plan, proposed land uses, surrounding land uses, parking area size, building mass, topography of site, and impacts on adjacent properties.
 2. Poles and fixtures shall be black, dark brown, or another neutral color approved by the Director or Designee.
 3. All attempts shall be made to place the base of light poles within landscape areas.
 4. Light poles in parking areas may not exceed thirty feet (30') in height. Poles exceeding twenty feet (20') in height are appropriate only for parking areas exceeding two hundred (200) stalls and not within 75' of a residential zone.
- E. Other Outdoor Lighting Standards.
 1. Wall-mounted lighting fixtures shall not be located above eighteen feet (18') in height unless being used as building accent lighting. Fixture styles and finishes shall complement the building exterior.
 2. Lighting located along pedestrian pathways or in areas primarily dedicated to human activity shall be bollard style lighting or down-directed lighting not to exceed twelve feet (12') in height. Pedestrian lighting shall be coordinated through each project and shall complement adjacent projects to the greatest extent practical.
 3. In order to avoid light pollution, backlit awnings, up-light spotlights, and floodlights are prohibited.
 4. Street lighting shall either be chosen from the city's approved streetlight list or installed to match a theme set by developments within the zone or neighborhood.
 5. Lighting for outdoor athletic facilities may be mounted on a roof or wall at a height above the typical eighteen foot (18') maximum, provided it is demonstrated by the applicant. through submittal of appropriate documentation and light studies, that the facility cannot otherwise be properly lighted. This lighting shall comply with the following requirements:

- a. Light fixtures and necessary supports may not extend more than four feet (4') above the roof line;
 - b. Light fixtures shall include appropriate shields to ensure no light trespass off the site;
 - c. Light fixtures shall include appropriate shields and louvers to minimize, to the greatest extent possible, any point source light pollution;
 - d. Light fixtures and supports shall be painted to blend with the color scheme of the structure to which they are mounted;
 - e. Light fixtures shall be dimmable to address any possible unforeseen light impacts once they are constructed and operable; and
 - f. The planning commission shall review the hours of light usage and shall approve an appropriate usage schedule depending on the specific situation and impacts on the surrounding area.
- F. Upgrading Preexisting Lighting. An applicant shall bring preexisting lighting into compliance with this code upon application with the business license department for a change in ownership, new business in a stand-alone structure or a multi-tenant structure in which the new business utilizes more than fifty percent (50%) of the building square footage on the site, in conjunction with an application for a building permit for any alteration, remodel or expansion of any structure on the site, or in conjunction with changes to the approved site plan.
- G. Lighting Plan Submission Requirements. A lighting plan is required for all developments and shall contain the following:
- 1. Plans indicating the location on the premises and the type of illumination devices, fixtures, lamps, supports, reflectors, installation and electrical details;
 - 2. Description of illuminating devices, fixtures, lamps, supports, reflectors, and other devices that may include, but is not limited to, manufacturer catalog cuts and drawings, including a section if required; and photometric data, such as that furnished by manufacturers, or similar showing the angle of the cutoff or light emission; and
 - 3. A point-by-point light plan to determine the adequacy of the lighting over the site.

19.32.090 – Fences Hedges and Walls.

- A. The following standards apply to new development of fences, hedges, and walls:
- 1. Required Setbacks. A fence, hedge, wall, column, pier, post, or any similar structure or any combination of such structures is permitted in the required setback of a zone district if it meets the following conditions:
 - 2. No fence, hedge, or wall extends beyond or across a property line without a recorded agreement with the abutting property owner;
 - 3. Only one fence or wall shall be allowed per property line. Double fences, walls or combination thereof are prohibited; and
 - 4. No barbed wire or other sharp, pointed, or electrically charged fence may be erected or maintained, except a temporary fence on a construction site to protect the property during the period of construction may be topped with barbed wire if the barbed wire is not less than eight feet (8') above the ground and does not extend more than two feet (2') above the temporary fence.
 - 5. Height. No fence or wall may exceed seven feet (7') in height, four feet (4') in height from the front of the primary structure forward, or three feet (3') in the sight distance triangle, measured as follows:

6. In a required yard abutting a street, the total effective height above the finished grade measured on the side nearest the street;
7. In any other required yard, the total effective height above the finished grade measured on the side nearest the abutting property;
8. On a property line, measured from the finished grade of either side if the abutting property owners are in agreement; and
9. A temporary fence on a construction site may be as high as required to protect the property during the period of construction.
10. Athletic Facilities. Fencing around athletic facilities, including, without limitation, tennis courts, may be fourteen feet (14') in height so long as all portions above six feet (6') are constructed with at least fifty percent nonopaque materials.

Chapter 19.34 (Reserved)

Chapter 19.36 Mixed-Use Zones

19.36.010 – Purpose of Provisions.

The mixed-use zones are intended for areas within the community where a combination of residential, commercial, civic, and other uses is desirable in order to strengthen local tax base and employment opportunities, provide diverse housing types, create gathering places, and connect businesses with nearby customers. The mixed-use districts are distinguished by the uses they allow as well as their development standards which are intended to promote a high-quality, compact, walkable, and interesting built environment.

19.36.020 – Establishment of Mixed-Use Zoning Districts.

- A. Establishment of Mixed-Use Zones: To anticipate and respond to the changing needs of the municipality and implement mixed-use and livability concepts included in the adopted General Plan, the municipality establishes the following zones:
 1. Neighborhood Mixed Use District (NMU). The NMU Zone is intended to create a residential district that allows a small-scale, horizontal or vertical mixture of neighborhood commercial uses to serve the daily needs of area residents. This Zone is intended only for small-scale, low-impact uses, to promote a better mixture of uses close to home and within a walkable environment.
 2. Corridor Mixed Use District (CMU). The CMU Zone is intended to promote compact and walkable development, some housing options, and proximity to shopping and services along transit corridors, especially where infill development is desirable. The CMU allows for greater intensity of uses and building footprints without disrupting surrounding neighborhoods.

19.36.030 – Schedule of Permitted Uses.

- A. Schedule of Permitted Uses. The specific use listed in the following schedule is permitted in the zone as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.
- B. Procedure for Multiple Uses (Combination of Uses). If a development proposal involves a combination of uses other than accessory uses as identified in Table 19.36.030, the more restrictive provisions of this Title shall apply. For example, if a portion of a development is subject to

Conditional Use (“C”) approval and the other portion is subject only to Permitted Use (“P”) review, the entire development shall be reviewed and approved by the Conditional Use process.

C. Abbreviations. The abbreviations in the schedule mean:

1. P = Permitted Use. This use is allowed in the zone but may be subject to additional restrictions and approval processes as provided in this Title.
2. C = Conditional Use. This use is conditional based upon the unique characteristics or potential impacts on the municipality, surrounding neighbors, adjacent land uses, incompatibility in some areas of the zone, or compatibility only if special provisions or conditions are required to mitigate the detrimental impacts of the use. The Planning Commission is the approval authority for uses with this designation.
3. X = Prohibited Use. This use is prohibited in this zone. Any use not specifically identified in Table 19.36.040 is prohibited in this zone.

Table 19.36.030 – Schedule of Permitted Uses		
Use Categories		
RESIDENTIAL USES:	NMU	CCU
Dwelling, Single-Family	P	X
Dwelling, Single Family Attached	P	P
Dwelling, Three- and Four-Family	P	P
Dwelling, Two-Family (Duplex)	P	X
Educational Facility with Residential Accommodation	X	P
RETAIL AND SERVICE:		
Bank, Credit Union, or Other Financial Institution	P	P
Child or Adult Care Facility	P	P
Laundry Cleaning, Automatic Self-Help	P	P
Laundry Cleaning Drop-Off	P	P
Mobile Store	X	P
Personal Care Services	P	P
Personal Instruction Services	P	P
Post Office	P	P
Reception Hall, Reception Center	X	P
Retail Sales	P	P
Retail Shops or Galleries where Primary Product is Produced On-Site ^E	C	C
Shopping Center	X	C
FOOD AND DRINK:		
Food Truck, Mobile Restaurant, Food Cart	X	P
Restaurant, Fast Food	P	P
Restaurant, Sit Down with or without Alcohol	P	P
OFFICE:		
Offices – General, Professional, and Trade Services	P	P
RECREATIONAL:		
Commercial Recreation and Entertainment, Indoor	X	P
Outdoor Recreation, Small Scale	X	P

Theatres and Concert Halls (Indoor)	X	P
INSTITUTIONAL USES:		
Animal Hospital or Clinic	X	P
Church, Synagogue, Mosque, Temple, Cathedral, or other religious buildings	P	P
Community Garden		
Educational Facility	P	P
Public or Quasi Public Use	P	P
Public Park	P	P
SPECIALTY:		
Medical, Urgent Care, and Dental Care	X	P
Mortuary or Funeral Home	X	P
Park and Ride	X	P
Parking Lot (not associate with other use)	X	P
ACCESSORY USES:		
Accessory Buildings, Garages, Carports, and Structures subject to 19..	P	P
Home Business, subject to 19.42.	P	P
Sidewalk Displays and Sidewalk Cafes	C	C
NONCONFORMING USES:		
Pre-Existing Lot	P	P
Pre-Existing Structure	P	P
Pre-Existing Use	P	P

19.36.040 – Schedule of Uses, Special Conditions.

- A. Residential Uses. In the NMU and CMU Zones, residential uses are limited as follows.
1. Units above a business: Residential dwelling units on the second story or above are permitted.
 2. Units behind a business: Residential dwelling units on the first story that are separated from the front lot line by a non-residential use in the same story are permitted.
 3. Units attached to a business on a multiple frontage lot: in no case shall first-story dwelling units face onto a front lot line.

19.36.050 – Development Standards.

- A. Any development in the NMU or CMU Zones shall comply with the development standards shown in Table 19.36.050 and any other applicable standards in this Title.
- B. Buildings in any Mixed-Use Zoning District shall be oriented so as to be front-facing on the public street.

Table 19.36.050 – Mixed Use Zoning District Development Standards		
Standard	NMU	CMU
Minimum Lot Size		
	8,000 sq. ft.	8,000 sq. ft.
Maximum Density		
Dwelling Units per lot	2	2

Maximum Building Size, in square feet (sq. ft.)		
Non-Grocery	3,000	
Grocery-Anchored	3,000	NA
Height Limitations, in feet (ft)		
Minimum	25	20
Maximum	35	40
Ground Floor Height Minimum for Commercial / Mixed Use Buildings Only	12	12
Floor Area Ratio		
Maximum FAR	1.5:1	NA
Minimum FAR	1:1	2:1
Minimum Transparency Requirements ¹		
First Floor / Ground Story	50%	70%
Additional Floors	25%	35%
Entries		
	35;	
Primary Façade Entries, Articulation.	NA	Recessed a minimum of 4' depth and 7' width. A permanent overhang is required.
	1 entry minimum at the ground floor is required on each non-primary façade, excluding those with a shared common wall.	
Articulation		
	Structural columns or variation in façade (depth/change in material) shall be articulated at the primary façade for the full height of the building to the cornice (or to the full height of the building to the first stepback); minimum 50' spacing.	
	Cornice/Frieze Banding is required between the second and third floors on buildings with three or more stories.	
Roof	NA	Pitched roofs are prohibited. Cornice at roof line is required.
Usable Outdoor Space, minimum requirement per unit in square feet (sq. ft) ³		
Single-Family Attached or Detached	150	NA
Two-, Three-, or Four-Family	100	60
Multi-Family	45	40

- C. Transparency. Transparency means the use of materials that allow for persons from the street to see into the active uses of the building. Areas covered by menus, murals, or other signage that prevents visibility into the active use do not count toward the required transparency, unless the municipality has authorized a temporary advertisement or other festive decoration.

- D. Entries on Corner Lots. Buildings on corner lots shall be oriented to the corner that faces on two public streets. Corner entries are required and shall be angled toward the intersection of the two public streets in order to emphasize the corner.
- E. Usable Outdoor Space. Means outdoor space provided for the enjoyment of the tenant. The required outdoor space may be provided through private outdoor balconies or patios attached to the unit or may be combined in an outdoor community space shared by all residents / units.
 - 1. Balconies. If balconies are provided, they shall be recessed or incorporated into the horizontal setback.

19.36.060 – Required Yards and Setbacks.

- A. Purpose: The purpose of the standards in this section is to create and maintain street frontages that are attractive, promote a walkable environment, and create sense of safety and comfort through appropriate scale.
- B. The minimum yard requirements for buildings within the Mixed-Use Zones are presented in Table 19.36.060.
- C. Exception for Setbacks for Common Walls. The side setback is zero feet (0') for any building which shares a side common wall.

19.36.070 – Height Exceptions.

Exceptions to the building heights specified in 19.46 Site Development Standards.

19.36.080 – Off Street Parking Standards.

All provisions of Chapter 19.48 shall apply to development in any of the Mixed-Use Zones. For developments that combine multiple uses, parking requirements shall be calculated for each specific use according to the criteria in 19.48 The Director or Designee may authorize shared parking for combined uses if those uses are found to operate at distinct hours of the day or night.

Chapter 19.38 (Reserved)

Chapter 19.40 (Reserved)

Chapter 19.42 Specific Use Standards

19.42.010 - Purpose.

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

19.42.020 – Applicability.

- A. This Chapter contains the specific and additional regulations for permitted and conditional uses identified in the Schedule of Uses for each of the zones contained in this Title. Any use not listed as permitted or conditional in the applicable zone shall be prohibited.
- B. Compliance with specific use standards, as applicable, as well as all other requirements of this Ordinance, and all other Land Use Ordinances, and all other Federal, State, and Local requirements are required for any Land Use Application approval required by this Ordinance, or any other Approval, Permit, or License required by other Land Use Ordinances.

19.42.030 - Accessory Dwelling Units, Internal.

- A. Purpose. White City recognizes that Internal Accessory Dwelling Units in single-family residential zones can be an important tool in the overall housing plan for White City. The purposes of the Internal Accessory Dwelling Unit standards of this code are to:
1. Comply with State of Utah legislation which allows for Internal Accessory Dwelling Units generally and requires municipalities to adopt an ordinance if they wish to regulate certain requirements of the dwellings;
 2. Allow opportunities for property owners to provide social or personal support for family members where independent living is desirable;
 3. Provide for affordable housing opportunities;
 4. Make housing units available to moderate income people who might otherwise have difficulty finding housing in White City;
 5. Provide opportunities for additional income to offset rising housing costs;
 6. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle;
 7. Preserve the character of single-family neighborhoods by providing: standards governing development of Internal Accessory Dwelling Units; and
 8. Ensure that Internal Accessory Dwelling Units are properly regulated by requiring property owners to obtain a business license and a building permit for an IADU prior to renting the IADU.
- B. Definitions.
1. "Internal Accessory Dwelling Unit" means an accessory dwelling unit created:
 - a. within a primary dwelling;
 - b. within the footprint of the primary dwelling at the time the internal accessory dwelling unit is created; and - for the purpose of offering a long-term rental of 30 consecutive days or longer.
 2. "Owner Occupancy" means a property where the property owner, as reflected in title records, makes his or her legal primary residence at the site, as evidenced by voter registration, vehicle registration, driver's license, county assessor records or similar means.
 3. "Primary Dwelling" means a single-family dwelling that is detached and is occupied as the primary residence of the owner of record.
- C. Allowed Areas and Zones.
1. IADUs incorporated within the single-family residence shall be a permitted use on single family home lots in primarily residential zones that require 6,000 square foot minimum lot sizes or greater excepting those lots in the A-1, A-2 and R-1-21 zones. These zones comprise less than 25% of the total residential zoned area of White City and may be exempted by Utah State Code 10-9a-530(4)(e)(i).
 2. In no case shall an IADU be permitted in a townhome, a multi-family PUD or other attached unit type, or on any lot that cannot satisfy parking, or other conditions of the code.
- D. Number of Residents Allowed in Accessory Units. IADUs shall not be occupied by more than four persons.
- E. Parking Requirements. In addition to the required parking for the existing home, the property owner must demonstrate that one (1) on-site parking space is available for an IADU. A property owner bears the burden of showing by a preponderance of the evidence that sufficient parking is available. In cases where attached garage conversions are done to create IADU, replacement on-site parking

spaces are required for the primary dwelling in a number equal to the parking spaces eliminated by such IADU.

- F. Owner Occupancy. The primary dwelling or the IADU must have owner occupancy. An application for an IADU shall include evidence of owner occupancy.
- G. Number of IADUs per Lot. Only one IADU is allowed per lot.
- H. IADU Design Standards.
 - 1. An approved building permit is required for all IADUs before an IADU is constructed. and all other applicable provisions of this chapter and the White City Code must be met before an IADU can be rented. Existing non-compliant IADUs may come into compliance by receiving a permit and verifying existing work was done according to code.
 - 2. The design and size of an IADU shall conform to all applicable building, fire, and health codes, including applicable water service requirements.
 - 3. Conversions of an existing space to an IADU will require compliance with safety requirements per building code including, but not limited to, egress windows with window wells in case of emergency, close off door(s) if needed between the IADU and main unit, and sufficient HVAC and climate control for the IADU.
 - 4. IADUs will not require a separate HVAC or firewall.
 - 5. Owner shall provide a separate address marking for emergency services and mailing services.
 - 6. Single-family residences with an IADU shall retain the same appearance as a single-family residence.
- I. Affidavit and Notice of Accessory Dwelling Unit. Applicants for IADUs shall provide an affidavit stating that the owner of the property will live in either the primary dwelling or IADU as their primary residence. Upon approval of the IADU by the building official, and upon the issuance of a business license pursuant to Section 19.42.030, a Notice of Internal Accessory Dwelling Unit including the affidavit shall be recorded against the property to provide notice to a future owner of the owner occupancy requirement for the IADU. Upon sale of the property, if the new owner wishes to continue use of a previously approved IADU, the new owner shall be required to sign and record a new affidavit, update their information with the planning and business license departments, and comply with current administrative IADU requirements. A copy of the recorded notice will be provided to the applicant when completed.
- J. Business Licensing. Prior to renting out any IADU, a business license must be obtained. That license must be maintained and renewed annually as long as the unit is rented out.
- K. Retention of Single-Family Residence Status. IADUs are part of a single-family residence and shall not be treated as a multi-family residence.
- L. IADUs may not be separately metered apart from the single-family residence.
- M. IADUs may not be sold or subdivided separately from the single-family residence.
- N. Short-Term Rental Use Prohibited. Units approved as IADUs shall not be used as short-term rentals. Any rentals shall be made for 30 consecutive days or more.
- O. Remedies for Violations. In addition to any other legal or equitable remedies available to a municipality, White City Metro Township may hold a lien against a property that contains an internal accessory dwelling unit in accordance with the provisions and procedures of Utah Code Annotated Section 10-9a-530, if the owner of the property violates any of the provisions of that Section or any of the provisions of this ordinance.

- P. Variances. The land use hearing officer may grant variances to the standards of this chapter in accordance with section 19.20. The land use hearing officer may not grant a variance from Building Code requirements, owner occupancy provisions, lot square footage requirements, or the number of units allowed per lot.

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19.42.040 - Accessory Outside Storage.

- A. Storage of goods, wares, merchandise, commodities, and any other items located outside of a completely enclosed building for more than 24 hours is prohibited except as accessory outside storage for public or quasi-public uses, subject to the applicable zoning district and subject to the following standards:
 - 1. The area used for accessory outside storage may not constitute more than fifteen percent (15%) of the lot area and may not reduce the access to or usability of areas required for parking for the lot.
 - 2. With the exception of retail sales displays in an approved commercial area, outside storage shall be screened from public view by a minimum six-foot (6') high opaque fence. The required screening shall be established prior to the use of any area for outside storage.
 - 3. 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 shall be installed.
- B. Outside storage areas shall be paved with asphalt or concrete.
 - 1. Outside storage areas shall be maintained in a clean, neat, and orderly condition. The required screening shall be kept in good repair.
 - 2. The presence of hazardous materials, junk, junk cars, or debris not usually appurtenant to permitted on-site uses is prohibited.
 - 3. "Accessory Outside Storage" as defined herein does not include construction yards, storage yards, or other storage uses where the storage of items outside of an enclosed building is a primary characteristic of the use.

19.42.050 – Amateur Communications or Ham Radios.

- A. This section shall apply to amateur radio antennas and support structures. The equipment and facilities mentioned herein shall be allowed in all within the municipality, and it is the municipality's intent to provide reasonable accommodation for such communications.
- B. This section separates regulations governing amateur communications from commercial wireless communications facilities and related equipments, and establishes provisions relating to visual mitigation, r-f noise, engineering, residential impact, health, safety, and facility siting. All facilities shall comply with the following regulations and all other ordinances of the municipality and any pertinent regulations of the federal communications commission (FCC) and the federal aviation administration (FAA).
- C. Amateur radio antennas are regulated by the federal communications commission (FCC).
- D. A building permit is required for all amateur radio facilities. A copy of the users amateur radio license shall be submitted with the building permit application. For antennas and support structures that do not exceed the maximum height requirement of the applicable zone, no additional review is required.
- E. All antennas and support structures shall comply with the required setbacks of the applicable zone in which the property is located.
- F. No more than one amateur radio antenna and support structure per lot may be installed, and shall be located in the rear or side yard, of a home or main structure.

19.42.060 – Animal Hospitals or Clinics.

- A. Animal Hospitals and Clinics, where allowed as a permitted or conditional use in the applicable zone, are also subject to the following standards:
1. Animal Hospitals or Clinics may not be established within three hundred (300) feet of an existing residential use as measured at the closest property lines.
 2. The use of the building space shall be restricted to medical treatment and incidental care such as bathing, the trimming of common household pets on an outpatient basis only, except that temporary boarding in connection with medical treatment shall be permitted, and except that short-term boarding, defined to be not more than two weeks, may be permitted.
 3. Unless outdoor holding facilities are permitted by the underlying zone, the entire use shall be conducted within a totally enclosed and air-conditioned building with no outside runs.
 4. The building space shall be adequately soundproofed to assure that no noise will carry beyond the confines of the building or space that the use would occupy.
 5. When outdoor holding facilities are permitted by the underlying zone, the location of barns, stables, coops, pens corrals and other holding areas are subject to the requirements for “Animal Rights” in this chapter.
 6. The applicant shall demonstrate that noise, odors, traffic, light pollution, and refuse produced by the use can be reasonably mitigated.

19.42.070 - Animal Rights.

- A. Animal Rights, where allowed as a permitted or conditional use in the applicable zone, are also subject to the following standards:
1. When a parcel with animal rights contains fewer than 5.25 acres, that parcel may hold no more than one animal unit and their seasonal offspring for each ten thousand (10,000) square feet.
 2. When a parcel or group of contiguous parcels with shared ownership contains more than 5.25 acres, that parcel or group of parcels may hold no more than one animal unit and their seasonal offspring for each five thousand (5,000) square feet.
 3. No animals or fowl may be kept or maintained closer than 40 feet to any dwelling on an adjacent parcel of land. No barn, stable, coop, pen or corral shall be kept closer than 40 feet to any street.
 4. All yards, barns, shelters, cages, areas, places, and premises where domestic livestock, animals, or fowl are kept shall be maintained in a clean and sanitary condition so that flies, dust, or odors do not disturb the health of any person or animal or create a nuisance to any adjoining property.
 5. All pens, yards, shelters, cages, areas, and premises where animals are held or kept shall be maintained so that no flies, insects, or vermin, rodent harborage, odors, ponded water, the accumulation of manure, garbage or other noxious materials do not disturb health and safety of any person or animal.

19.42.080 – Apiary.

- A. The purpose of the apiary standards is to establish certain requirements for sound beekeeping practices. These standards are intended to avoid problems that may otherwise be associated with the keeping of bees in populated areas.
- B. Apiaries, where allowed as a permitted or conditional use in the applicable zone, are also subject to the following standards:
1. No more than the following number of colonies may be kept on any lot or parcel within the municipality, based upon the size of the lot or parcel upon which the apiary is situated:

2. Less than or equal to nine thousand nine hundred ninety-nine (9,999) square feet in size: one colony;
3. More than nine thousand nine hundred ninety-nine (9,999) square feet but less than or equal to nineteen thousand nine hundred ninety-nine (19,999) square feet in size: two colonies;
4. More than nineteen thousand nine hundred ninety-nine (19,999) square feet in size: one colony plus one additional colony for each ten thousand (10,000) square feet square feet of land area.
5. A site plan shall be submitted for review by Planning and Development Services addressing the following:

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1. Any colony situated within twenty-five feet of a public or private property line shall require the establishment of a flyway barrier at least six feet in height consisting of a solid wall, fence, dense vegetation, or combination thereof as approved by the Director or designee. Said barrier shall be along or parallel to the property line extending ten feet beyond the colony in each direction, forcing a flight pattern elevation of at least six feet above grade.
2. A water source shall be provided on the property and no nearer than twenty feet to the hive to avoid bees congregating on nearby properties in a search for water.
3. A sign conspicuously posted setting forth the name and phone number or other identifying marks, such as a registration number, of the responsible beekeeper.
4. In addition to the aforementioned conditions, the applicant shall ensure compliance at all times with the following conditions:
5. All honeybee colonies shall be kept in Langstroth-type hives with removable frames, which shall be kept in sound and usable condition.
6. All honeybee colonies shall be registered with the Utah Department of Agriculture and Consumer Services in accordance with the Utah Bee Inspection Act.
7. Maintenance shall be such that no bee comb or other materials are left upon the grounds of the apiary site. Upon removal from the hive, all such materials shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.
8. All colonies shall be maintained with marked queens. The colony shall be promptly requeened if it exhibits unusual aggressive characteristics by stinging or attempting to sting without due provocation or swarming. Regardless of colony behavior, each colony shall be requeened on a yearly basis.
9. Each Utah apiary shall meet all requirements and inspection schedules deemed necessary by the Utah Department of Agriculture and Consumer Services.
10. Notwithstanding compliance with the various requirements of this subsection, it shall be unlawful for any beekeepers to keep any colony or colonies in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others.
11. Upon receipt of information that any colony situated within the municipality is not being kept in compliance with the requirements of this section, an investigation and subsequent hearing before the municipality's LUHO may result and may result in the revocation of the apiary permit.

19.42.090 – Bars and Clubs.

- A. Bars and Clubs are not permitted in White City, but if ever allowed as a permitted or conditional use in a zone, bars and clubs are subject to the following standards in addition to standards in the applicable zone:

- C. A security and operations plan shall be prepared by the applicant and approved by the Unified Police Department of Greater Salt Lake and the Director. The security and operations plan shall be filed with the Planning and Development Services Department as part of the business license. The security and operations plan shall include:
1. A complaint-response community relations program;
 2. A provision for resolving neighborhood complaints regarding the operations on the business premises;
 3. Design and construction requirements to ensure that any sound level originating within the premises, measured within fifteen feet (15') from an exterior wall or door thereof, does not exceed the maximum permissible sound level set forth in Title 9;
 4. A provision stating that live entertainment shall only be located within an enclosed building subject to the foregoing sound limit;
 5. Prohibiting electronically amplified sound in any exterior portion of the premises;
 6. Designation of a location for smoking tobacco outdoors in conformance with State law;
 7. A provision stating that any trash strewn on the premises be collected and deposited in a trash receptacle by six o'clock (6:00) A.M. the following day, including any smoking and trash or debris in parking lot areas;
 8. A provision stating that portable trash receptacles on the premises be emptied daily, and automated receptacles be emptied at least weekly. Automated receptacles shall be located only within a municipality approved trash storage area; and
 9. A parking management plan which shall include consideration of the impact of parking on surrounding neighborhoods.
- D. Site and floor plans proposed for the premises shall be reviewed and approved by the Unified Police Department of Greater Salt Lake. Such review may require design features for the purpose of reducing alcohol related problems such as consumption by minors, driving under the influence, and public drunkenness.
- E. In addition to the required setbacks, where a bar or club abuts a residentially zoned parcel, an additional buffer consisting of vegetative landscaping or walls are required along any property line or within any required yard area on the lot where the premises are located.
- F. The location of an outdoor smoking area shall be selected to mitigate the effect on neighboring residences, businesses, and buildings. Where complaints are made about the outdoor smoking area, the Planning Commission may require the outdoor smoking area to be moved to an alternate location where it can be shown that the smoking area is adversely affecting neighboring residences, businesses, and buildings.
- G. Not more than one alcohol related establishment as noted in the table of permitted and conditional uses shall be located within five hundred feet (500') of another alcohol related establishment as measured linearly without regard to intervening structures from the nearest point on the property line of one establishment to the nearest point on the property line of the second establishment.

19.42.100 - Bed and Breakfast Inn.

- A. A bed and breakfast inn, where allowed as a permitted or conditional use in the applicable zone, is also subject to the following standards:
1. The structure shall have a residential appearance;
 2. The structure shall be limited to a maximum of two stories in height;

3. The structure must contain a minimum of five (5) guestrooms, but not more than fifteen (15) guestrooms.
4. Guests using the accommodations or lodging must pay compensation;
5. A bed and breakfast inn may not provide cooking facilities in any individual guestroom;
6. The access to the site and the on-site parking shall be available for use and maintained, including snow removal, throughout the entire year;
7. A bed and breakfast inn located in the C-2 Zone may include a restaurant and conference rooms.

19.42.110 – Car and Light Truck Wash.

- A. Car and light truck washes are not permitted in White City, but if ever allowed as a permitted or conditional use in a zone, Car and light truck washes are subject to the following standards in addition to standards in the applicable zone:
 1. In addition to the applicable landscaping requirements of Chapter 19.50 of this Title, landscaping for all car washes shall double the number of plantings required in areas between stacking and drive-through areas and the street and residentially zoned property.
 2. The facility shall be designed and operated, including the bay openings and vacuum areas, to minimize traffic, noise, and aesthetic impacts to surrounding properties and public view.
 3. Vacuum stations and related equipment are prohibited along any side of a building facing a residential use or residential zoning district unless a masonry wall is located along the entire property line adjacent to that residential use or zone.
 4. Recycling of water used for vehicle washing is required to be installed and used in perpetuity. The use of recycling water systems and the disposal of water fluids and solids shall comply with applicable state and federal laws, guidelines and/or standards.
 5. Any water flow resulting from the use of the washing facilities shall be confined to the car wash site and disposed of through an on-site drainage system in accordance with applicable laws.
 6. The internal traffic circulation pattern shall be designed so as to preclude traffic congestion on public streets in the vicinity and to provide safe ingress, egress, and movement of traffic on the site.
 7. The site shall provide space sufficient to allow a minimum of five vehicles to stack while waiting to access the car wash prior to reaching the payment area. All stacking shall be maintained on site and may not back onto any public right-of-way.
 8. Provisions shall be made for regular on-site maintenance and clean-up of the property.
- B. Landscaping for New Construction of Car Washes.
 1. Plantings and related landscape improvements shall be provided in conjunction with drive-through service facilities, including automatic car washes, in order to:
 - a. Introduce a more aesthetically pleasing approach to these types of vehicular activities on newly developed or redeveloped sites;
 - b. Better integrate these types of land uses into the established character of surrounding area improvements; and
 - c. Screen queued vehicles from the view of passing motorists on adjacent roadways.
 2. Trees Required.
 - a. One (1) tree shall be planted for each one hundred and twenty-five square feet (125 sq. ft.) or more of landscape area. Landscape areas of less than one hundred and twenty-five square feet (125 sq. ft.) do not require a tree to be planted.
 3. Groundcover Plantings.

- a. A minimum of fifty percent (50%) of the surface area of each landscape area shall be planted in low-growing shrubs, groundcover, perennials, ornamental grasses, or other herbaceous plants.
 - b. To avoid visibility obstructions, these plantings shall not reach a mature height of more than thirty inches (30”).
4. Mulch.
- a. The entire landscape area shall be mulched to promote plant health and retain water. No turf shall be planted in these landscape areas.

19.42.120 – Caretaker Living Quarters.

- A. Caretaker living quarters are not permitted in White City but if ever allowed in a zone caretaker living quarters are subject to the following standards in addition to standards in the applicable zone:
1. The caretaker living quarters shall be located within the principal building on the site.
 2. The caretaker living quarters shall be occupied by the owner or an employee of the business or use.
 3. A minimum of one designated parking space shall be provided for the caretaker living quarters, in addition to any parking spaces required for the principal use.
 4. The caretaker living quarters shall have no more than two bedrooms.
 5. The caretaker living quarters shall be limited to a maximum of 650 square feet.
 6. The caretaker unit must meet all applicable requirements of the International Residential Building Code as adopted by the jurisdiction. Each unit shall have a kitchen suitable for cooking and preparing meals, a bathroom with shower and/or bathing facilities, a living room, and a bedroom. Studio units are permitted so long as they provide space for the amenities as described in this section.
 7. The property owners shall execute and record a covenant and agreement with the jurisdiction to revert the property to an industrial use without a caretaker living quarters, including the removal of the kitchen facilities of any permanent addition that does not meet the requirements of the Zone in which the use is located, after the expiration of any associated permit granted or the termination of the business.

19.42.130 – Check Cashing.

- A. Check cashing and other non-depository financial institutions are not permitted in White City, but if ever allowed as a permitted or conditional use in a zone, check cashing and other non-depository financial institutions, are subject to the following standards in addition to standards in the applicable zone:
1. Establishments shall be located no closer than one mile from other similar establishments.
 2. Use activities shall be limited to short term title loan and short-term consumer installment loan business.
 3. The following services are specifically prohibited: "cash for gold", "cash for precious metals", and the processing or storage of repossessed vehicles or other repossessed property.
 4. All business activity, including customer queuing, shall be accommodated inside the building.

19.42.140 – Chickens or Ducks, Residential Keeping of.

- A. Chickens and Ducks: Subject to the requirements of this section and any other applicable provision of this code, hen chickens and ducks (and no roosters or other types of fowl) regardless of age, in

the amount set forth below, may be kept on a lot or parcel of land for the sole purpose of producing eggs.

- B. The number of hen chickens or ducks which may be kept shall be limited based on the size of the lot or parcel as follows:
- C. Lots with at least twenty thousand (20,000) square feet: Up to sixteen (16) chickens or ducks for the first twenty thousand (20,000) square feet and up to eight (8) additional chickens or ducks for each ten thousand (10,000) square feet of lot area.
- D. Lots with between fifteen thousand (15,000) and nineteen thousand nine hundred ninety-nine (19,999) square feet: Up to twelve (12).
- E. Lots with between ten thousand (10,000) and fourteen thousand nine hundred ninety-nine (14,999) square feet: Up to eight (8).
- F. Lots with between six thousand (6,000) and nine thousand nine hundred ninety-nine (9,999) square feet: Up to four (4).
- G. Lots with less than five thousand nine hundred ninety-nine (5,999) square feet: None.
- H. The principal use on the lot or parcel shall be a single- or two-family dwelling.
- I. Chickens and ducks shall be confined within a secure enclosure that includes a coop.
- J. The coop shall be covered, weatherproof, and well ventilated.
- K. The enclosure, including the coop, shall be predator resistant.
- L. The coop shall have a minimum floor area of at least two and one-half (2 1/2) square feet per animal.
- M. If the chickens or ducks are not allowed to roam within an enclosure or a properly fenced rear yard outside the coop, the coop shall have a minimum floor area of six (6) square feet per chicken.
- N. The coop shall be structurally sound and located in a rear yard at least forty feet (40') from any neighboring residential structure. The coop shall also meet the minimum setback for accessory structures within the applicable zoning district and may not be located nearer any street than the primary residential structure. Coops may not be located in any front yard or side yard, corner lot.
- O. The coop and enclosure shall be maintained in a neat and sanitary condition and shall be cleaned as necessary to prevent any odor detectable at a property line.
- P. No chicken or duck shall be permitted to roam outside the coop or enclosure except that a rear yard enclosed with a six-foot (6') fence with links or slats spaced at intervals small enough to keep chickens enclosed and predators out.
- Q. Feed shall be stored in rodent and predator proof containers.
- R. Water shall be available to the animals at all times.
- S. Animals may not be slaughtered on site unless it can be done humanely and not within the public view.
- T. A Salt Lake County Animal Services permit is required.

19.42.150 – Child Care.

- A. Child Care, where allowed as a permitted or conditional use in the applicable zone, is also subject to the following standards:
- B. A person exempted from licensing as a childcare center under the Utah Department of Health and Human Services Rule R381-60-3 is not subject to land use approval or business licensing. Building Code Regulations may still apply.
- C. "Child Care, Residential" must be licensed by the Utah Department of Health and Human Services under Rule R430-50 et seq. A copy of the Health and Human Services License must be submitted prior to the issuance or renewal of a Business License.

- D. "Child Care, Licensed Family" must be licensed by the Utah Department of Health and Human Services under Rule R430-90 et seq. A copy of the Health and Human Services License must be submitted prior to the issuance or reissuance of a Business License.
- E. When Child Care is provided from a residence:
1. The applicant must reside in the home in which the business will be conducted.
 2. The lot shall contain one available on-site parking space not required for use of the dwelling, and an additional available on-site parking space not required for use of the dwelling for any employee not residing in the dwelling. The location of the parking shall be approved by the Director to ensure that the parking is functional and does not change the residential character of the lot.
 3. No signs shall be allowed on the dwelling or lot except a nameplate sign.
 4. At no time shall the applicant provide daycare or preschool services for a group of children exceeding the maximum number specified for such facility.
 5. The use shall comply with the health department noise regulations.
 6. The play yard may not be located in the front yard and shall only be used between eight a.m. and nine p.m.
 7. The use shall comply with all local, state, and federal laws and regulations. (The Life Safety Code includes additional requirements if there are more than six children).
 8. Upon complaint that any of the requirements of this section or any other municipal ordinance are being violated by a home day care/preschool caregiver, White City shall review the complaint and if substantiated may institute a license revocation proceeding under Title 5.
 9. Planning and Development Services shall notify in writing all property owners within a three-hundred-foot radius of the caregiver's property concerning the licensing of a home day care/preschool at such property.
 10. A "Child Care Center" must be licensed by the Utah Department of Health and Human Services under Rule R381-100 et seq. A copy of the Health and Human Services License must be submitted prior to the issuance or reissuance of a Business License. A Child Care Center is subject to the following requirements:
 11. Minimum Lot Size: Twenty thousand (20,000) square feet.
- F. Location Requirements. The child daycare use shall be addressed on and oriented to an arterial street as shown on the City's major street plan.
- G. Rear Yard Playground Equipment: All outside playground equipment shall be located only in the rear yard.
- H. Landscape Buffering. Any outside area where children are allowed must be fenced with a solid fence at least six feet (6') high. At least ten feet (10') from the fence to the interior portion of the property shall be landscaped in such a way that the area cannot be used by the patrons.

19.42.160 – Commercial Plant Nursery.

- A. When a Commercial Plant Nursery is allowed as a permitted or conditional use, the growing of nursery plants with associated retail sales are subject to the following requirements:
1. Licensing Requirements. In addition to a business license, a Commercial Plant Nursery must be licensed under the Utah Nursery Act, administered by the Utah Department of Agriculture and Food.

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

B. Operation and development standards.

1. All buildings, structures or improvements shall be located at least 20 feet from any property line.
2. All buildings and structures may not exceed 20 feet in height.
3. All storage of non-plant material shall be in a completely enclosed building or within a masonry wall enclosure at least six feet in height.
4. No outdoor telephone bell or paging system may be used.

19.42.170 – Critical Infrastructure Materials.

A. Vested Critical Infrastructure Materials Operations - Conclusive Presumption.

1. Critical Infrastructure Materials Operations operating in accordance with a legal nonconforming use, as determined by Chapter 19.06 of this Title, or a permit issued by the municipality are conclusively presumed to be Vested Critical Infrastructure Materials Operations if the Critical Infrastructure Materials Operation existed, was conducted, or was otherwise engaged in before

B. January 1, 2019 and before when the municipality prohibited, restricted, or otherwise limited the Critical Infrastructure Materials Operations.

1. A person claiming that a Vested Critical Infrastructure Materials Operation has been established has the burden of proof to show by the preponderance of the evidence that the Vested Critical Infrastructure Materials Operation has been established.
2. A Vested Critical Infrastructure Materials Operation:
 - a. Runs with the land; and
 - b. May be changed to another Critical Infrastructure Materials Operation conducted within the scope of a legal nonconforming use, as determined by Chapter 19.06, or the permit for the Vested Critical Infrastructure Materials Operation without losing its status as a Vested Critical Infrastructure Materials Operation.

C. Rights of A Critical Infrastructure Materials Operator with A Vested Critical Infrastructure Materials Operation.

1. Notwithstanding the municipality's prohibition, restriction, or other limitation on a Critical Infrastructure Materials Operation adopted after the establishment of the Critical Infrastructure Materials Operation, the rights of a Critical Infrastructure Materials Operator with Vested Critical Infrastructure Materials Operations include the right to:
 - a. Use, operate, construct, reconstruct, restore, maintain, repair, alter, substitute, modernize, upgrade, and replace equipment, processes, facilities, and buildings; and
 - b. Discontinue, suspend, terminate, deactivate, or continue and reactivate, temporarily or permanently, all or any part of the Critical Infrastructure Materials Operation.

D. Notice for Subdivisions in Proximity to Vested Critical Infrastructure Materials Operation.

1. For any new subdivision development located in whole or in part within one-thousand feet (1,000 ft.) of the boundary of any parcel or lot containing a Vested Critical Infrastructure Materials Operation, the owner of the development shall provide notice on any plat filed with the County Recorder the following notice:
 - a. "Vested Critical Infrastructure Materials Operations. This property is located in the vicinity of an established Vested Critical Infrastructure Materials Operation in which Critical

Infrastructure Materials Operations have been afforded the highest priority use status. It can be anticipated that such operations may now or in the future be conducted on property included in the Critical Infrastructure Materials Protection Area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience that may result from such normal Critical Infrastructure Materials Operations."

E. Abandonment of A Vested Critical Infrastructure Materials Operations.

1. A Critical Infrastructure Materials Operator may abandon some or all of a Vested Critical Infrastructure Materials Operation use only as provided in this Section.
2. To abandon some or all of a Vested Critical Infrastructure Materials Operation, a Critical Infrastructure Materials Operator shall record a written declaration of abandonment with the County Recorder.
3. The written declaration of abandonment shall specify the Vested Critical Infrastructure Materials Operations or the portion of the Vested Critical Infrastructure Materials Operations being abandoned.

F. Non-Vested Critical Infrastructure Materials Operations.

1. Conducting a Critical Infrastructure Materials Operation without a permit or determination of a non-conforming use shall be determined a violation of this Ordinance. Such operation may not be considered a 'Vested' Critical Infrastructure Materials Operation and shall be subject to remedies and penalties established in the Municipal Code.

19.42.180 – Drive Thru Windows.

- A. Purpose: Drive-thrus are not permitted in White City, but if ever allowed as a permitted or conditional use in a zone the following standards shall apply in addition to standards in the applicable zone. The regulations of this section are intended to allow protect the community by reducing the negative impacts drive-thrus may create. These impacts include noise from idling cars and voice amplification equipment, lighting, and queued traffic interfering with on-site and off-site traffic and pedestrian flow. The specific purposes of this section are to:
1. Reduce noise, lighting, and visual impacts on abutting uses, particularly residential uses;
 2. Promote safer and more efficient on site vehicular and pedestrian circulation; and
 3. Reduce conflicts between queued vehicles and traffic on adjacent streets.
- B. Applicability And Permit Requirements: These regulations shall apply to all new drive-through facilities, any rebuild or replacement of an existing structure containing a drive-thru facility or modification to an existing building that includes altering the location of an existing drive-through window, expands the floor area by twenty five percent (25%) or more of the gross floor area or one thousand (1,000) square feet, whichever is less and/or the parking requirement increases as required by this title.
- C. Additional Application Materials Required: In addition to the site plan and standard application requirements, an applicant for a business with drive-through facilities shall submit a site plan that includes: a parking and circulation plan, driveway locations, and the placement of audio equipment (if this type of equipment will be used).
- D. Capacity and Design Standards for Drive Thru and Drive Up Facilities are found in Section 19.48.100.

19.42.190 – Home Occupations.

- A. Home Occupations are subject to the following standards:

1. Restrictions. The following business activities are prohibited from taking place at a residential dwelling unit:
 - a. Commercial uses of a primarily retail nature or that rely on walk up traffic;
 - b. Vehicle, trailer, or boat repair or maintenance, including body and fender work;
 - c. Vehicle sales or rentals;
 - d. Towing or impound operations, junkyards, accessory outdoor storage, or storage yards;
 - e. Lawn mower or small engine repair;
 - f. Major appliance repair (washers, dryers, refrigerators, etc.).
 - g. Any use involving the storage or sale of flammable, explosive or hazardous materials;
 - h. Mortuaries or crematoriums;
 - i. Sexually oriented businesses;
 - j. Welding, iron works, foundries, manufacturing, or assembly uses.
2. Exemptions. The following activities are exempted from or not subject to regulation under this chapter:
 - a. Uses other than a home business that are listed as permitted or conditional uses in residential zones;
 - b. Garage or yard sales, provided:
 - (1) The sale is held for not more than three consecutive days;
 - (2) No more than two sales are held per year at the same location; and
 - (3) No consignment goods are offered for sale;
3. Standards. The following standards apply to home businesses:
 - a. The primary use of the dwelling shall be residential.
 - b. The person operating the business shall reside in the dwelling at least nine months per year.
 - c. For lots that front on a right of way less than 80 feet wide, only the business operator and his/her immediate family members who reside in the home shall be employed to do any work in the home, whether compensated or not, in conjunction with the business. For lots that front on a right of way of 80 feet or greater, one non-resident employee is allowed to be employed to do work in the home.
 - d. Customers shall be allowed at the residence on an appointment only basis between the hours of 7:00 a.m. and 10:00 p.m. Group lessons or sessions may not exceed six people at a time.
 - e. Exterior remodeling that would change the residential appearance of the home is prohibited. Interior structural alterations made to the home are allowed only if they are consistent with its primary use as a dwelling.
 - f. Any sale of goods not produced as part of the home occupation shall constitute a clearly incidental part of the operation of the home occupation. There may be no display of goods produced by the home occupation observable from outside the dwelling.
 - g. All business activities shall take place entirely within the dwelling and/or attached garage and may not occupy more than 25%, whichever is less, of the floor area of the home.
 - h. Storage or display of supplies, inventory, equipment, or materials in any portion of the yard or within an open detached accessory building is prohibited. Explosive or combustible materials may not be stored or used in association with a Home Occupation.
 - i. The home business may use only those tools, equipment, or electric apparatus that are commonly used as accessories to or in conjunction with residential uses.

- j. The home business may not emit or create excessive odors, smoke, dust, heat, fumes, light, glare, sounds, noises, vibrations, or interference with radio and/or television reception.
 - k. In addition to the parking spaces required for the residents of the dwelling, off-street parking for customers and for an employee, if allowed under subsection 3 above, shall be provided in the driveway or garage.
 - l. Any nameplate sign may not exceed three square feet, may not be illuminated, and shall be attached to a wall or window of the dwelling.
 - m. Vehicles: No vehicle larger than a passenger car, van, or one-ton pickup truck may be brought to, parked on, or stored on the property in conjunction with a home business except that:
 - (1) Occasional deliveries and pick-ups by commercial small package delivery organizations such as the USPS, FedEx, UPS or DHL are exempt from this requirement.
 - (2) Tow trucks, tanker trucks, box vans, delivery vans, and similar vehicles may not be stored on site. Such vehicles may be located off site in an approved and licensed off-site storage location.
 - (3) One trailer may be used in association with a Home Occupation in accordance with the following standards:
 - (A) The maximum body length of an enclosed trailer is 20 feet. The maximum body length of an open trailer is 16 feet.
 - (B) Trailers shall be garaged or stored on private property and may not be located within the Front Yard setback or, for Corner Lots, in either the Front or Side Yard setback.
 - (C) Trailers may have one sign covering the lesser of 24 square feet or 30 percent of the side panel of the trailer.
 - n. The home occupation applicant must either be the bona fide owner of the home (as shown on the current Salt Lake County tax assessment rolls) or if the applicant is renting or leasing the home, the homeowner must provide written permission allowing the applicant to conduct a business in the home. Said letter of permission must be signed and notarized by the homeowner.
 - o. The property address (house number) shall be clearly posted on the home using letters at least four inches in height in a color that contrasts with the color of the building.
 - p. The condition of the dwelling and landscaped areas shall be well maintained.
 - q. The activities of the home occupation may not involve the use of hazardous materials or chemicals in amounts that will increase the hazard of fire, explosion, or safety to the structure the use is conducted in, adjacent structures, or the occupants thereof.
4. Regulations and Enforcement.
- a. All home businesses shall obtain a White City business license.
 - b. An application for a home business, accompanied by the application fee, shall be submitted to Planning and Development Services. The application shall be approved upon the applicant agreeing to comply with the standards set forth in this section.
 - c. A change of business ownership or relocation to a new address is considered a new business and requires separate approval.
 - d. The home business license shall be renewed each year that the home occupation is in operation.

- e. All home businesses shall be reviewed for compliance with the provisions of this Chapter. Noncompliance may result in revocation of the home business license.
- f. The business owner is responsible for complying with all applicable health, fire, building and safety codes.
- g. Violations of the standards set forth in this section shall be subject to the civil penalties outlined in section 19.08.070. In addition, a business license revocation hearing may be scheduled at the discretion of the Director for any business found to be in violation of the home business standards or any other municipal ordinance.

19.42.200 – Hotel

- A. Hotels are not permitted in White City, if ever allowed as permitted or conditional use in a zone, the following standards shall apply in addition to the standards in the applicable zone.
 - 1. The minimum number of floors within the building shall be three. Any Basement space may not count toward meeting the minimum floor requirement.
 - 2. Where stucco or fiber cement siding are used as exterior materials, at least 25% of the exterior shall be brick, stone or another comparable material approved by the Director or Designee.
 - 3. At least five of the following amenities shall be included:
 - a. Swimming pool
 - b. Hot tub
 - c. Fitness Room
 - d. Business Center
 - e. Meetings Rooms
 - f. Common Breakfast Space
 - g. Restaurant and/or Bar
 - h. Substantial Gardens or a Reading Room
 - 4. The minimum area per guest room shall be 280 square feet.
 - 5. Each guest room shall include a restroom.
 - 6. Hotels, motels, or other lodging facilities are encouraged to co-locate with complementary uses such as dining, shopping and entertainment are within close proximity.
 - 7. In addition to meeting these standards, existing buildings or structures being converted to be or include a hotel, motel, or other lodging facilities shall be brought into conformance with all applicable building codes.
 - 8. All guest rooms shall be accessed from interior corridors.

19.42.210 – Household Pets.

Household pets are prohibited in watershed areas, primary water supply recharge areas, or drinking water source protection areas, as determined by the Salt Lake Valley Health Department or Department of Environmental Quality.

19.42.220 – Kennel, Commercial.

- A. Commercial Kennels are not permitted in White City, if ever allowed as a permitted or conditional use in a zone, the following standards shall apply in addition to the standards in the applicable zone :
 - 1. The site shall be adequate in size and shape to accommodate the type of boarding cats or dogs/kennels proposed and all yards, walls, parking, landscaping, and other required improvements.

2. The use may not substantially lessen the usability or suitability of adjacent or nearby properties for planned or zoned uses.
3. Noise produced by the proposed use shall be in compliance with Title 9 of this code. When the animals are proposed for indoor accommodations, soundproofing shall be provided sufficient to prevent noise and vibrations from penetrating into surrounding properties or buildings.
4. All commercial kennels and catteries shall be designed and maintained in compliance with Title 8.
5. The property shall be maintained in such a way so as not to create conditions that attract flies or create other nuisances in accordance with Title 9.
6. The number of dogs or cats permitted for boarding or kenneling shall be as determined through the discretionary permit process, based upon site size, design and compatibility with surrounding uses.
7. The area where the dogs or cats are penned shall be screened with a block wall and a secure gate.
8. An isolated area shall be provided to animals that are sick or diseased.

19.42.230 - Outdoor Dining Appurtenant to A Permitted Restaurant Use.

- A. Outdoor dining is not permitted in White City if ever allowed as a permitted or conditional use in a zone and appurtenant to a permitted restaurant use the following standards shall apply in addition to the standards in the applicable zone:
- B. A useable pedestrian sidewalk that provides continuous passage through the outdoor dining area of at least five feet (5') wide must be maintained as unobstructed by fire hydrants, trees, poles, meters, fountains, etc., and any proposed seating.
- C. Restaurants serving liquor must be able to contain distribution to the site.
- D. Public facilities, such as drinking fountains, fire hydrants, trash cans, etc., may not be obstructed. Public facilities may not be defaced or damaged. Damaged facilities will be restored at the property owner's expense.
- E. Crosswalks may not be obstructed.
- F. Dining may not interfere with adjacent business access, the growth or maintenance of street trees and maintenance of public facilities. Site distance for vehicles and pedestrians may not be obstructed.
- G. Minimum Conditions of approval:
 1. There may be no addition in the number or arrangement of tables on public property without prior approval.
 2. Tables and chairs may not be located, other than approved in the initial application, so as to further encroach onto the designated public way.
 3. The management of the restaurant is responsible for the removal of litter, debris, snow, and sidewalk cleaning.
 4. There may be no additional signage, other than normal menus and logos on umbrella canopies.
 5. Restore any damage to public facilities and clean public facilities each day from food and drink spills and debris.
 6. Sidewalk dining is subject to inspection by the Planning and Development Services for compliance.
 7. Other dining facilities, such as cooking implements, coolers, serving tables, bars, etc., may not be allowed.

19.42.240 – Pawn Shop.

- A. Pawn shops are not permitted in White City, if ever allowed as a permitted or conditional use in a zone the following standards shall apply in addition to the standards in the applicable zone:
1. Site location standards.
 - a. The business may not be located within 600 feet of a public or private school (kindergarten through twelfth grade), church or other religious building, or public park, as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the school, church or other religious building, or park site.
 - b. The business may not be located within 100 feet of any existing residential dwelling or property zoned for residential uses as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residential zoned property.
 - c. The business shall be in a location that is fully visible from a public street with an unobstructed view from the public street for public safety.
 2. Operation and development standards.
 - a. The business shall have lighting to provide illumination for security and safety of parking and access areas in accordance with this Title.
 - b. The business window may not be tinted or obscured in any way, including by temporary or painted window signs, and the interior lighting of the business shall remain at adequate levels to clearly see into the business from the exterior of the business.
 - c. A sign shall be posted in the front of the business indicating that no loitering is permitted per Municipal Code.

19.42.250 – Reiki.

- A. Reiki is not permitted in White City, if ever allowed as a permitted or conditional use in a zone, the following standards shall apply in addition to the standards in the applicable zone:
1. Hours of operation shall be between 7:00 a.m. and 10:00 p.m.
 2. Each practitioner that is not an employee listed on the business licensee shall have a municipal business license.
 3. Neither clients nor practitioners shall appear on the premises in a state of nudity or semi-nudity, as defined in the Sexually Oriented Business Chapter of Title 5 of this Code.
 4. The premises may not be used for any conduct that violates Section 58-47h-501 of the Utah Massage Therapy Practice Act (2013) or sexual conduct that violates Title 76 of the Utah Criminal Code.
 5. If a Reiki Practitioner, while performing the “spiritual healing art”, involves the use of any of the methods outlined in the scope of practice of Massage Therapy defined by Utah State Code, then the Reiki Practitioner must be licensed as a Massage Therapist.

19.42.260 – Residential Facilities for Persons with A Disability.

Residential Facilities for Persons with a Disability are subject to the following standards:

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

- B. Exceptions to Permitting Requirements. Four (4) or less unrelated individuals who share housekeeping responsibilities in a single dwelling do not require a land use permit but function as a "family," as defined in Section 19.04.020 of this Title.
- C. Reasonable Accommodation. The Director or Designee shall consider requests for a permitted use/reasonable accommodation for a "Residential Facility for Persons With a Disability". Residential Facilities may be permitted in any zone where single-family residential uses are permitted, provided that:
 - 1. The Residential Facility meets or will meet all program, physical facility, and licensure requirements of the State Department of Human Services or Health Department;
 - 2. The Residential Facility meets all applicable municipal standards, licensing and zoning requirements;
 - 3. The Residential Facility may not house persons who are involuntarily residing therein or who are residing therein as a part of or in lieu of confinement, rehabilitation, or treatment in a correctional facility;
 - 4. The applicant provides sufficient evidence that the requested accommodation is necessary to allow disabled individuals reasonable, non-discriminatory, federally mandated housing opportunities in the relevant zone. Evidence may include information relating to the history, management, financial feasibility, and therapeutic benefits of the Residential Facility, and applicable law; and
 - 5. The Director or Designee may not deny the application based upon reasonably anticipated detrimental effects to the community so long as reasonable conditions are proposed to mitigate such anticipated detrimental effects.
- D. Termination. A Residential Facility use permitted by this Title is nontransferable and shall be subject to revocation by the appropriate land use authority if:
 - 1. The facility is devoted to a use other than a Residential Facility for Persons with A Disability;
 - 2. The Residential Facility exceeds the maximum number of residents specified and approved in the original application, changes the disability classification under State Code, or remodels or expands without first receiving the applicable permits; or
 - 3. The Residential Facility is not licensed by the State Department of Health or Department of Human Services.
- E. Day Treatment. To avoid excessive traffic, overburdened on street parking, and related impacts altering the residential character of a neighborhood, no day treatment for non-residents shall be permitted in Residential Facilities for Persons with a Disability in the R-1 or R-2 Zones.

19.42.260 – Retail Shops or Galleries where Primary Product is Produced on Site.

- A. Retail Shops or Galleries where Primary Product is Produced on Site, where allowed as a permitted or conditional use in the applicable zone, are also subject to the following standards:
 - 1. The applicant shall demonstrate that noise, odors, traffic, light pollution, and refuse produced by the use shall be reasonably mitigated.
 - 2. Storage of products may not block front windows nor spill outdoors onto the property.

19.42.270 – Retail Tobacco Specialty Business.

- A. For the purposes of this Section:

1. "Community Location" means:
 - a. Public or private kindergarten, elementary, middle, junior high, or high School;
 - b. Licensed child-care facility or preschool;
 - c. Trade or technical School;
 - d. Church, Mosque, Temple, or other Religious Building;
 - e. Public library;
 - f. Public playground;
 - g. Public Park;
 - h. Youth center or other space used primarily for youth-oriented activities;
 - i. Public recreational facility; or
 - j. Public arcade.
2. "Retail Tobacco Specialty Business" means a Commercial establishment in which:
 - a. The sale of tobacco products accounts for more than 35% of the total annual gross receipts for the establishment;
 - b. Food and beverage products, excluding gasoline sales, is less than 45% of the total annual gross receipts for the establishment; and
 - c. The establishment is not licensed as a pharmacy under Title 58, Chapter 17b, Pharmacy Practice Act.
3. "Tobacco product" means:
 - a. Any cigar, cigarette, or electronic cigarette as defined in Utah Code Annotated Section 76-10-101;
 - b. A tobacco product as defined in Utah Code Annotated Section 59-14-102, including:
 - (1) Chewing tobacco; or
 - (2) Any substitute for a tobacco product, including flavoring or additives to tobacco; and
 - c. Tobacco paraphernalia as defined in Utah Code Annotated Section 76-10-104.1.
- B. A Retail Tobacco Specialty Business may not be located within:
 1. 1,000 feet of a Community Location;
 2. 600 feet of another Retail Tobacco Specialty Business; or
 3. 600 feet of a Residential or Agricultural Zone or Use.
- C. For the purposes of subsection B above, the proximity requirements shall be measured in a straight line from the nearest Entrance of the Retail Tobacco Specialty Business to the nearest property boundary of the Community Location, Retail Tobacco Specialty Business, or Agricultural or Residential Zone or Use, without regard for intervening Structures or Zoning districts.
- D. A Retail Tobacco Specialty Business that has a business license and was operating lawfully on or before May 8, 2012, is exempt from the requirements of subsection (2) if said business meets all of the following criteria:
 1. The business license has been renewed continuously without relapse or permanent revocation;
 2. The Retail Tobacco Specialty Business has not closed for business or otherwise suspended the sale of Tobacco Products for more than 60 consecutive days;
 3. The Retail Tobacco Specialty Business does not substantially change the business premises or its business operation; and
 4. The Retail Tobacco Specialty Business maintains the right to operate under the terms of other applicable laws, including but not limited to Zoning Ordinances, building codes, and the business license that was issued prior to May 8, 2012.

19.42.280 – Self Service Fuel Station.

- A. Purpose. Self-service fuel stations are not permitted in White City, if ever allowed as a permitted or conditional use in a zone the following standards shall apply in addition to standards in the applicable zone to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses:
- B. Site Organization.
 - 1. Building Locations. Service station buildings, e.g., convenience store structures should be located on the corner of the property with the pump islands located to the interior of the site to give the facility a good architectural presence from the street(s).
 - 2. Driveways.
 - a. Driveway cuts shall be limited and located as far from the intersection as possible and are required to be shared with adjacent uses and/or properties, where possible, to eliminate traffic conflicts at intersections.
 - b. Driveways shall be designed and located to ensure a safe and efficient movement of traffic and pedestrians on and off the site.
 - c. No more than one two-way driveway shall be permitted per one hundred (100) linear feet of street frontage.
 - 3. On Site Vehicle Storage. Storage of vehicles is prohibited.
- C. Special Requirements.
 - 1. Patron Vehicle Servicing. Areas should be provided on self- service station sites to allow patrons to service their vehicles with air and water. These facilities should be located where they do not obstruct circulation patterns of the site.
 - 2. Car Washes (Accessory to An Automotive Service Station).
 - a. A car wash structure, where provided, shall meet the minimum setback standards for the zoning district in which it is located.
 - b. Automatic car wash facilities may provide areas for vacuuming and drying of vehicles upon exiting the car wash structure. Such areas shall be located where they do not obstruct circulation patterns of the site.
 - c. A minimum of eight feet (8') of space shall be provided between the exit of the car wash structure and any cross driveway to allow for sight distance of vehicles in the crossing driveway.
- D. Pump Island Canopy Design.
 - 1. Setbacks. Fuel pump island canopies located at service stations shall be set back a minimum of twenty feet (20') from all front property lines.
 - 2. Vehicle Stacking. Each pump island should generally include stacking space for a minimum of two (2) vehicles (total of 40 feet) on site so that driveways within the site or adjacent street areas are not utilized for waiting customers. Pump island stacking may not encroach upon required parking space back out areas (24 feet minimum) or two-way driveways for general site circulation (24 feet minimum).
 - 3. Lighting. All canopy illumination and lighting directed toward the ground shall be recessed into the canopy.
 - 4. Vertical Clearance. There shall be a minimum clearance of 13.5 feet to the bottom of the canopy above grade.

5. Height. Vertical canopy fascia utilized for signage may not exceed four feet (4') in height, and the height to the top of the vertical fascia may not exceed twenty feet (20') from grade unless otherwise approved by the Director.
 6. Pumps Associated with a Self Service Fuel Station are subject to the parking requirements of Chapter 19.48 and all other applicable ordinances.
- E. Architectural Design.
1. All building elevations shall comply with applicable standards.
 2. The length of pump canopies shall be minimized as much as possible. If the site allows, pump canopies shall be broken up into two (2) separate locations. This reduces the effect of pump canopies dominating other buildings on the site.
 3. Pump island structural columns and canopy fascia shall use the same architectural materials as the main building, e.g., stone, brick, etc., and shall run from ground level to the bottom of the canopy.
- F. Speaker Boxes. Speaker boxes designed to communicate from pump islands may not be audible on any residential property adjacent to the business and shall comply with the applicable noise ordinances
- G. Drive-thru businesses and activities conducted on site, where permitted, shall be subject to the drive thru standards in this Chapter.

19.42.290 – Self-Service Storage Facilities, Outdoor.

- A. Outdoor Self Service Storage Facilities are not permitted in White City if ever allowed as a permitted or conditional use in a zone, outdoor self-service storage facilities are subject to the following standards:
1. Self-storage unit facilities may not be visually prominent from the street. Facilities shall be located behind another building or buildings containing another permitted use. An applicant may propose a portion of the facility not be located behind another building or buildings if a forty-foot (40') landscape buffer is provided between the facility and the street.
 2. Each self-storage unit facility shall include a masonry wall along the entirety of each street frontage.
 3. No garage door or door accessing a unit may face a public street.
 4. Storage units may not exceed one-story and twenty-four feet (24') in height.
 5. In no case may any storage unit be used for human habitation or the housing of animals.
 6. No business activity of any kind may be transacted from within a storage unit.
 7. No outdoor storage or storage containers are permitted within the self-storage facility.
 8. The masonry wall of the storage units may be constructed on the side and/or rear property lines when not abutting property in any residential zone.
 9. A Self-Storage Facility under 60,000 square feet may have one Caretaker's Dwelling. A Self-Storage Facility with at least 60,000 square feet and less than 90,000 square feet may have two Caretaker's Dwellings. A Self-Storage Facility with 90,000 square feet or more may have three Caretaker's Dwellings.

19.42.300 – Sexually Oriented Business or Activity.

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

1. "Community Location" means:
 - a. Public or private kindergarten, elementary, middle, junior high, or high School;
 - b. Licensed child-care facility or preschool;
 - c. Trade or technical School;
 - d. Church, Mosque, Temple, or other Religious Building;
 - e. Public library;
 - f. Public playground;
 - g. Public Park;
 - h. Youth center or other space used primarily for youth-oriented activities;
 - i. Public recreational facility; or
 - j. Public arcade.
- C. Business Permitted—Restrictions:
- D. Other than outcall services and nude and seminude dancing agencies, sexually oriented businesses shall be permitted only in areas zoned C-2, subject to the following additional restrictions:
 1. Sexually oriented businesses shall be subject to conditional use requirements.
 2. No sexually oriented business may be located:
 - a. Within 1,000 feet from a community location or any school, public park, religious institution, or other sexually oriented business;
 - b. Within 600 feet from an agricultural or residential boundary;
 - c. Distance requirements for this Section shall be measured in a straight line, without regard to intervening structures, from the nearest property line of the school, public park, religious institution, agricultural or residential zoning district, or other sexually oriented business, and to the nearest property line of the sexually oriented business.
 3. Outcall services and nude and seminude dancing agencies shall be permitted only in zones where offices are allowed. Customers are not allowed to visit such an office.
- E. Sign restrictions. Notwithstanding anything to the contrary contained in Chapter 19.52 of this Title, signs for sexually oriented businesses shall be limited as follows:
 1. No more than one exterior sign shall be allowed.
 2. No sign shall be allowed to exceed 18 square feet.
 3. Signs shall contain alphanumeric copy only.
 4. No animation shall be permitted on or around any sign, or on the exterior walls or roof of such premises.
 5. No descriptive art or designs depicting any activity related to, or inferring, the nature of the business shall be allowed on any sign.
 6. Only flat signs shall be permitted.
 7. Painted wall advertising is prohibited.
 8. Other than the signs specifically allowed by this section, the sexually oriented business may not construct any temporary sign, banner, light or other device designed to draw attention to the business location.
- F. Severability. If any provision of this section, or the application thereof to any person or circumstances, is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity may not affect other provisions hereof which can be implemented without the invalid provision. To this end the provisions of this section are declared to be severable.

19.42.310 – Short Term Rental.

- A. Short Term Rentals are allowed, provided that:
1. Short term rentals are listed as a permitted or conditional use in the applicable zone;
 2. The on-site parking and the access to the site are available for use and maintained, including snow removal, throughout the entire year; and
 3. The dwelling unit is served by an approved drinking water supply and public sewer system that are capable of supporting the use throughout the entire year and are approved by the Health Department prior to issuance of a license.

19.42.320 – Stable, Public or Private.

- A. Stable, either public or private, where allowed as a permitted or conditional use in the applicable zone shall be subject to the following standards:
1. Minimum Area. The minimum area required for a public or private stable shall be 6,000 square feet for one horse plus one thousand square feet (1,000) square feet for each additional horse on the property.
 2. Exercise Area Required. For any stable, public or private, a fenced open space area, either roofed or unroofed, with a minimum area of five-thousand square feet or more shall be provided somewhere on the property.
 3. Maximum Number of Horses. The maximum number of horses allowed on the property shall be one (1) horse for every one thousand (1,000) square feet or land designated for the use and not including the area required for exercise in 19.42.300 A. 2.
 4. Stall Area. Stalls for a public or private stable may be a minimum of six-hundred (600) square feet.
 5. Stall Setbacks. All stalls on the property shall follow the accessory building setbacks, area, height, and lot coverage requirements in the applicable zone.
 6. Sanitation and Maintenance. All stables and horse facilities are required to comply with health department regulations. Each property is responsible for maintenance of sanitary condition, including, but not limited to the cleaning of stables, barns, corrals, and any other areas that animals have access to. Animal waste shall not be allowed to accumulate, run off, leach, so as to create a nuisance or be offensive to other persons in the vicinity or harm nearby water sources or storm drains. Each lot and structure that houses horses shall be maintained so that there is no standing surface water allowed to accumulate within the areas where the animals are kept.

19.42.330 – Storage and Salvage Yards.

- A. Storage Yards and Salvage Yards are not permitted in White City if ever allowed as a permitted or conditional use in a zone, storage or salvage yards are subject to the following standards in addition to the standards in the applicable zone:
1. No portion of the storage area shall be located within three hundred feet (300') of any Residential Zoning District or use lot line.
 2. Any outdoor storage area shall be completely enclosed by a fence or wall no less than six feet (6') in height, constructed of a sturdy, durable material and sufficiently opaque to ensure that the stored material is not visible from outside the storage area. The fence or wall shall have a minimum of two (2) non-transparent gates not exceeding forty-eight feet (48') in width providing access to the storage area for vehicles but may not allow direct view of the storage

area from adjacent properties or streets. Said fence or wall shall be continuously maintained in good condition and shall contain only approved signs.

3. Each salvage or storage yard must include a masonry wall along the entirety of each street frontage. This wall shall be constructed at the front setback line required for buildings in the underlying zone. The storage or salvage area must be no closer to street than the front facade of the building. The Director may accept a landscaped berm in lieu of the masonry wall if the height, width, and berm landscaping fully screen the storage or salvage areas. A berm allowed in lieu of a masonry wall shall include live plant material that covers no less than fifty percent (50%) of the berm with grasses, bushes, ground cover or tree canopies. Trees and bushes must be at least twenty five percent (25%) evergreen.
4. Stored materials may not be stacked higher than six feet (6') and shall be stored in a manner so as not to be visible from adjoining properties or rights-of-way. In no case shall salvage or junk be stored at a height exceeding the height of the storage area fence or wall. Operational vehicles and motorized equipment are not subject to the height requirement for storage. No inoperable vehicle or equipment shall be stored within the outdoor storage areas. Permitted salvage yards are the only allowable storage areas for inoperable vehicles or equipment.
5. Outdoor storage shall be kept and maintained in a neat and orderly manner. Outdoor storage may not include dirt, manure, gravel, rocks, sand, bark, or similar materials, unless the items are stored in bags, on pallets, or on other individually sealed containers.
6. A management office shall be provided on site. A caretaker unit may be permitted for security personnel or on-site operator.
7. Conditions within the storage area shall be controlled to minimize the hazards of fire and other threats to health and safety. Conditions within the storage area shall be controlled to minimize the hazards of fire and other threats to health and safety. Product, salvage, or other storage shall be stored in rows with a continuously looping drive aisles with a minimum width of twenty feet (20').
8. Requests for a permit for a salvage yard shall also require submission of a detailed proposal identifying the predominant type of salvage to be received, the methods of separation and/or recycling, and ultimate destination of all salvaged, recycled, and waste materials. The applicant shall be required to submit written materials outlining measures taken to comply with all necessary state, county, and municipal laws.
9. All batteries shall be removed from any vehicle, and all radiator and fuel tanks shall be drained prior to the vehicle being placed in the storage yard. Salvaged batteries, oil and other such substances shall be removed by a licensed disposal company and be stored in a manner which prevents leakage of battery fluid. No fluids removed from vehicles shall be applied as a dust control method, or otherwise allowed to be discharged upon the ground.
10. Vehicle parts may not be stored, loaded, unloaded, or dismantled outside the fence enclosing the salvage yard.
11. In order to protect surrounding areas, business operations, including loading and unloading operations shall be limited to daylight hours.

19.42.340 – Towing Services and Impound Lots.

- A. Towing Services and Impound Lots are not permitted in White City if ever allowed as a permitted or conditional use in a zone, towing services or impound lots are subject to the following standards in addition to the standards in the applicable zone:
1. No impound or tow yard shall be closer than 300 feet to any property in a residential or mixed-use zone, as measured from property line to property line.
 2. The impound or tow storage yard shall be entirely enclosed by a six foot (6') decorative masonry wall.
 3. A minimum 20-foot landscaped setback shall be provided along all street frontages.
 4. All vehicles within the impound yard shall have ground contact of all wheels. No stacking of vehicles shall be permitted.
 5. The surface of the storage yard shall be covered with an all-weather surface. Any stormwater or other runoff from the site shall be contained on the site and disposed of through an on-site drainage system, in conformance with applicable regulations to enforce the requirements of the National Pollutant Discharge Elimination Systems (NPDES) permit.
 6. The business shall be operated in compliance with the provisions of **Chapter 9.48** – Noise Control.
 7. The impound lot or tow yard and the associated landscaping, walls and surfaced areas shall be maintained in good repair, in a clean, neat, and orderly condition.
 8. All such areas shall be provided with internal circulation, safe entrances and exits in compliance with Title 14.
 9. No dismantling or demolition of automobiles or other vehicles shall be conducted on the premises.

19.42.350 – Vehicle and Equipment Repair.

- A. Purpose. Vehicle repair facilities are not permitted in White City, if ever allowed as a permitted or conditional use in a zone, vehicle repair services will be subject to the following standards in addition to the standards in the applicable zone to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses:
1. All Minor, Major, and Commercial and Industrial Vehicle and Equipment Repair uses are subject to the following minimum requirements:
 - a. A minimum site area of twenty thousand square feet (20,000 sf) is required.
 - b. On- and off-site improvements shall be in conformance with the development standards of this Title.
 - c. No part of the use shall be located within 100 feet of a residential zone.
 - d. All vehicle and equipment repair activities shall be conducted within an enclosed Building.
 - e. The site shall be developed with permanent, related buildings. No trailers or temporary modular units are permitted.
 - f. Except as provided in herein below, inoperable vehicles, tires, parts, and service equipment may not be stored outside.
 - g. Inoperable vehicles and equipment awaiting service may be temporarily parked on site in accordance with the following standards:
 - (1) Inoperable vehicles and equipment may not be located within any minimum required parking stalls and drive aisles and may not block any traffic flow.

- (2) Inoperable vehicles and equipment shall be screened from any adjacent streets by a building or solid masonry wall not less than six feet in height.
- (3) Inoperable vehicles and equipment must be located on asphalt or concrete.
- (4) Inoperable vehicles may not be stored on the property longer than 30 days.
- 2. Commercial and Industrial Vehicle and Equipment Repair establishments must be located along and have primary access from an Arterial or Major Collector Street on the UDOT Functional Classification Map. Where a principal arterial has a frontage road, primary access from the frontage road is sufficient to meet this standard.

19.42.360 – Wireless Telecommunications Facilities.

- A. Purpose. The purpose of this Section is to establish general requirements for the siting of wireless telecommunications facilities and to:
 - 1. Encourage the location of facilities in nonresidential areas;
 - 2. Minimize the total number of monopole facilities throughout the community;
 - 3. Encourage the joint use of new and existing communication sites;
 - 4. Encourage location of facilities where adverse impact on the community is minimal;
 - 5. Encourage innovative design of facilities to minimize adverse visual impact; and
 - 6. Enhance the ability of the providers of telecommunication services to do so quickly, effectively, and efficiently.
- B. Applicability.
 - 1. The requirements of this Section apply to both commercial and private wireless telecommunications services, such as “cellular” or “PCS” (personal communications services) communications and paging systems.
 - 2. All facilities shall comply with the regulations in this Section, all other ordinances of the municipality, and any pertinent regulations of the Federal Communications Commission and the Federal Aviation Administration.
- C. Site Location Plan Required.
 - 1. A site location plan shall be submitted by each company desiring placement of wireless telecommunication facilities.
 - 2. The plan shall be submitted to Planning and Development Services prior to processing any permits for permitted or conditional use locations.
 - 3. The plan shall include an inventory of existing and anticipated sites for the municipality and within one-half mile of the municipal boundary.
 - 4. For each site, the plan shall indicate:
 - a. Area coverage, if known;
 - b. Antenna location;
 - c. Antenna height above existing grade; and
 - d. Antenna type.
 - 5. The plan shall be updated upon request from the Director or Designee.
 - 6. Every plan shall be considered proprietary information and not be part of the public record.
- D. Allowable Uses. The wireless communications facilities specified in Table 19.42-1 are allowed, provided that they comply with all requirements of this Ordinance.

<p>TABLE 19.42-1: SPECIFIC USE STANDARDS ALLOWABLE WIRELESS COMMUNICATIONS FACILITIES</p>

Zones	C- Conditional Use		N- Not allowed	
	Wall Mount	Roof Mount	Monopole	Lattice Tower
All FM, FR and F Zones	P1, C2	P1, C2	C	N
All R-1 Zones	P3, C5	P3, C5	C3, C5	N
All R-2 Zones	P3, C5	P3, C5	C3, C5	N
R-4-8.5 Zones	P3, C5	P3, C5	C3, C5	N
R-M Zones	P	P	C	N
RMH Zones	N	N	N	N
All A Zones	P1, C2	P1, C2	C	N
All MU Zones	P1, C2	P1, C2	C	N
All C Zones	P	P	C	N
All M Zones	P	P	P4, C	N

TABLE 19.42-1: FOOTNOTES

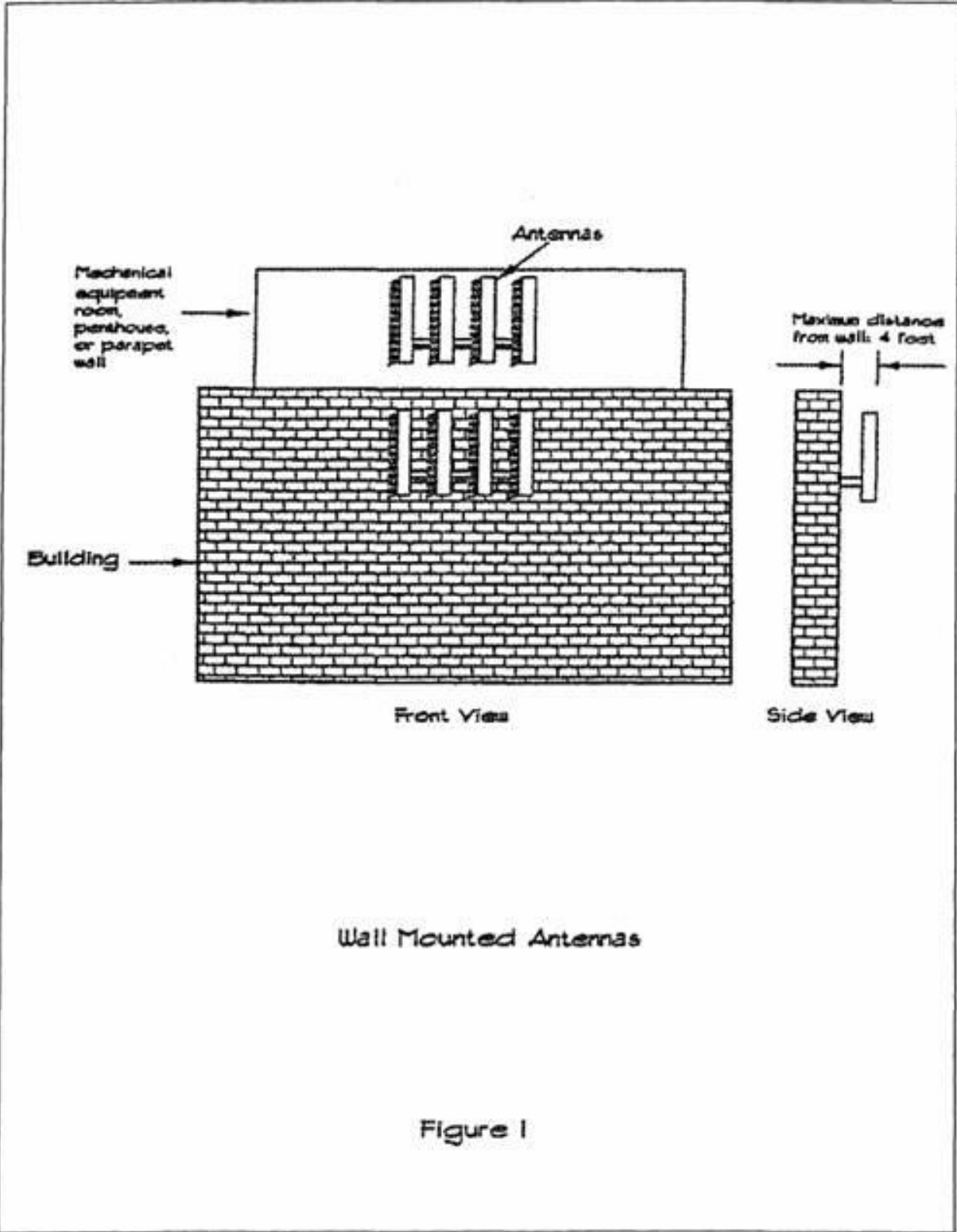
- 1 Permitted use only on nonresidential buildings.
- 2 Conditional use on residential buildings.
- 3 Allowed only in conjunction with public or quasi-public uses (see definitions in chapter 19.04).
- 4 Permitted use if not within 300 feet of a residential zone boundary.
- 5 Stealth facilities are conditional uses and not required to be located with public or quasi-public uses.

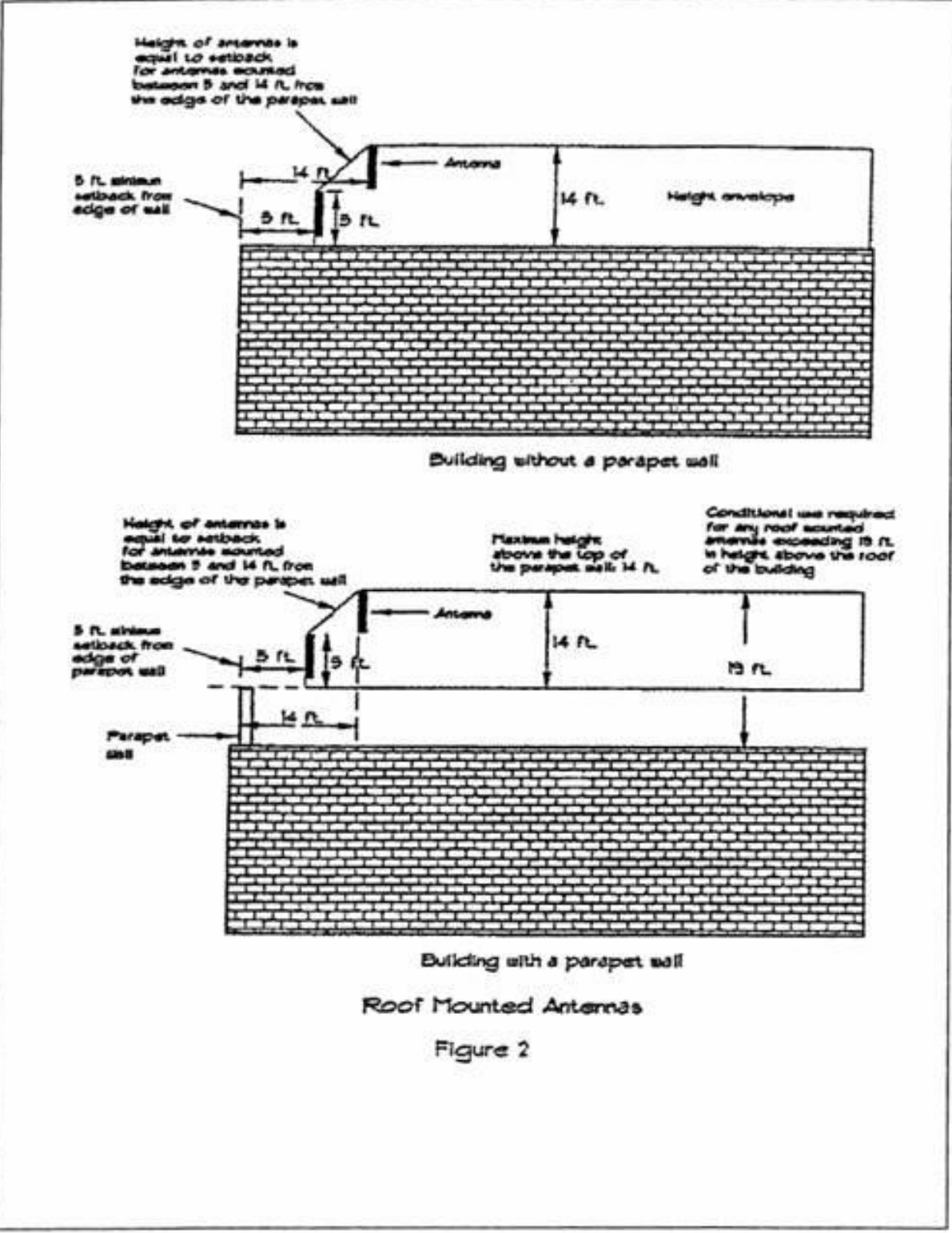
E. Facility Types and Standards. There are four general types of antenna structures. The standards for the installation of each type of antenna structure are as follows:

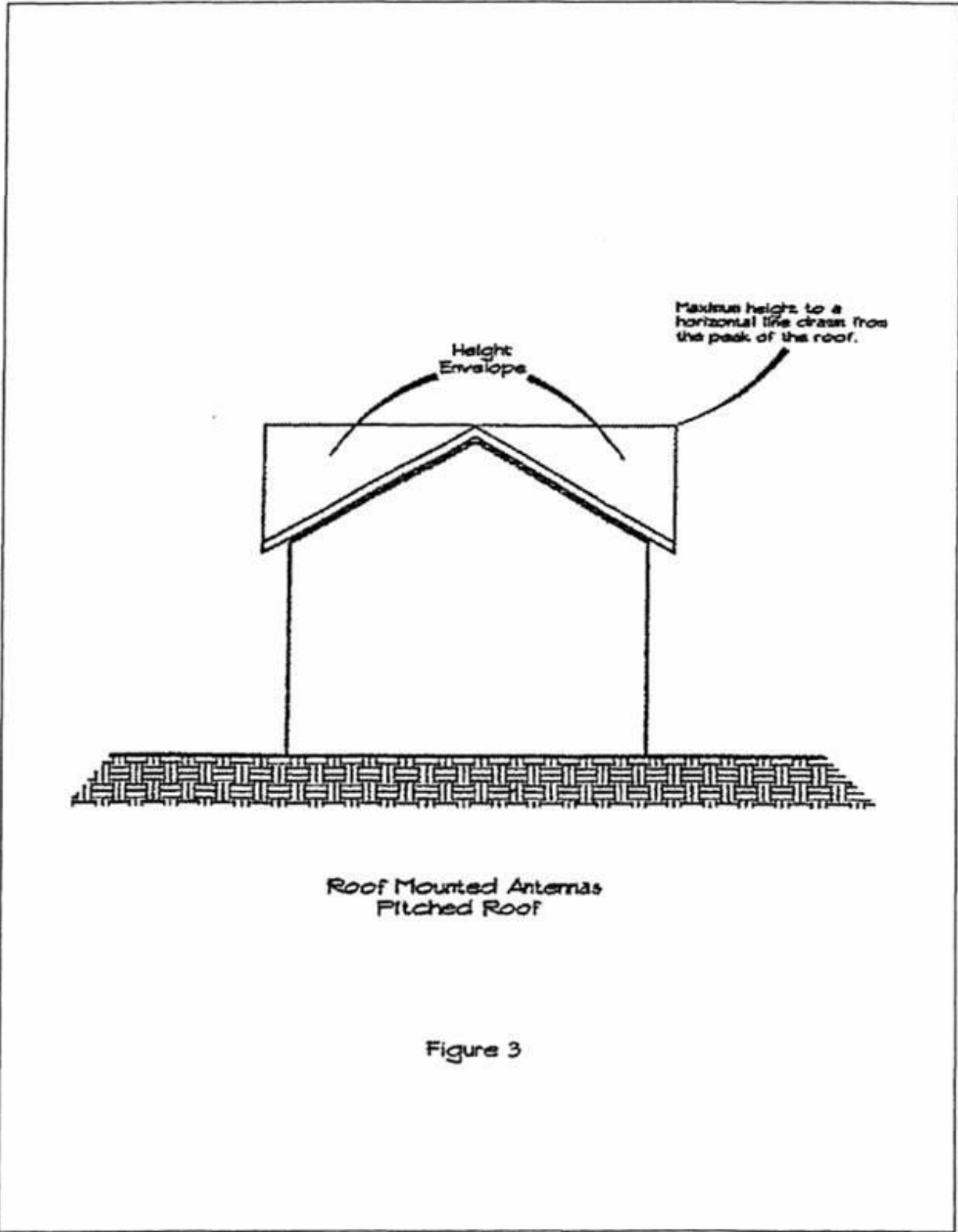
1. Wall Mounted Antenna.
 - a. Wall mounted antennas may not extend above the wall line of the building or structure or extend more than four feet horizontally from the face of the building or structure.
 - b. Antennas, equipment, and the supporting structure shall be painted to match the color of the building, structure, or background against which they are most commonly seen.
 - c. Antennas and the supporting structures on buildings should be architecturally compatible with the building.
 - d. Antennas shall be considered wall mounted if they are mounted directly on existing parapet walls, penthouses, or mechanical equipment rooms, with no portion of the antenna extending above the roofline of such structures.
 - e. Stealth wall mounted antennas are encouraged, and variations from the provisions of this Section may be allowed, as determined by the Director for permitted uses and the Planning Commission for conditional uses. Stealth wall mounted antennas need not be located with public or quasi-public uses in all R-1, R-2, and R-4-8.5 zones (see Table 19.42-1).
2. Roof Mounted Antenna.

- a. Roof mounted antennas shall be allowed on top of existing penthouses or mechanical equipment rooms. Antennas and antenna mounting structures may not extend more than eight feet above the existing roofline of the penthouse or mechanical equipment room.
 - b. For antennas not mounted on a penthouse or mechanical equipment room but on a flat roof:
 - (1) Setback. The antennas shall be mounted at least five feet from the exterior wall or parapet wall of the building or structure.
 - (2) Height. For antennas mounted between five and fourteen feet from the exterior wall or parapet wall, the maximum height of the antenna is equal to the distance the antenna is set back from the exterior wall or parapet wall. For antennas setback more than 14 feet, the maximum height shall be 14 feet. Antennas extending more than 19 feet above the roofline require conditional use approval.
 - (3) Roof-mounted antennas extending above the roofline of any penthouse or mechanical equipment room require conditional use approval.
 - c. Roof mounted antennas on a pitched roof are allowed, provided the antennas and antenna support structures do not extend higher than the peak of the roof, measured by a horizontal line from the peak extending over the roof (see Figure 19.42-3).
 - d. Roof mounted antennas shall be constructed and colored to match the surroundings in which they are located.
 - e. Stealth roof mounted antennas are encouraged and variations from the provisions of this Section may be allowed, as determined by the Director for permitted uses and the Planning Commission for conditional uses. Stealth roof mounted antennas need not be located with public or quasi-public uses in all R-1, R-2, and R-4-8.5 zones (see Table 19.42-1).
3. Monopole.
- a. The height limit for monopoles is 60 feet, except the Planning Commission may allow a monopole up to 80 feet in the C-2, C-3, M-1, and M-2 zones if it finds:
 - (1) The monopole will blend in with surrounding structures, poles, or trees and is compatible with surrounding uses,
 - (2) The monopole will be available for co-location with other companies, and
 - (3) The monopole will be setback at least 300 feet from any residential zone boundary.
 - (4) The height shall be measured from the top of the structure including antennas, to the original grade directly adjacent to the monopole.
 - b. In all R-1, R-2, and R-4-8.5 zones, monopoles will only be allowed in conjunction with an existing public or quasi-public use as defined in Chapter 19.04, which include, but are not limited to, churches, schools, utilities, and parks.
 - c. No monopoles shall be allowed in the front yard setback of any lot.
 - d. Monopoles shall be setback from any residential structure a distance equal to the monopole's height.
 - e. Stealth monopole facilities are encouraged and variations from the provisions of this Section may be allowed, as determined by the Director for permitted uses and the Planning Commission for conditional uses. Stealth monopoles need not be located with public or quasi-public uses in all R-1, R-2, and R-4-8.5 zones (see Table 19.40-1).
4. Lattice Tower. Lattice towers are not permitted.

- F. Color. The color of monopoles, antennas, and any associated buildings or equipment shall blend with the surroundings in which they are located.
- G. Additional Requirements.
1. The following shall be considered by the Planning Commission for conditional uses:
 - a. Compatibility of the proposed structure with the height and mass of existing buildings and utility structures.
 - b. The possibility of locating the antenna on other existing structures in the same vicinity, such as other monopoles, buildings, water towers, utility poles, athletic field lights, parking lot lights, etc., without significantly impacting antenna transmission or reception.
 - c. Location of the antenna in relation to existing vegetation, topography (including ridge lines), and buildings to obtain the best visual screening.
 - d. Spacing between monopoles that creates detrimental impacts to adjoining properties.
 - e. Installation of improvements, including, but not limited to landscaping and fencing as per Section 19.16.040.
- H. Accessory Buildings. Accessory buildings to antenna structures shall comply with the required setback, height, and landscaping requirements of the zone in which they are located. All utility lines on the lot leading to the accessory building and antenna structure shall be underground.
- I. Non-maintained or Abandoned Facilities.
1. The Municipality shall provide notice to an owner or agent of a non-maintained or abandoned telecommunications facility that the facility must be repaired or put into use within 90 calendar days.
 2. If the owner or agent fails to repair the facility or put the facility into use within 90 days of notice, the Municipality may require the facility to be removed from the building or premises.
- J. Building Permit Required.
1. A building permit from Planning and Development Services is required for all wireless telecommunication facilities, including, but not limited to, monopoles and roof and wall mounted antennas.
- K. Illustrations.
1. The illustrations, Figures 19.42-1, 19.42-2, and 19.42-3, are intended to demonstrate graphically the intent of this Chapter.







Chapter 244 Temporary Use Standards

19.44.010 - Purpose of Provisions.

The following regulations are provided to accommodate uses of land or buildings which are temporary in nature and are not, therefore, listed as regular permitted or conditional uses in any zone of the municipality. The character of these uses requires proper conditions be met to protect adjacent properties and the general health, safety, and welfare of the citizens of the municipality. Any building or structure which does not meet the requirements of this chapter shall be treated as a permanent land use and shall conform to all required permanent standards of the building, health, fire, zoning, and other similar codes.

19.44.020 – Applicability.

All temporary uses, as defined in Chapter 19.04, shall comply with the provisions of this Chapter and any other applicable regulations in this Title.

19.44.030 - Allowed Uses and Conditions.

Table 19.44.030 shows permitted temporary uses in each zone. Zones not listed in the table do not allow temporary uses unless specified in the special conditions of this Chapter.

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

- A. **Fireworks Stand.** Fireworks stands shall meet the following conditions:
 1. Fireworks may not be sold outside of the time durations pursuant to the Fire Prevention and Fireworks Act, Utah Code 53-7-2;
 2. The total area for the display and sale of products shall be eight hundred square feet or less;
 3. Temporary buildings or anything six feet (6') in height or greater shall be setback from the property line one foot (1') and may not be closer than two feet (2') to a public right-of-way or sidewalk; and
 4. Tents, signage, and other decorations for a firework stand may be constructed up to five (5) days prior to the allowed date to sell fireworks pursuant to state code but may not remain constructed for a period greater than sixty (60) consecutive days.
- B. **Major Seasonal Sales and Major Seasonal Use.** Shall meet the following conditions:
 1. A parking plan must be provided for the application that complies with parking standards outlined in 19.48. The number of parking stalls required for the temporary use shall be determined by the Director or designee;
 2. Major seasonal sales and major seasonal uses may only occur a maximum of thirty (30) non-consecutive days out of the year per seasonal use or sale; and

3. If any major seasonal use or sale occurs multiple times throughout the year and the period between the use being open for business is greater than sixty (60) days, all associated temporary buildings and signage shall be removed for a minimum of forty (40) days while the use is not open for business.
- C. Minor Seasonal Sales and Minor Seasonal Use. Shall meet the following conditions:
1. Seasonal sales and uses may only occur a maximum of sixty (60) consecutive days out of the year per seasonal use or sale;
 2. The total area for the display and sale of products or use shall be eight hundred square feet or less;
 3. Temporary buildings or anything six feet (6') in height or greater shall be setback from the property line one foot (1') and may not be closer than two feet (2') to a public right-of-way or sidewalk; and
 4. Tents, signage, and other decorations for a seasonal sale or use may be constructed up to five (5) days prior to the anticipated opening date of the use will open but may not remain constructed for a period greater than sixty (60) consecutive days.
- D. Outside Sale Events. Shall meet the following conditions:
1. May not continue for a time greater than three (3) consecutive days and may not occur more than three (3) times in one year;
 2. Any tents, signs, or other decorations used for the outdoor sale event must be removed within twenty-four (24) hours after the final; and
 3. The outdoor space designated for the sale of products may not take up more than thirty percent (30%) of the business's required parking.
- E. Temporary Use, Inside. Shall meet the following conditions:
1. Temporary uses inside existing buildings may only occur a maximum of one hundred twenty (120) days out of the year. These may be consecutive or may be dispersed throughout the year; and
 2. The temporary use in an existing building may not use any parking stalls from another permanent business on the property that causes the existing business' parking to be non-compliant. Unless it is demonstrated by the applicant or business owner that the permanent business has more empty parking stalls than stalls that are occupied within a seven-day period.
 3. Temporary Sale of Farm Products shall meet the following conditions:
 4. The area for sale and display of products may not exceed eight-hundred (800) square feet;
 5. Temporary buildings or anything six feet (6') in height or greater shall be setback from the property line one foot (1') and may not be closer than two feet (2') to a public right-of-way or sidewalk; and
 6. Off-street parking for employees must be provided by the applicant or property owner of the property where the sale of farm products is located.
- F. Weekly temporary uses. Shall meet the following conditions:
1. A parking plan must be provided for the application that complies with parking standards outlined in 19.48 Off-Street Parking and Mobility. The number of parking stalls required for the temporary use shall be determined by the Director or designee.\;
 2. Weekly temporary uses may only occur a maximum of one hundred twenty (120) days out of the year;

3. The maximum number of consecutive days the weekly temporary use may be open shall be two (2) days; and
 4. If any major seasonal use or sale occurs multiple times throughout the year and the period between the use being open for business is greater than sixty (60) days, all associated temporary buildings and signage shall be removed for a minimum of forty (40) days while the use is not open for business.
- G. Construction. Construction as a temporary use is permitted in all zones with applicable building and land use permits. The length of time for construction as a temporary use shall be determined by the Director or Building Official and shall extend for the duration of active construction within the municipality before the occupancy permit is issued. Construction shall follow all requirements outlined by the Director, Building Official or designee.
1. Temporary Construction Trailers. A permit for temporary construction trailers may be approved by the Director or designee for a structure or shelter used in connection with an approved development or project. The construction trailer may be used for temporary administrative and supervisory functions, and for sheltering employees and equipment during the construction phase of a project. Such a structure or shelter shall be removed within fourteen (14) days of the approval of the final certificate of occupancy.
 2. Temporary Sales Office. A temporary sales office may be approved by the Director or Designee, subject to the following conditions:
 - a. The sales office is in connection with the sale of property within a project or subdivision under construction:
 - b. The sales office is located on the same parcel of land as the project or subdivision and is engaged in the sale of only units or lots thereon:
 - c. The sales office may remain open for up to one year or until all the lots are sold, whichever comes first; and
 - d. An extension may be granted on a yearly basis only when units or lots within the project or subdivision remain unsold.
- H. Yard and Garage Sales. Garage sales are permitted in all zones and do not require a permit, provided that the yard or garage sale shall not operate for more than a total of five (5) days in any calendar year and shall be conducted by bona fide residents of the premises. Goods for sale shall consist of household items and personal belongings of the residents. Goods offered for sale shall not be placed over a public sidewalk or in a public right of way. Signs associated with a garage sale shall be taken down at night and may not be placed within a public right of way or sidewalk.
- I. Events. Events sponsored by the municipality are permitted in all zones, if the uses are an approved accessory use to the event, confined to the official location of the event, and confined in duration to the hours and time period of the official event.
- J. Circuses, Carnivals, Festivals, and Other Transitory Events.
1. The Director or designee may issue a temporary use permit for a circus, carnival, other amusement enterprise of a similar transitory nature, or, providing the Director or designee finds that the use will not conflict with the uses in the neighborhood of the subject property. To determine the compatibility of uses, the Director or designee may call a public hearing.
 2. The Director or designee may:
 - a. Determine the compatibility of uses;
 - b. may call a public hearing.

- c. Any request for a temporary use permit shall be submitted in writing.
- d. A temporary use permit, the Director or Designee may:
- e. Stipulate the length of time the permit may remain valid;
- f. Stipulate the hours of operation of the use; and
- g. Stipulate other regulations which are necessary for the public welfare.

19.44.040 – Prior Approval and Permit Required.

- A. Prior to the establishment of any of the above uses, or any qualifying temporary use, a temporary use permit must be obtained from Planning and Development Services.
- B. The application for a temporary use permit shall include the following:
 - 1. A municipal business license for commercial uses or proof that a municipal business license has been issued;
 - 2. Building or electrical permit if necessary;
 - 3. Hours of operation and all calendar days the use will be active or open for business;
 - 4. Salt Lake County Health Department approval if necessary;
 - 5. Site plan showing the location of the use, buildings and structures, setbacks, parking, access to public streets, access, parking, circulation, exterior seating, and adjacent uses;
 - 6. Applicable permits needed for mass gatherings or road closures; and
 - 7. Property owner's authorization and agreement between the owner and temporary use;
- C. The granting of said permit shall require the following findings:
 - 1. The applicant's proposed use and applicant complies with all the standards set forth in the municipal code.
 - 2. The conduct of the requested use will not have any detrimental effects on adjacent properties and will be in general harmony with surrounding uses;
 - 3. The requested use will not create excessive traffic hazards on adjacent streets and that traffic control, if necessary, shall be provided at the expense of the applicant; and
 - 4. The applicant shall have sufficient liability insurance for the requested use or event if necessary.

19.44.050 – General Standards and Requirements.

- A. Any temporary use established under the provisions of this chapter shall conform to the following standards and requirements:
 - 1. Time Limits. All temporary uses shall be given an expiration date for each allowed use defined in 19.04 Definitions or this Chapter. The time limit for all temporary uses shall be measured from the first day the use is anticipated to be open for business until the allowed time set forth in this Chapter.
 - 2. Any structure requiring sanitary facilities by building, fire, health, or other similar codes shall be located on the same lot as a host structure unless independent water and sewer service is provided to the temporary structure. If such codes require sanitary facilities, the sanitary facilities may be provided by a host structure provided that there is:
 - 3. No preparation of any food on the premises;
 - 4. No indoor seating of patrons;
 - 5. Written evidence that a host structure will provide sanitary facilities for any employees and that such facilities are conveniently located not more than three hundred feet (300') from the structure and will be accessible during all periods of operation of the use; and

6. Written evidence from the County health department that all food will be prepared and delivered from an approved commissary and that all waste resulting from the operation of the use will be properly disposed.
 7. All parking shall meet the standards for off street parking as specified in Chapter 19.48 Off-Street Parking and Mobility.
 8. All structures shall be securely anchored to the ground at not less than four (4) points as directed by the chief building official. Temporary uses including the use of electricity, water, sewer or other utility services and temporary uses that require a building permit or other inspection for the use of a structure or equipment shall meet those requirements before being allowed to conduct business.
 9. The right to occupy the site shall be secured by a written agreement with the owner of the parcel and the owner of any host structures. Said agreement shall address the question of use of restroom facilities by employees, responsibility for maintenance, and restoration of the site upon termination of the use. A copy of the proposed agreement shall be part of the application.
 10. Approval for each temporary use permit shall bear an expiration date based upon the nature of the use. If any temporary structure becomes vacant prior to the expiration of the permit, it shall be removed within ten (10) days from the first day the vacancy is discovered by the Municipality
 11. The landowner of the parcel shall provide a cash bond for the restoration of the site of said use to its original condition, including cleanup, replacement of facilities, and removal of any structures. The bond shall be:
 - a. one hundred dollars (\$100.00) for temporary uses without a structure, or a structure less than forty (40) square feet in size;
 - b. one thousand dollars (\$1,000.00) for all structures larger than forty (40) square feet in size;
 12. two thousand dollars (\$2,000.00) for all structures larger than two hundred (200) square feet in size.
- B. Temporary uses as allowed by this chapter may be identified by signage not to exceed two (2) freestanding vinyl banners with a combined area of up to twenty-four (24) square feet and up to twenty-four (24) square feet of total wall signage on the temporary structure itself. Signage must be located on the same property as the temporary use. All other signage is prohibited.
- C. Following the expiration of the temporary use set forth in this Chapter all buildings, products, fences, and signage shall be removed from the premises completely. Unless otherwise specified in the by the municipality or in the agreement between the property owner and temporary use.

19.44.060 - Action and Application.

- A. The Director or designee shall approve or deny permits for temporary uses. A use that meets the requirements stated above shall be approved and a use not meeting the requirements stated above shall be denied, or may be approved with appropriate conditions to assure that the use will be compatible with and will not pose any detriment to persons or property.
- B. The conditions may include a limitation upon hours of operation and/or a time limitation which is less than the maximum established by this chapter.

19.44.070 – Permit Renewal or Extension.

- A. Renewals. Upon the expiration of a temporary use permit no person may apply for the same permit at the same location within thirty (30) days of the expiration date.
- B. Extensions. Permits for temporary occupancy of a building for retail, sale of fruits and vegetables, and nursery supplies may request an extension up to ninety (90) days beyond the initial expiration

date established when the applicant first applied for the temporary use. The extension shall only be granted if the Director or designee finds that:

1. The extension does not expand the initial intensity or scale of the temporary use approved;
2. No complaints have been made to the Council or Planning and Development Services Division since the establishment of the temporary use; and
3. The temporary use has not caused a disturbance in parking or traffic flow from adjacent streets.

19.44.080 – Revocation of Permit.

A permit may be revoked for a violation of any of the provisions of this chapter or the conditions provided in the temporary use permit.

19.44.090 – Business License Required.

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

19.44.100 – Fees.

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

Chapter 19.46 Site Development Standards

19.46.010 - Purpose of Provisions.

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

19.46.020 - Applicability.

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

19.46.030 - Relationship to Adopted Plans.

The municipality's adopted General Plan indicates desired development at various levels of intensity. This Ordinance is intended to implement the General Plan; therefore the Plan should be used as a guide for the application of this Ordinance to land within the areas covered, as well as for the provision of the public services.

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

Every building or structure erected, reconstructed, altered, enlarged or moved, and every building, structure, or land, rearranged, designed or intended for any use shall be built or used only as allowed by the requirements of this Ordinance, including the requirements of the zone in which the building, structure, or use is located, and all other Land Use Ordinances.

19.46.050 - Minimum Requirements and Underlying or Overlay Zones.

- A. The provisions of this Chapter are the minimum requirements. Where the provisions of this Ordinance conflict with other ordinances, the most restrictive provision shall prevail.
- B. The underlying zone of a property may impose site development standards in addition to the minimum requirements provided in this Ordinance. Where the provisions of this Ordinance conflict with other ordinances, the most restrictive provision shall prevail.

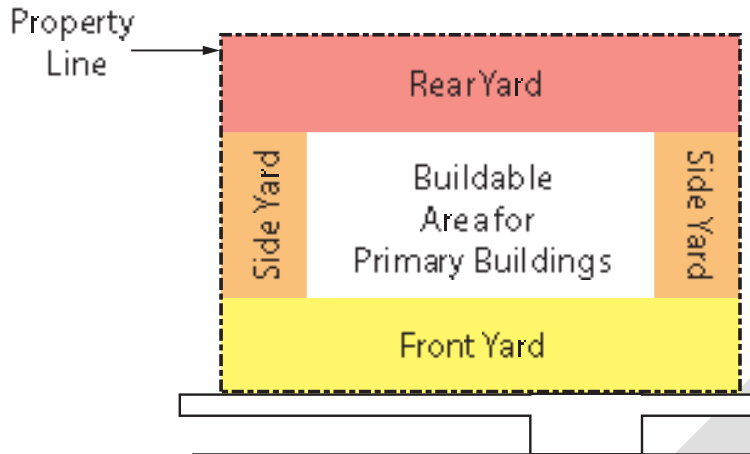
- C. Overlay zones may impose site development standards in addition to the minimum requirements provided in this Ordinance. Where the provisions of this Ordinance conflict with other ordinances, the most restrictive provision shall prevail.

19.46.060 - Application Required.

All requests to establish a use, or construction, alteration, enlargement, repair, or removal of any building, structure, or part thereof, shall be initiated by the submission of a Land Use Application, as required by all Land Use Ordinances and/or Building Permit Application, as required by the adopted Building Code, as applicable.

19.46.070 - General Site Standards.

- A. Lot Frontage Required. Every lot shall have frontage upon a dedicated or publicly approved road or street, or right-of-way providing direct access to a dedicated or publicly approved road or street. The required lot frontage shall be not less than half of the minimum lot width required in the zone as measured at the front property line except for lots that have been approved as a flag lot.
- B. Yards and Setbacks Measurement.
1. Yards and setbacks shall be measured according to the lengths required in the underlying zone.
 2. Yards and setbacks shall be measured from the property's boundary line, as determined by the legal description or subdivision plat on record at the Salt Lake County Recorder's Office, to the exterior foundation of the proposed or existing building.
- C. Required Yards for One Building Only.
1. No required yard or setback area for a lot or building shall be considered as providing the required yard or setback for any other lot or building.
 2. No area required to meet the lot width, area, setback, or other requirements of this Ordinance for any lot or building may be divided, sold, or leased separate from such lot or building.
- D. Required Yards to be Unobstructed.
1. All required setback areas shall be open to the sky and unobstructed except for permitted and approved accessory buildings and structures and for projections allowed under section 19.46.080 (I.) Projections.
 2. Walls and fences, complying with the requirements of this Ordinance and required approval by a Land Use Authority, as provided herein may encroach into required yards.
- E. Buildable Area. Every lot or parcel created after the effective date of this Ordinance shall have a buildable area sufficient to establish a building or structure thereon, which meets the minimum standards of the Zone in which the lot or parcel is located. Buildable areas shall be required to be identified for each lot on all subdivision plats and plans for the purposes of ensuring that an adequate buildable area is provided, and to inform future owners of the allowable buildable area. Any area located within an easement may not be included within any buildable area unless the easement beneficiary executes and records a release of the easement in a form acceptable to the Municipal Attorney.



Buildable Area, Required by the Underlying Zone

- F. Buildings to be on Lots. All buildings and structures, as defined herein, shall be located and maintained on a separate legal lot, such lot meeting all requirements of the Title 19, including the requirements of the Zone in which the lot is located.
- G. Fencing.
1. Fencing Setbacks. A fence, hedge, wall, column, pier, post or any other similar structure for fencing or any combination of such structures is permitted in the required setback if it meets the following conditions:
 - a. No fence, hedge, or wall extends beyond or across a property line without a recorded agreement with the abutting property owner; and
 - b. Only one fence or wall shall be allowed per property line. Double fences, walls, or combination thereof are prohibited.
 2. Fencing Materials.
 - a. Fencing materials shall be made of high quality, durable, materials that require minimal maintenance. The Following fencing materials shall be allowed for properties that require fencing:
 - (1) Brick, block, or stone;
 - (2) Architecturally designed pre-cast concrete, decorative precast concrete or integrally colored and textured block, brick, stone, or other masonry materials;
 - (3) Solid or private heavy gauge vinyl, polyethylene, or similar materials;
 - (4) Composite materials, wood, cement, stucco, architectural or decorative metal panels, including weathering steel;
 - (5) Visually permeable fencing, such as chainlink, mesh, picket, or split rail fences constructed of metal, vinyl, wood, or composite; or
 3. Prohibited Fencing Materials. The following fencing materials are prohibited:
 - (1) Materials not typically used or designated/manufactured;
 - (2) Scrap material;
 - (3) Security wire; or
 - (4) Electrified fencing, except for legally established agricultural uses on properties in the A-1 or A-2 zones that do not abut a public trail.

- H. Landscaping. Landscaping shall follow the requirements set forth in Chapter 19.50 Landscaping and Screening of this Title.
- I. Signs. Any development shall follow the sign standards set forth in Chapter 19.52 of this Title.

19.42.080 - Flag Lots.

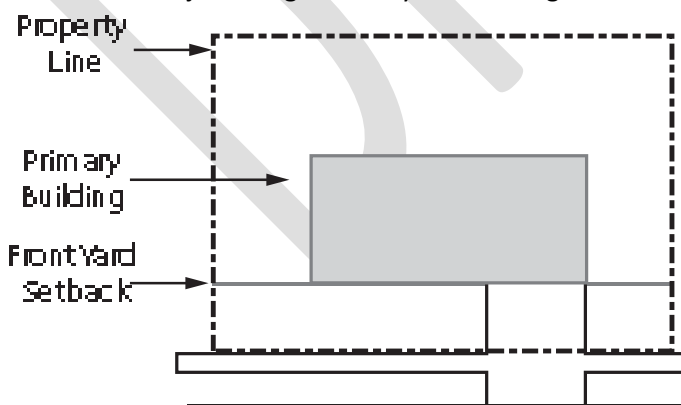
- A. These standards apply to flag lots in the R-1-8, R-1-10, R-1-15, R-2-8, R-2-10, A-1, and A-2 zones.
- B. Site plan review for the development of a single family or two family dwelling on a flag lot in a subdivision approved in accordance with Section 18.20.070 shall be on a permitted use basis and subject to the same ordinance requirements and development standards as those applicable to other single family and two family residential dwellings in the same zone except with regards to yard or setback requirements which, for a main dwelling, shall be a uniform yard setback of twenty feet from all property lines of the flag portion of the lot. The planning commission may modify the yard setbacks for lots with an unusual shape, topography etc., but in no case may it approve a single setback of less than 10 feet and the aggregate of all yard setbacks must total at least 80 feet.
- C. The yard or setback requirements for a detached accessory structure on a flag lot shall be as follows:
 - 1. A detached accessory structure must be to the rear of and at least 6 feet from the main dwelling on the flag lot, and must maintain the following separation from adjacent property lines;
 - a. Ten feet if adjacent to the side yard of a dwelling on an adjacent lot;
 - b. One foot if not adjacent to the side yard of a dwelling on an adjacent lot, so long as the height of the accessory structure does not exceed fourteen feet. Accessory structures taller than fourteen feet (a maximum height of twenty feet is permitted) must maintain one additional foot of yard or setback separation for each additional foot of detached accessory structure height.
 - c. Twenty feet adjacent to any street.
- D. If the rear yard of the flag lot is not defined by the subdivision plat, the location of the rear yard shall be determined by considering the following criteria:
 - 1. The orientation of the lot with respect to the public street
 - 2. The orientation of the front door of the home; and,
 - 3. The orientation of the rear yards of adjacent lots.
- E. In addition to maintaining compliance with the area and width requirements of the zone in which the base lot(s) are located, normally applicable yard or setback requirements for the base lot(s) must be maintained, particularly if said lots are already developed or improved. Where access to a flag lot is provided via recordation of a perpetual easement across the base lot, the yard or setback for the base lot shall be measured from the interior edge of the easement closest to any existing or proposed structural improvements on the base lot.
- F. Improvements to the travel way within the access connection from the flag lot(s) to the street right-of-way or easement shall be in accordance with the following standards:
 - 1. Access to flag lots shall be provided as approved by the fire authority through the subdivision process set forth in title 18 Subdivisions. Access shall be improved with a concrete, asphalt, or pervious paver travel surface. Unless otherwise approved by the Municipal Engineer and fire authority, the width of the travel surface shall be at least:
 - a. Twelve feet wide if the length of the access connection is less than 130 feet; or,
 - b. Sixteen feet wide if the length of the access connection is more than 130 feet.

2. The area within the access connection between the required travel way surface improvements and the property line(s) or easement line(s) shall be planted in its entirety and maintained as a landscaped buffer in accordance with plans reviewed and approved as part of the flag lot subdivision approval process. The plans shall be designed to one of the following standards:
 - a. Eight feet of landscaping buffer split between both sides of the access travel way with one tree and four shrubs per 25 lineal feet; or,
 - b. Where the access drive is adjacent to the subdivision boundary:
 - (1) Five feet of landscaping buffer with a solid visual barrier fence along the exterior property line with one tree and six shrubs per 25 lineal feet; or
 - (2) Zero feet of landscaping buffer with a solid visual barrier fence along the exterior property line and the use of approved permeable pavers or permeable pavement as the road surface.
3. The Planning Commission may approve an alternative landscape buffer proposal that is in line with the intent of this section to accommodate unusual circumstances on the property such as topography, natural hazards, lot size, lot shape, or the preservation of existing vegetation.
4. Minimum Landscaping standards within the access connection:
 - a. All trees shall be a minimum of 1 ½ inch caliper for deciduous trees and 6 feet tall for evergreens at the time of planting. Tree species and growth characteristics shall be suitable for the location and details shall be noted on the landscape plans.
 - b. All shrubs shall be a minimum 5-gallon size at time of planting.
 - c. Solid visual barrier fencing shall be a minimum of 6 feet in height, except in the front yard of the base lot where it may not be less than 2 feet in height nor exceed 3 feet in height and shall not block clear view at any intersection.
 - d. Mulch with a minimum depth of 3 inches shall be provided around all plantings and in all areas without plants or groundcovers.
 - e. A guaranteed bond shall be posted to ensure the installation of the required landscaping buffer, and survival of the plants through a one-year guarantee period.
- G. Lots of record that were created in accordance with the procedures for the establishment of Deep Lots or the previous deep lot ordinance as set forth in the Salt Lake County Planning Commission's 1965 policy by that name shall continue to be subject to the site development and improvement standards associated with that policy.

19.46.090 - Building Standards.

- A. Minimum Width of Dwelling Units. All dwelling units shall be a minimum of twenty-five (25) feet wide at the narrowest point, excluding any accessory structure. The building width shall be considered the lesser of the two (2) primary dimensions of the building. Manufactured homes are the only exception to this requirement.
- B. Conform to Building Code. The building must meet the municipality's building code or, if it is a manufactured home, it must be certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 and must have been issued an insignia and approved by the U.S. Department of Housing and Urban Development and must not have been altered in violation of such codes. A used manufactured home must be inspected by the building official or designee prior to placement on a lot to ensure it has not been altered in violation of such codes.

- C. Buildings Taxed. The building must be taxed as real property. If the building is a manufactured home, an affidavit must be filed with the State Tax Commission pursuant to Utah Code 59-2-602.
- D. Utilities. If the building provides human-occupiable space and is constructed in a permanent nature, the building must be connected to and approved for all required utilities. Utilities shall be buried underground with the following exceptions:
 1. Transformers, pedestals, fire hydrants, and other appurtenances normally associated with “underground” utility installations are permitted on the surface of the ground.
 2. The development of existing lots in areas of the municipality now served with existing aboveground utilities, are exempt from this requirement.
- E. Permanent Foundation. The building must be attached to a site-built permanent foundation which meets the Uniform Building Code or, if the dwelling is a manufactured home, the installation must meet the ICBO Guidelines for Manufactured Housing Installations, including any successors to these standards, and the space beneath the structure shall be enclosed at the perimeter of the dwelling in accordance with such ICBO Guidelines, and constructed of materials that are weather-resistant and aesthetically consistent with concrete or masonry type foundation materials. At each exit door there must be a landing that is a minimum of thirty-six inches (36”) by thirty-six inches (36”) and that is constructed to meet the requirements of the Uniform Building Code. All manufactured home running gear, tongues, axles, and wheels must be removed at the time of installation.
- F. Roofs. The building shall have a roof surface of wood shakes, asphalt, composition, wood shingles, concrete, fiberglass or metal tiles or slate or built-up gravel materials.
- G. The Director or Designee may approve deviations from one or more of the developmental or architectural standards provided in subsections A through F of this section on the basis of finding that the architectural style proposed provides compensating design features and the proposed building will be compatible and harmonious with existing structures in the vicinity. The determination of the Director or Designee may be appealed to the land use hearing officer pursuant to the provisions in Chapter 19.20.
- H. Building and Street Relationships.
 1. Buildings may not be oriented away from the street. The front of the building shall be parallel with the adjacent right-of-way and frontage.



Primary Building Oriented to the Street

2. The front of the building shall be accessible by a pedestrian from an adjacent right-of-way.
- I. Projections.
 1. The following may be erected on or projected into any required yard space in all Zones:
 - a. Fences and walls in conformance with this Code.

- b. Landscape elements, including trees, shrubs and other plants.
 - c. Planter boxes or masonry planters not exceeding twenty-four inches (24") in height.
 - d. Necessary appurtenances for utility services associated with minor public utilities.
 - e. Decks not more than two feet (2') high.
 - f. Cornices, eaves, sills, planter boxes, stairways, landings, porches, decks, awnings or similar architectural features attached to the building and not enclosed by walls, extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.
 - g. 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.
 - h. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building no greater than eight feet (8') wide and extending not more than two feet (2') into a side yard, or four feet (4') into a front or rear yard.
2. Projections into Required Yards. The following structures may be erected on or projected into any required yard:
- a. Accessory structures subject to this Title.
- J. Building Exterior Lighting Standards.
- 1. Light Direction. Exterior lighting attached to a building that is intended to illuminate exterior use areas, like pathways, shall be directed downward.
 - 2. Light Source. Light sources shall be at least as efficient as LED and no greater than four thousand kelvin (4000K) in correlated color temperature (CCT). Light levels shall be designed such that light trespass measured at the property line does not exceed 0.01 foot-candles. Light fixtures shall use a cutoff luminaire that is fully or partially shielded with no light distributed above the horizontal plane of the luminaire or into nearby residential structures. In no case shall the total lumens emitted for a single site exceed one hundred thousand (1000) lumens per acre. This standard does not apply to single-family residential lots or any lot with four units or less.
 - 3. Additional requirements for exterior lighting may be required in the applicable zone of the **municipality's dark sky or lighting ordinance.**
- K. Building Height Limitations and Exceptions.
- 1. Buildings shall not be erected that contain less than one story above grade, as defined in this Title.
 - 2. Roof structures above the maximum height that provide utilities, safety measures, or building code requirements may be erected above the height limits prescribed in this Title, but no space above the height limit shall be allowed for the purpose of providing additional floor space. Roof structure for this purpose may not exceed a maximum of twenty feet (20') above the maximum allowed building height unless otherwise specified in this Title.
 - 3. Public or semipublic utility buildings, when authorized in a zone, may be erected to a height not exceeding seventy-five feet if the building is set back from each otherwise established building line at zone in which the building is erected. Public or semipublic utility buildings do not include cell towers.
 - 4. Flag Poles and Church steeples are not included in building height calculations.
- L. Parking and Loading. Any development shall follow the parking and loading standards set forth in Chapter 19.48 Off-Street Parking and Mobility of this Title.

19.46.100 - Infrastructure and Public Improvements

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

A. Public Streets.

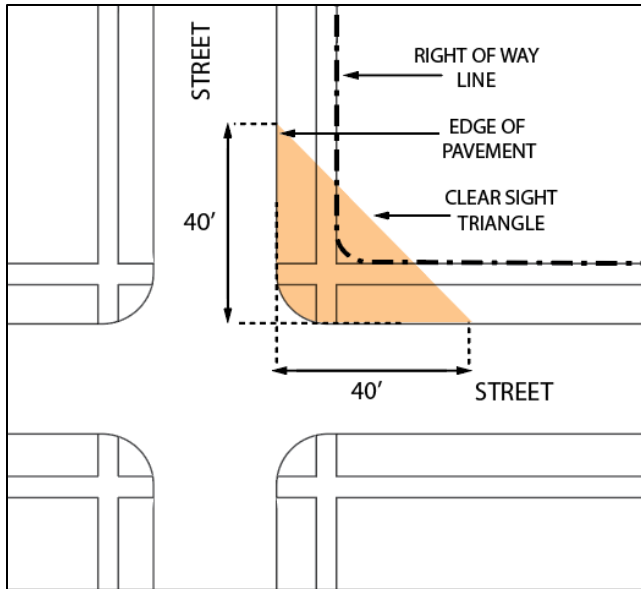
1. Street lighting shall either be chosen from the municipality's approved streetlight list or installed to match a theme set by developments within the zone or neighborhood.
2. Street lighting shall be installed in conformance with Title 18 Chapter 18.24 Required Improvements.
3. Street Signs and Markers. Standard street name signs shall be installed at one corner of all street intersections. The size, design, materials, location, fabrication, installation, and maintenance of the signs and poles within the public right of way and elsewhere shall be in accordance with the Utah Department of Transportation, the Manual of Uniform Traffic Control Devices for Streets and Highways (MUTCD), or the Municipality's adopted policies, as applicable.

B. Private Streets.

1. Private streets or roads shall be designed and constructed to meet or exceed the public street standards set forth in Title 14 Highways, Sidewalks, and Public Places, as applicable.
2. Private streets or roads are allowed in the following circumstances:
 - a. If shown on an approved development plan as private streets;
 - b. For multi-family developments; or
 - c. For residential subdivisions where the street is equally shared between properties. Such streets shall be required to have a maintenance and operations plan included in the declaration of covenants, conditions, and restrictions for the subdivision.

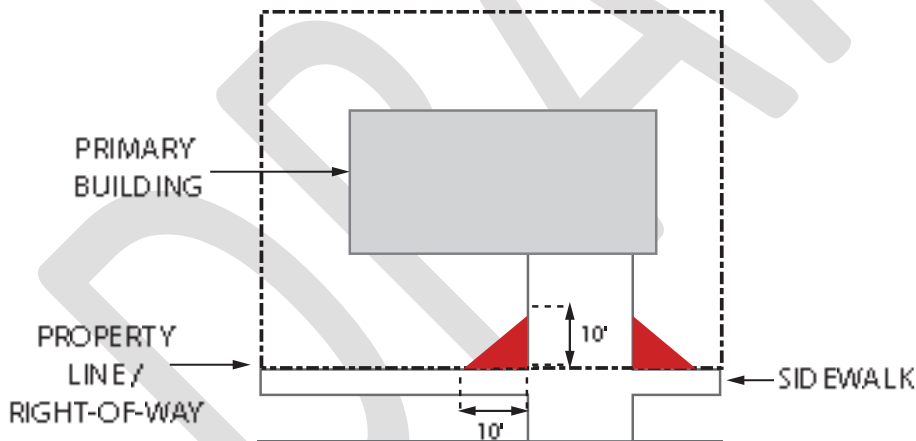
C. Ingress and Egress Requirements. No building with human occupiable space shall be erected or enlarged on a parcel in any zone unless such parcel abuts upon or has access to a publicly accepted and maintained street, a private driveway, a private road, or a public or private alley.

D. Intersecting Streets and Clear Visibility. In all zones which require a front yard, no obstruction to view in excess of three feet (3') in height shall be placed on any corner lot within a triangular area formed by the street property lines or right-of-way lines and a line connecting them at points forty feet from the intersection of the street lines, except mature trees which are located in the clear sight triangle shall be pruned to a height of at least seven feet (7') above the established sidewalk or street elevation.



Intersecting Streets and Clear Visibility.

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



Intersecting Streets and Driveways

- F. Acceptance by Private Streets. Prior to acceptance by the Municipality, any private street, or any driveway allowed for access with a development that is not constructed and maintained to the Municipality's adopted street standards shall be improved to the Municipality's adopted street standards.
- G. Driveways. A driveway shall be allowed for vehicular access according to the standards set forth in Title 14 Highways, Sidewalks, and Public Places. Chapter 19.48 Off-Street Parking and Mobility.
- H. Pedestrian and Bicycle Mobility.
1. Each lot shall have pedestrian walkways and sidewalks that provide connections between the building entrances, neighboring building entrances, parking areas, open space, and public trail. Such systems shall be designed to connect with all elements within the development, adjacent areas, and transit stops and can include sidewalks along public or private streets, wide outside

travel lanes, bike lanes on roadways, and walkways and trails in alternative locations as appropriate. Design, location, dimensions, dedications, easements, and reservations shall conform to applicable Municipal policies and standards for sidewalks, bicycle routes, and trails.

2. Walkways and trails shall be designed to maximize the safety of users and the security of adjoining properties with respect to location, visibility, and landscaping.
3. Bicycle Facilities. Bicycle facilities shall be provided in accordance with the standards set forth in Chapter Off-Street 48 Parking and Mobility.

19.46.110 - Environmental Protection Standards.

A. Recreational Facilities and Open Space Standards.

1. Open space standards do not apply to single-family, two-family, or three-family, development on individual lots.
2. All floodplains, wetlands, streams, riparian buffers, ponds, lakes, and other water bodies shall be contained in open space.
3. At least fifty percent (50%) of open space shall be contiguous.
4. Recreational facility and open space requirements shall be satisfied by installing the types of recreational facilities that are most likely to be suited to and used by the age bracket of persons likely to reside in that development.
5. Residential Development. Developments with ten (10) or more bedrooms or four (4) or more dwellings must provide a minimum of forty percent (40%) open space. If reductions in open space have been permitted pursuant to the standards of this Title the total amount of open space required shall not be reduced to less than thirty-two percent (32%).
6. One (1) or more active recreational facilities shall be provided for twenty-five percent (25%) of the total open space required in accordance with the minimum requirements in Table 19.46.110 Recreational Facility Standards Table.
7. Active recreation areas shall be located near housing and high-intensity uses or adjacent to a public right-of-way as allowed through the site design process.
8. Twenty-five percent (25%) of the total open space required shall be dedicated to passive recreation opportunities or green space in its natural condition.
9. Passive recreation areas shall be located near landscaping and open space or green space or may be incorporated into green infrastructure facilities for stormwater if approved by the Public Works or Engineering Department.
10. Beyond the minimum requirements set forth in this section, the remaining open space required for residential development may be any combination of active or passive recreation suited to and used by the age bracket of persons likely to reside in that development or green infrastructure or low-impact development standards for stormwater as approved by the Public Works or Engineering Department.
11. Commercial Development: Commercial development greater than 1 acre shall provide twenty percent (20%) open space.
12. Required open space may be any combination of active or passive recreation suited to and used by the age bracket of persons likely to work in the area or green infrastructure or low-impact development standards for stormwater as approved by the Municipal Engineer.
13. Open Space Bonding: Bonding for approved amenities shall be required.
14. Recreation Facility Calculation: Active recreational facility calculations shall be the sum of the minimum area requirements listed in Table 19.46.110 Recreational Facility Standards Table.

When a proposed recreation facility exceeds the required minimum square footage related to any of the recreational facility standards 1.5, 2, 2.5 times, in increments of .5 times, it may be counted as that number of facilities.

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

Table 19.46.110 - Recreational Facility Standards Table.		
Recreational Facility Type	Minimum Area	Additional Standards
Active Recreational Facilities		
Basketball Court	4,700 sq. ft.	
Sports Court	4,700 sq. ft.	
Tennis Court	6,120 sq. ft.	
Pickleball Court	1,800 sq. ft.	
Swimming Pool or Splash Pad	800 sq. ft.	The minimum area does not include decks.
Community Center or Clubhouse	1,200 sq. ft.	The minimum area does not include a leasing office.
Playground	1,000 sq. ft.	Playgrounds adjacent to a parking lot or road shall be fenced with transparent fencing along the shared boundary.
Path or Trail	9,000 sq. ft.	Shall be six feet (6') wide. Shall not include sidewalks. May or may not be paved.
Dog Run	1,000 sq. ft.	Shall be fenced along the perimeter and shall provide a dog bag dispenser, trash bag, and water fountain.
Other		Any facility not listed that is determined by the Planning Commission or Director with a minimum area also approved by the Planning Commission or Director.

Passive Recreational Facilities		
Picnic Area	500 sq. ft.	Shall include a pavilion or gazebo and at least one sitting area with a table.
Lawn Area	2,000 sq. ft.	Shall be at least sixty (60) feet wide.
Plaza	1,000 sq. ft.	Only allowed for non-residential development.

Bike Station	4 bike stalls	Shall include a bike work stand with tools, air pump.
Community Garden	1,000 sq. ft.	Shall be fenced along the perimeter. Fence shall be transparent with a minimum height of three and a half feet (3.5'). Shall be regularly maintained and integrated into the landscape.
Water Feature	400 sq. ft.	Shall include fixed seating and be integrated into the landscape.
Pollinator Gardens	50 sq. ft.	A single species of the plant should be in clusters of twenty-five (25) square feet.
Educational or Interpretive Signage	25 sq. ft.	Associated with a path, native plant demonstration, low-impact development, green infrastructure feature, pollinator garden, or other natural feature or open space feature explaining
Native Plant Demonstration	100 sq. ft.	A single species of the plant should be in clusters of twenty-five (25) square feet.
Other		Any facility not listed that is determined by the Planning Commission with a minimum area also approved by the Planning Commission.

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

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

D. Geologic Hazards and Floodplains. All development in the municipality shall be reviewed for compliance with Chapters 19.56 Flood Plain Regulations and Chapter 19.58 Geologic Hazards Ordinance.

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

F. Wildland Urban Interface. Lots found to be within the Wildland Urban Interface (WUI) as determined by the Utah Division of Forestry, Fire, and State Lands or other state-designated agencies may have additional requirements for site development. Lots found to be within the Wildland Urban Interface shall be required to demonstrate compliance with any applicable codes during the site plan approval process or other applicable land use applications.

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

19.46.120 - Highway Noise Abatement.

A. Findings.

1. The Federal Highway Administration (FHWA) regulation entitled "Procedures for Abatement of Highway Traffic Noise and Construction Noise" (23 CFR 772) provides procedures for noise studies and noise abatement measures to help protect the public health and welfare, supplies noise abatement criteria, and establishes requirements for information to be given to local officials for use in the planning and design of federal-aid highways. The Utah Department of Transportation (UDOT) policy entitled "Noise Abatement" (Policy #08-111), adopted pursuant to 23 CFR 772, addresses highway noise impacts and sets forth conditions under which noise abatement projects may be approved and constructed in the state of Utah with the use of federal-aid highway participation funds.
2. In order for UDOT to obtain participation funds from FHWA for proposed federal-aid highway projects for noise abatement measures on existing highways (known as "Type II Projects"), local authorities are required to take measures "...to exercise land use control over the remaining undeveloped lands adjacent to highways in the local jurisdiction to prevent further development of incompatible activities." 23 CFR 772.13(b).
3. In an effort to prevent future traffic noise impacts on currently undeveloped lands, 23 CFR 772.15 requires that highway agencies shall inform local officials within whose jurisdiction the highway project is located of the following:
 - a. The best estimation of future noise levels (for various distances from the highway improvement) for both developed and undeveloped lands or properties in the immediate vicinity of the project;
 - b. Information that may be useful to local communities to protect future land development from becoming incompatible with anticipated highway noise levels; and
 - c. Eligibility for federal-aid participation for Type II Projects as described in 23 CFR 772.13(b).
4. In order for residents to benefit from the development and implementation of Type II Projects for noise abatement along eligible highways within its boundaries, it is found to be in the municipality's best interests to comply with federal regulation and state policy by adopting this zoning ordinance codified in this Chapter.

B. Development of Property Adjacent to Certain State Highways. Consistent with the requirements of 23 CFR 772 and UDOT's Noise Abatement Policy #08-111, no remaining undeveloped lands located in the municipality adjacent to Type II Projects (freeways and expressways) shall be developed for any use or activity which is incompatible with highway traffic noise levels, unless the development of such lands shall include appropriate noise abatement measures determined necessary and appropriate by the municipality and UDOT. A use or activity shall be deemed incompatible with highway traffic noise levels when a "traffic noise impact" occurs, as determined under the following formula:

C. Noise Abatement Criteria.

Hourly A-Weighted Sound Level—decibels (dBA)

D. Leq shown are maximum levels allowed:

E. Activity Category	F. Leq(h)	G. Description of Activity Category
H. A	I. 57 (exterior)	J. Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
K. B	L. 67 (exterior)	M. Picnic areas, fixed recreation areas, playgrounds, active sports areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals.
N. C	O. 72 (exterior)	P. Cemeteries, commercial areas, industrial areas, office buildings, and other developed lands, properties or activities not included in Categories A or B above.
Q. D	R. -	S. Undeveloped lands (including roadside facilities and dispersed recreation).
T. E	U. 52 (exterior)	V. Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, and auditoriums.

W. Responsibility of Owner or Developer.

X. The owner or developer of land to be subdivided, improved or developed adjacent to Type II Projects shall be responsible to comply with any and all requirements for noise abatement measures imposed pursuant to the provisions of this Chapter. Failure to so comply shall constitute a violation of municipal ordinance and shall be punishable as a misdemeanor as provided in **Chapter 1.12** of this Title.

19.46.130 - Utility and Facility Placement Regulations.

A. Systems Required to Be Underground. Unless exempted under Section **19.46.040** of this Chapter, the following systems may be required to be installed underground:

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

B. Exemptions. The following systems are exempt from the provisions of Section **19.79.030** of this Chapter:

1. Except as provided in Section **19.46.030(B)** of this Chapter, this Chapter does not require the burial of any existing aboveground systems, nor does it prohibit or restrict the repair, relocation, maintenance, or replacement of any existing systems.
2. Aboveground installation of the following systems is permitted, subject to compliance with all other applicable statutes, ordinances, and regulations:
 - a. New service drops and/or distribution lines where service is available from existing aboveground systems;
 - b. Temporary systems required for construction projects not to exceed a period of twelve months;

- c. Street light poles, light rail overhead catenary, wireless telecommunications towers, and accessory equipment;
 - d. Transmission systems installed in the two main north-south transmission corridors, as identified on the map entitled "main north-south electrical transmission corridors" on file with the planning and development services division.
3. In cases where unusual topographical, aesthetic, or other exceptional conditions or circumstances exist such that the installation of a system would have minimal visual, health, or safety impact on the public, variations or exceptions to the requirements of this Chapter may be approved by the municipality; provided, that the variations and exceptions are consistent with the purposes of this Chapter.
 4. In cases where the municipality determines that insufficient funds are available to pay for the incremental costs of underground installation of a system or determines that the public benefit to be derived from underground installation is not cost effective or is otherwise not in the public interest:
 - a. The municipality shall give notice to the utility or facility company that the municipality will not require the underground installation and will not pay the incremental costs of underground installation of the system:
 - (1) Within ninety days after notice is given under Section 19.46.050 of this Chapter in the case of a new transmission system; and
 - (2) Within sixty days after notice is given under Section 19.46.050 of this Chapter in the case of a new distribution system or an upgraded transmission system which would increase the height of poles from less than sixty-five feet to more than sixty-five feet above existing grade.
 - b. If the municipality has not given notice to the utility or facility company regarding underground installation as provided in subsection (D)(1) of this section it shall be deemed that the municipality has determined that insufficient funds are available to pay for the incremental costs of underground installation or has determined that the public benefit to be derived from underground installation is otherwise not in the public interest.
- C. Notification of Affected Property Owners. Prior to beginning a project involving the installation or upgrading of four or more poles, a utility/facility company providing electrical power for general consumption shall send written notification of the project to all adjacent property owners and the director of public works. The purpose of such notification is to allow the municipality and potentially affected property owners to determine whether there are reasons to require the underground installation of the system, to determine whether sufficient funds are available to pay the incremental costs of underground installation of the new or upgraded system, and provide the municipality the opportunity to meet with the company to discuss the project.
1. Such notification shall include a full description of the project including:
 - a. the need for the project;
 - (1) location of the project;
 2. height, width, type and general location of poles; and
 - a. amount of voltage.
 3. Failure of property owners to receive notice of the project shall in no way affect the validity of action taken. Failure to reach an agreement within the sixty-day period shall not be grounds for the delay of the project. Notification is not required for emergency projects, relocations,

replacements and systems which are exempt under **Section 19.46.040** of this Chapter except for an exemption resulting after notification under **Section 19.46.040(D)** of this Chapter.

- D. Excavation Permit Required. All underground systems to be installed in the right-of-way of any municipal road shall be made in accordance with the provisions of Chapter **14.16** of this code, Excavations.

19.46.140 - Oil and Gas Transmission Pipeline.

- A. A notification area is hereby established for any parcels within six hundred sixty feet from the mapped centerline of an oil or gas transmission pipeline, as indicated by the **adopted pipeline protection map**, a geographic information system (GIS) based map. The municipality makes no warranty as to the accuracy of this map, which reflects information provided by pipeline operators.
- B. At the time of application for a development permit the municipality shall notify the applicant if the proposed development is within the notification area and provide contact information for the pipeline operator(s) in the area and for Utah's one-call program. It is the obligation of pipeline operators to correct or update their information with the municipality.
- C. If any proposed development is within the notification area, the applicant for a development permit shall contact the pipeline operators and provide them with a copy of the application and timely notice of the first scheduled **public hearing** on the application, if there is one. The applicant shall file proof of this notification with **Planning and Development Services** before any development permit may be issued. Proof of notification shall be kept on file with the application. Once the development permit is issued, it is the responsibility of the applicant to consider any comments and recommendations posed by the pipeline operator(s) to ensure no pipelines are damaged during construction of the approved project.
- D. Subdivision plats within two hundred feet from the centerline of a pipeline as shown on the **adopted pipeline protection map** shall show the pipeline location on the plat. The location of all known oil or gas transmission lines and related easements shall also be shown on all zoning, building and record plat maps.
- E. Oil and Gas Transmission Pipeline Map Modification.
- A. It is the obligation of pipeline operators to correct or update the **adopted pipeline protection map**, and they shall do this by filing an application to modify the map. The application shall be presented to the Director for review and approval. The complete application must include:
1. An explanation from the pipeline operator(s) of how the corrected or proposed location was determined for each transmission pipeline; and
 2. Electronic GIS data or detailed drawings delineating the correct or proposed location.

19.46.150 - Easements.

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

Chapter 19.48 Off Street Parking and Mobility Standards

19.48.010 – Purpose of Provisions.

- A. The purpose of this Chapter is to reduce street congestion and traffic hazards in the municipality and improve resource management by incorporating efficient, attractive facilities for off-street parking, loading, and internal automobile and pedestrian circulation as an integral part of every use of land. The standards in this Chapter are intended to provide for the following:
1. Improve bicycle and pedestrian facilities to reduce reliance on personal automobiles, provide for improved circulation between and within development sites, and promote transportation options to reduce Vehicle Miles Traveled (VMT) and related vehicle emissions for the purposes of preserving or enhancing air quality;
 2. Relieve traffic congestion in the streets and improve overall traffic safety, including safety for people walking and biking;
 3. Minimize any detrimental effects of off-street parking areas on adjacent lands;
 4. Improve the visual aesthetics of parking areas;
 5. Ensure that parking areas are appropriately located to serve community needs; and
 6. Prevent the establishment of excessive amounts of off-street parking and facilitate infill development where possible to make the most of limited land resources.

19.48.020 – Off-Street Parking and Bicycle Parking Required.

- A. Off-street parking, bicycle parking, and loading spaces shall be provided at the time any building or structure is erected, enlarged, increased in capacity, or any new use is established. Such parking and loading facilities shall be provided in accordance with the provisions of this Chapter.
- B. Plans Required to Obtain Building Permit. All applications for a building permit shall include a site plan showing a parking layout that meets all requirements of this Chapter and includes the location of ingress and egress, loading areas, internal automobile, bicycle, and pedestrian circulation, vehicle and bicycle parking, landscaping, and lighting. The provided plan shall be reviewed for consistency with this Chapter by the Director or Designee.

19.48.030 – Specifications.

- A. Any parking facility or portion thereof shall meet the following specifications:
1. Use of Off-Street Parking, Stacking, and Loading Facilities. All vehicular parking areas, stacking areas, and loading areas required by this Chapter shall only be used for those designated purposes.
 2. Location. Except as otherwise permitted through community parking credits, all off-street parking areas shall be provided on the same lot as the use it serves, or no farther than three hundred feet (300') from the primary entrance of a building or structure to the nearest point of the parking facility along publicly available sidewalk or walkways designated on the site plan.
 3. Access to parking spaces shall be from private roadways or aisles and not from public streets.
 4. Coverage. No off-street parking area shall occupy more than sixty-five percent (65%) of the property not occupied by buildings.
 5. Size. Parking stalls and aisles shall comply with the dimensional regulations presented in Table 19.49.030.

Table 19.48.030: Dimensional Requirements for Parking Spaces and Parking Lot Aisles.

Parking Angle	Space Dimensions (in feet)	Aisle Widths (in feet)
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	Width	Depth	Minimum	Maximum
90 Degrees	9'	18'	22'	26'
Diagonal	9'	20'	16'	20'
Parallel	8'	22'	12'	16'

6. Parking stalls adjacent to a column or wall must have an additional two feet (2') of width to accommodate ingress/egress from the vehicle.
7. Surfacing. All off-street parking, stacking, loading areas and drive approaches for properties not in a residential zone from the alley or street shall be surfaced with asphalt, concrete, brick, stone, pavers, or an equivalent material. Any surfacing on all properties may not violate adopted water source protection standards in municipal, county, or state code.
8. Pervious Surfaces. Surfaces such as pervious asphalt, pervious concrete or turf blocks are permitted; subject to municipal policies pertaining to stormwater management. A maintenance plan, outlining responsible parties, procedures, and schedules for maintenance of pervious pavement or permeable surfaces must be submitted and approved by the Municipal Engineer.
9. Exception for Outdoor Storage. Surfacing materials for outdoor parking areas associated with vehicle or container storage may be graded and compacted gravel, provided the subject area is at least one hundred feet (100') in driving distance from the nearest public street, no gravel is tracked off-site, and the paving surface is permitted in this Title.
10. Driveways, General. Adequate ingress and egress to the parking area shall be provided by clearly defined driveways.
11. Distance from Lot Line. Any drive approach that serves a single main building or principal use, shall be at least one foot (1') from an abutting lot line.
12. Sidewalk Continuity. Sidewalks shall extend through driveway approaches and driveways shall be built to the grade of the sidewalk so that driveways do not create curb cuts in the sidewalk.
13. Driveway Surface. For Properties not in a residential zone there shall be a hard-surfaced driveway from the public or private right-of-way to the required parking space. The drive surface must be a permanent, durable, hard surface such as concrete (including permeable concrete), asphalt (including permeable asphalt), brick, pavers, stone, or block. A pervious surface may be used, subject to applicable municipal ordinances and policies.
14. Accessible Parking. Accessible parking spaces required to satisfy the Americans with Disabilities Act shall be provided. Such stalls shall be included within the required number of spaces outlined in Table 19.48.150. For multi-family residential developments, the accessible stalls shall be provided in addition to the number of stalls required in 19.48.150.
15. Electric Vehicle Charging Stations. Parking lots and structures of one-hundred and fifty (150) parking spaces or more shall provide at least one (1) electric vehicle charging station for every seventy-five (75) parking spaces. Charging stations shall be associated with individual parking spaces and shall be installed according to appropriate design standards, as approved by the Director or Designee.
16. Stormwater. All parking areas are subject to the stormwater management provisions of Title 17 and any other municipal ordinances.

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

- A. Residential Driveways. A driveway shall be provided for vehicular access from the street or right-of-way to the required parking spaces of any dwelling in an R-1 zone.
- B. The number, location, and width of driveways shall comply with the specifications set forth in Title 14 of municipal ordinances.
- C. Driveways over one hundred fifty feet (150') in length are subject to approval by the Fire Authority.
- D. The area within the front yard of any single- or two-family dwelling not occupied by a driveway or parking surface set forth above shall be landscaped in compliance with the applicable provisions of this Title.
- E. Any driveway and parking area may not occupy more than fifty percent (50%) of the area of a front or rear yard. Any lot less than forty feet (40') wide may install one driveway that exceeds the fifty percent (50%) parking or driveway rule as long as that driveway does not exceed twenty feet (20') in width.
- F. Front Yard Parking. Parking or storage of motor vehicles in the unpaved portion of the front yard of a residential use or residentially-zoned property is prohibited. A legal driveway in the front yard may be used for parking, provided the public sidewalk is not blocked.
- G. Recreational Vehicles. Recreational vehicles parked or stored on residential property in any R-1 zone shall:
 - 1. Be parked or stored on a paved or gravel surface in the front yard, side yard, or rear yard of a dwelling. Additionally, a recreational vehicle may be parked or stored on a parking pad which is constructed of six inches of compacted gravel or concrete or asphalt. This area must be kept weed free.
- H. Commercial Vehicles in Residential Zones. Commercial vehicles shall not be parked or stored on residential property in an R-1 zone, except in the following circumstances:
 - 1. Commercial vehicles may be parked on a property in conjunction with lawfully permitted construction, maintenance, or site development activities so long as said activities are diligently pursued.
 - 2. One commercial vehicle may be parked in the front yard or side yard of a dwelling in the R-1 or zone upon issuance of a permit by Planning and Development Services, as long as all of the following criteria are met:
 - a. No other commercial vehicle is parked or stored on the property;
 - b. The operator of the vehicle has a valid home occupation license where the commercial vehicle is needed for off-site work;
 - c. The commercial vehicle is parked on a paved or compacted gravel surface;
 - d. The commercial vehicle is parked entirely on private property, not parked on or over the street or sidewalk; and
 - e. The commercial vehicle does not exceed Class 5 (two-axle, six tire single unit trucks) in Federal Highway Administration vehicle classification.

19.48.050 – Required Number of Off-Street Parking Spaces.

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

- B. Fractions. Where units of measurements determining the number of required parking or loading spaces result in a fraction, the fraction shall be counted as one (1) additional parking space (rounded up to the nearest whole number).
- C. Uses.
- D. Parking shall be calculated separately for each use in a building, structure or on a lot, except that the Director or Designee may determine that a lower standard would be adequate for shared parking, as described in Section 19.48.060.
- E. Accessory uses shall be calculated separately.
- F. Unlisted Requirements. The Director or Designee shall make a determination as to the proper classification of a parking requirement not listed for a particular use based on the requirement of the closest comparable use. Where a comparison cannot reasonably be made, the Director may require a Parking Demand Study to determine the amount of parking needed on the site.
- G. Bicycle Parking. Bicycle Parking shall be as required in Section 19.48.080. Bicycle parking may not occupy any vehicle parking space required by this Chapter.
- H. On-Street and Public Parking. The use of on-street parking and publicly-owned parking lots or structures may count toward a portion of the minimum off-street parking requirements provided the following conditions are met:
 - I. Adequate on-street parking or public lots or structures exist with five-hundred feet (500') of the primary entrance of the main building associated with the use as measured along existing sidewalk or along walkways shown on the site plan;
 - J. No more than fifty percent (50%) of the off-street parking space requirement is met through the use of on-street, public parking lot, or public parking structure spaces; and
 - K. The demand for parking generated by the use may not substantially adversely impact available parking for surrounding uses and may not adversely affect traffic circulation patterns.
- L. Exceptions for the Reuse of Existing Buildings and Structures. The Director or Designee may grant a waiver of these requirements for development which reuses an existing building if the applicant can demonstrate that sufficient parking exists on the site to accommodate anticipated parking demand.

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

- A. Off-street parking requirements may be reduced by the Director or Designee upon a finding by the Director or Designee that the applicant meets the requirements for at least one (1) of the allowable reductions of this Section. In no case may the total required off-street parking for a site be reduced more than fifty percent (50%).
- B. Transit Exists to Serve the Site.
 1. Core Bus Routes. Parking requirements may be reduced by up to ten percent (10%) of required spaces for buildings, structures, or uses whose entrances are within five hundred feet (500') of a bus stop served by a designated Utah Transit Authority Core Bus Route, as measured along walkways designated on the site plan.
 2. Fixed Light-Rail and Bus Rapid Transit (BRT). Parking requirements may be reduced by up to twenty percent (20%) of required spaces for buildings, structures, or uses whose entrances are within five hundred feet (500') of a transit stop served by a fixed light-rail or BRT transit route, as measured along walkways designated on the site plan.
 3. When considering a parking reduction for transit availability, the Director or Designee may require the applicant to submit a Transportation Demand Management (TDM) Study

demonstrating the number residents, customers, or employees that already use or would be expected to use transit instead of parking.

C. Reductions for Bicycle Facilities.

1. Vehicle parking requirements may be reduced by one (1) space for every four (4) covered, secured bicycle parking spaces provided beyond the amount of bicycle parking required in **Section** 19.48.080. To qualify for this reduction, a work stand and floor pump is required to be provided on-site. These amenities shall be maintained in working condition and made accessible to cyclists using the parking spaces.
2. Off-street parking requirements may also be reduced by four (4) spaces if free showers and locker facilities are available for use within a building or structure on-site.

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

E. In reviewing a parking reduction, the Director or Designee may consider the following as applicable:

F. The land use and development character of the area to be served by the parking facility, including intensity of uses requiring parking, the availability of transit, proximity to nearby employment centers and residential neighborhoods, and other relevant factors;

G. The availability of any other publicly available parking in the area, including the number of spaces, applicable restrictions, or other uses counting spaces in the same parking area toward the applicable parking requirement;

H. The timing of parking use relative to other uses in the area, including information on hours of operation;

I. Applicable guidelines from the American Planning Association, Envision Utah, and/or the Urban Land Institute;

J. Whether the applicant has made all efforts to comply with Table 19.48.150 to the extent practicable considering parking lot design, layout efficiency, and any unique constraints of the site; and

K. Whether supporting documentation provided by the applicant adequately demonstrates that sufficient parking is available to meet projected typical demand.

19.48.070 – Process for Calculating Shared Parking.

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

1. Shared parking areas shall be located within three hundred (300) feet of the use as measured along walkways designated on the site plan or already existing;
2. Adjacent lots shall be connected by drive aisles; and
3. Shared parking leases or agreements shall have a term of not less than five (5) years, including any renewals at the option of the lessee.
4. A proposal for the sharing of off-street parking shall be submitted to the Director or Designee for site plan review and approval. Conditional use applications which require Planning Commission approval, and for which shared parking is being proposed as part of the application, must have Planning Commission approval for the shared parking.

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

1. For each applicable general land use category, calculate the number of spaces required for the use as if it were the only use (using Table 19.48.150).
2. Use the figures for each individual land use to calculate the number of spaces required for that use for each time period specified in Table 19.48.070 (six time periods per use).
3. For each time period, add the number of spaces required for all applicable land uses to obtain a grand total for each of the six time periods.
4. Select the time period with the highest total parking requirement and use that as the total number of parking spaces required for the site on a shared parking basis.
5. If any uses are not listed in Table 19.48.070, the Director or Designee shall determine the required parking for the six time periods.

Table 19.48.070: Guidance for the Determination of Shared Parking Requirements.						
General Land Use Category	Weekdays			Weekends		
	12 AM – 7AM	7 AM – 6 PM	6 PM – 12 AM	12 AM – 7AM	7 AM – 6 PM	6 PM – 12 AM
Office	5%	100%	5%	0%	5%	0%
Industrial	75%	100%	75%	75%	100%	75%
Retail	5%	100%	75%	5%	100%	60%
Restaurant	25%	70%	100%	30%	75%	100%
Lodging	100%	55%	100%	100%	55%	100%
Theater / Entertainment	5%	20%	100%	5%	50%	100%
Conference Rooms / Reception Venue	0%	100%	100%	0%	100%	100%
Place of Worship	0%	30%	50%	0%	100%	65%
Institutional	5%	100%	20%	5%	100%	10%
Residential	100%	60%	95%	100%	75%	90%

19.48.080 – Requirements for Bicycle Parking.

- A. Bicycle Parking Required. Bicycle parking facilities shall be provided for any new commercial, office, manufacturing, industrial, multi-family residential, recreational, public and/or quasi-public use for which automobile parking is required; or for modification or change of any of such uses that results in the need for additional automobile parking facilities.
- B. Number of Required Spaces. The number of bicycle parking spaces required shall be equal to five percent (5%) of the vehicular parking spaces required for such use, with a minimum requirement of two (2) spaces, and a maximum requirement of twelve (12).

- C. Bicycle Parking Spaces shall be:
 1. Located on the same lot as the principal use;
 2. Located and designed to prevent damage to bicycles by cars;
 3. Located so as not to interfere with pedestrian movements;
 4. Located in a highly visible, well-lighted area that is located near entrance(s) to the building;
 5. Located to provide safe access from the spaces to the public right-of-way or bicycle lane;
 6. Designed to accommodate a range of bicycle shapes and sizes, and to allow the frame and wheel(s) of each bicycle to be supported and secured against theft without interfering with adjacent bicycles; and
 7. Anchored to resist removal by vandalism and resistant to rust or corrosion.
- D. Required bicycle parking spaces may be located within the building. Any proposed bicycle parking spaces or facilities shall be clearly shown on the applicable site plan, indicating location and type.

19.48.090 – Off-Street Loading and Unloading Standards.

- A. Applicability. Any building or portion thereof which is to be occupied by one (1) or more uses that require the receipt or distribution of materials or merchandise by vehicles shall provide and maintain off-street loading spaces as required by this Section.
- B. Location.
 1. Loading/unloading areas and docks shall be prohibited in the front yard or on any building side facing and directly visible from a street;
 2. Loading/unloading operations shall not interfere with the normal movement of vehicular and pedestrian traffic in public rights-of-way, off-street parking areas, internal drives, or sidewalks;
 3. No loading space that is adjacent to a Residential Zone shall be nearer than thirty (30) feet to the parcel line zoned residential unless it is contained within a completely enclosed building, or enclosed on all sides by a wall or solid, opaque fence not less than six (6) feet high; and
 4. The vehicular path and turning radii to the loading area must be shown on the site plan to verify truck maneuverability for the largest truck intended to serve the use.
- C. Specifications. Loading/unloading spaces shall be at least twelve feet (12') wide, thirty feet (30') long, and have fourteen feet (14') of vertical clearance. Each additional required loading space shall be at least ten feet (10') in width, forty-five feet (45') in length, and have fourteen feet (14') of clearance.
- D. Required Number of Loading Spaces. The minimum number of loading spaces required is shown in Table 19.48.090.

Table 19.48.090: Loading Space Requirements.		
Use Type	Units	Required Loading Spaces
Multi-Family Residential (total dwelling units)	0-24 du	NA
	25-74 du	1
	75+ du	2
Non-Residential (square feet of gross floor area)	Up to 10,000 sq.ft.	NA
	10,001 – 20,000 sq.ft.	1

	20,001-75,000 sq.ft.	2
	75,001-100,000 sq.ft.	3
	100,001+ sq.ft.	5

19.48.100 – Vehicle Stacking Standards.

- A. Drive-Up and Drive Thru Facility, Stacking Lane Standards. These standards ensure that there is adequate on-site maneuvering and circulation areas, ensure that stacking vehicles do not impede traffic on abutting streets, and that stacking lanes will not have nuisance impacts on abutting residential lots.
- B. Each stacking space shall be a minimum of twenty feet (20') in length and eight feet (8') wide along the straight portions and ten feet (10') wide along the curved segments.
- C. Entrances to stacking lanes shall be clearly marked and located a minimum of sixty feet (60') from the closest curb cut. Stacking lanes shall not enter or exit directly into a public street.
- D. Stacking lanes must be designed so that they do not interfere with parking and vehicle circulation.
- E. All stacking lanes must be clearly delineated from traffic aisles, other stacking lanes and parking areas using striping at a minimum and curbing, landscaping, or signs where appropriate.
- F. Required Stacking Capacity:
 - 1. A drive-thru automated teller machine (ATM) must provide no less than two (2) stacking spaces before the teller machine.
 - 2. A car or light truck wash must provide no less than three (3) stacking spaces per lane before the wash bay entrance.
 - 3. A laundry or dry-cleaning establishment with a drive thru window must provide no less than two (2) stacking spaces per lane before the drive-up window.
 - 4. A financial institution with teller lanes must provide no less than three (3) stacking spaces per lane before the teller or drive-up window.
 - 5. A pharmacy with a drive thru window must provide no less than three (3) stacking spaces per lane before the drive-up window.
 - 6. A restaurant with drive thru must provide no less than eight (8) stacking spaces before the first drive-up window. A restaurant with more than one stacking lane must provide no less than six (6) stacking spaced before the first drive-up window. Establishments where orders are placed for food or drink in a similar manner to a restaurant must provide stacking in the same manner as a restaurant.
 - 7. Uses having a drive thru window but not listed in this part are required to have stacking lanes and stacking spaces as determined by the Director and based on the anticipated demand for stacking spaces given existing and projected traffic and consumer patterns.
 - 8. A stacking lane is not required for accessory facilities where vehicles do not routinely stack up while waiting for the service. Examples are window washing, air compressor, and vacuum cleaning stations.
- G. Self-Service Fuel Station, Stacking Lane Standards. Each pump island should generally include stacking space for a minimum of two (2) vehicles (total of 40 feet) on site so that driveways within the site or adjacent street areas are not utilized for waiting customers. Pump island stacking shall

not encroach upon required parking space back out areas (24 feet minimum) or two-way driveways for general site circulation (24 feet minimum).

19.48.110 – Parking Lighting and Landscaping Standards.

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

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- C. Screening. The sides and rear of any off-street parking area for more than five (5) vehicles which adjoins or faces an institutional or residential use shall be effectively screened by a masonry wall or solid visual barrier fence unless otherwise provided for more specifically by the requirements of the zoning district in which such parking area is located. Such wall or fence shall be not less than six feet (6') in height and shall be maintained in good condition and free from advertisement.
- D. Lighting. Lighting used to illuminate any off-street parking area shall be downcast and fully shielded so as to direct light away from adjoining premises and from street traffic. No light source (light bulb, fluorescent tube, or other direct source of light used to illuminate a parking area) shall be visible beyond the property line of any off-street parking area.

19.48.120 – Mobility and Pedestrian Circulation.

- A. The following mobility and circulation standards apply in all parking areas or portions thereof.
 - 1. Street and Sidewalk Continuation.
 - a. Streets, internal circulation drives, and parking aisles shall be arranged to provide for the alignment and continuation of existing or proposed streets and drives into adjacent lots, developed or undeveloped.
 - b. Internal vehicular circulation areas shall be designed to allow for cross access to adjacent lots with residential, nonresidential or mixed-uses.
 - c. A stub for future cross access shall be provided from the vehicular use area to all adjacent lots. Where cross access is deemed impractical by the Planning Commission, Director, or Designee during Site Plan Review on the basis of topography, the presence of natural features, or vehicular safety factors, the requirement for cross access may be waived provided that appropriate bicycle and pedestrian connections are made between adjacent developments or uses.
 - d. A cross-access easement shall be recorded with the Salt Lake County Recorder prior to the issuance of a Building Certificate of Occupancy for the development.
 - 2. Pedestrian Access Required. Pedestrian access shall be required for all sites to improve the health, safety and welfare of the public by providing clear pedestrian pathways at perimeter and internal site locations to reduce pedestrian and vehicular conflicts, improve accessibility for persons with disabilities, and establish a multi-modal environment that is supportive of walking, biking and transit use. All attached single-family and multiple family residential, non-residential and mixed-use developments shall comply with the following requirements.
 - a. Continuous internal pedestrian walkways shall be provided to connect off-street surface parking areas with the primary entrances of main buildings.
 - b. At least one (1) pedestrian walkway with a minimum width of five (5) feet shall be provided from the internal pedestrian walkway network to the public sidewalk system. In the case of corner lots, connections shall be made to the sidewalks of both streets.
 - c. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low-maintenance surface materials such as pavers, bricks, or scored/stamped concrete or asphalt.
 - 3. Walkways in Parking Lots. Paved walkways shall be provided for access to adjacent parks, shopping areas, transit stops, anticipated walkways and institutions. Walkways shall either be dedicated sidewalks raised above the surface of the parking lot, or, if at the same level as the parking lot, clearly marked with striping and tactile alerts, and may use alternative materials, such as pavers.

- a. Each surface parking area that has fifty (50) or more parking spaces or has any parking spaces more than three hundred fifty feet (350') from the front entrance of the primary building as measured along walkways shown on the site plan, shall have at least one (1) pedestrian walkway or sidewalk allowing pedestrians to pass from the row of parking furthest from the primary building façade to the primary building entrance.
 - b. The required walkway must be at least five feet (5') wide, shall not be within a driving aisle, and, where possible, shall be within a landscaped island running perpendicular to the primary building façade. If parking spaces are adjacent to a sidewalk, the sidewalk must be at least seven feet (7') wide to allow for vehicular overhang.
4. Trail Connections. Where trails exist or are planned within three hundred and fifty feet (350') of a primary building entrance, paths or sidewalks shall connect building entries to the trail system.

19.48.130 – Maintenance of Off-Street and Bicycle Parking.

- A. Maintenance. All parking areas, including bicycle parking, shall be maintained free of dust, trash, weeds and debris. Surfacing, curbing, lighting fixtures, signs, and related appurtenances shall be maintained in a smooth, well-graded condition, and in good repair and safe condition at all times.
- 1. The visibility of pavement markings delineating parking spaces and directional control shall be maintained.
 - 2. All off-street parking, stacking and loading areas required by this Chapter shall be maintained free of accumulated snow or standing water that prevents full use and occupancy of the areas, except for temporary periods of heavy rainfall or snowfall, not to exceed five (5) days.

19.48.140 – Supplementary Parking and Mobility Standards.

- A. The following supplementary parking and mobility standards apply.
- 1. Gasoline Pumps Associated with a Self Service Fuel Station. Gasoline pumps shall be set back no less than twenty-four feet (24') from any front property line, and no less than thirty feet (30') from any residential zone boundary line. If the pump island is set at an angle on the property, it shall be located so that automobiles stopped for service at the pump will not extend over the property line.
 - a. Canopies constructed to provide a weather shield over gasoline pump islands shall be set back no less than six feet (6') from any property line and no less than ten feet (10') from any residential zone boundary.
 - b. Gasoline pumps associated with a Self Service Fuel Station are subject to the Specific Use Standards in 19.42 and all other applicable ordinances.
 - 2. Provisional Parking. Provisional parking in excess of the maximum parking spaces allowed in Table 19.48.150 may be permitted if the following conditions are met.
 - a. Provisional parking spaces shall be shown on the site plan as complying with the parking stall size requirements of this Chapter as well as the maneuverability and aisle requirements of Municipal Code.
 - b. Provisional parking spaces may be landscaped in such a way that they can be used for parking on a seasonal or temporary basis.
 - c. After one year's time from the issuance of the land use permit, a property owner may request a review of the provisional parking. Upon a finding by the Planning Commission (for a conditional use) or the Director or Designee (for a permitted use) that the additional parking is needed, approval shall be granted for the provisional parking to be paved and made permanent.

- d. The Planning Commission may set conditions of approval as part of any conditional use permit that utilizes provisional parking to provide for monitoring and future review of the parking plan.
- 3. **Valet Parking.** Off-site parking may be permitted to meet the requirements of this Chapter if a Valet Parking program is established.
 - a. A valet parking plan shall identify the following.
 - (1) The location of parking spaces, pick-up areas, drop-off areas, and egress/ingress;
 - (2) The involvement of personnel; and
 - (3) General operating procedures.
 - b. At least ten percent (10%) of the required parking spaces shall be reserved as on-site, self-parking spaces and shall be indicated as such on the valet parking plan.
- 4. **Transit Access and Amenities.**
 - a. **Transit Stops.** Where public transit service is available or planned, convenient access to transit stops shall be provided by means of public or private sidewalks or walkways. Any provided seating shall not obstruct a public sidewalk.
 - b. Where transit shelters are provided, they shall be placed in highly visible and well lighted locations for purposes of safety, subject to review by the Utah Transit Authority.
 - c. **Landscaping.** Landscape and/or plaza areas are encouraged at all bus and transit stops.

19.48.150 - Parking Requirements Table.

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

Table 19.48.150: Off Street Parking Requirements.				
Use Category	Use	Minimum Spaces Required	Maximum Spaces Allowed	Additional Requirements
RESIDENTIAL				
Household Living	Single-Family	2 spaces per dwelling unit	NA - but no more than 50% of yard space may be paved.	Spaces may be arranged one behind another
	Two-Family	1 space per dwelling unit	3 spaces per dwelling unit	
	Three- and Four-Family			

Table 19.48.150: Off Street Parking Requirements.

Use Category	Use	Minimum Spaces Required	Maximum Spaces Allowed	Additional Requirements
	Multi-Family	1 space per studio apartment; 1.5 spaces per 1 bedroom unit; 2 parking spaces per dwelling unit for any units with 2 or more bedrooms; plus guest parking as determined by Director or designee	2 spaces per dwelling unit for all unit types; no more than 1 guest space per 3 units	
	Accessory Dwelling Unit	1 space per accessory dwelling unit	2 spaces per accessory dwelling unit	Spaces may be arranged one behind another, but may not count toward the minimum parking requirements for a single-family home
Group Living	Nursing Home / Convalescent Care	4 spaces, plus 1 space for every 5 beds at total capacity	4 spaces, plus 1 space for every 3 beds at total capacity	
	Residential Facilities for Elderly Persons or Persons with a Disability	4 spaces	1 space per employee, plus 1 space per 2 residents	Parking spaces may be arranged one behind another
	Therapeutic School, Assisted Living Facility	4 visitor parking spaces plus 1 space per employee during the highest employment shift	NA	
	Rehabilitation and Treatment Facilities			
	Transitional Housing, Protective Housing	1 space per employee during the highest employment shift		

Table 19.48.150: Off Street Parking Requirements.

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

Table 19.48.150: Off Street Parking Requirements.

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

Table 19.48.150: Off Street Parking Requirements.

Use Category	Use	Minimum Spaces Required	Maximum Spaces Allowed	Additional Requirements
	Shopping Center	3 spaces per 1,000 sq.ft. of gross leasable area	5 spaces per 1,000 sq.ft. of gross leasable area	
	Swap Meets and Flea Markets	NA - but all parked vehicles must be accommodated on-site, off-street		
	Other Retail	1 space per 500 sq.ft. of gross floor area used for the display of goods or services	1 space per 250 sq.ft. of gross floor area used for the display of goods or services, plus 1 space per employee on the highest employment shift	
Food and Drink	Bar	1 space per 4 persons based on max occupancy	1 space per 2.5 persons based on max occupancy	
	Breweries and Distilleries in association with a Restaurant	1 space per 500 sq.ft. of gross floor area, plus 1 space per employee on the highest employment shift	4 spaces per 1,000 sq.ft. of gross floor area	
	Liquor and/or Wine Store, Package Agency	1 space per 4 persons based on max occupancy	1 space per 2.5 persons based on max occupancy	
	Restaurant, Fast Food	1 space per 4 persons based on max occupancy	1 space per 2.5 persons based on max occupancy	
	Restaurant, Sit Down	1 space per 4 persons based on max occupancy	1 space per 2.5 persons based on max occupancy	
Lodging	Bed and Breakfast Inn	2 spaces for each primary residential dwelling unit plus 1 space for each guest room	2 spaces for each primary residential dwelling unit plus 1.25 spaces per guest room or unit	
	Boardinghouse, Hotel, Guest Ranch, Resort	1 space per sleeping unit, plus parking for any accessory uses	1.5 spaces per guest room or unit	
	Yurt	NA	1 space	
OFFICE				
Offices	Office, General	1 space per 500 sq.ft. of floor area	1 space per 250 sq.ft. of floor area	

Table 19.48.150: Off Street Parking Requirements.

Use Category	Use	Minimum Spaces Required	Maximum Spaces Allowed	Additional Requirements
	Office, Medical or Intensive, or Financial Institution	1 space per employee on the highest employment shift, plus 4 visitor spaces	6 spaces per 1,000 sq.ft.	
INDUSTRIAL				
Light Industrial	Breweries and Distilleries, Industrial	1 space per person employed on the highest employment shift	NA	
	Dairy			
	Industrial Flex Space			
	Laboratory, Medical and Dental or Research and Development			
	Salvage Yard, Storage Yard, Towing Services and Impound Lots			
	Self Service Storage Facilities Indoor or Outdoor	5 spaces plus 1 space for each employee during the highest employment shift		
	Vertical Indoor Agriculture	1 spaces per person employed on the highest employment shift		
	Vehicle and Equipment Repair, Commercial and Industrial	5 spaces plus 1 space for each employee during the highest employment shift		
	Warehouse and Distribution Facilities	1 spaces per person employed on the highest employment shift		
	Other Light Manufacturing	1 spaces per person employed on the highest employment shift		
Medium Industrial	Agricultural Products Processing	1 spaces per person employed on the highest employment shift	NA	
	Assembly Use			
	Machine Shop			
	Meat or Poultry Processing Facility			
	Recycling Processing Facility			

Table 19.48.150: Off Street Parking Requirements.

Use Category	Use	Minimum Spaces Required	Maximum Spaces Allowed	Additional Requirements
	Solar Energy System, Commercial	NA		
	Vehicle Assembly	1 spaces per person employed on the highest employment shift		
	Water Treatment Facility	1 spaces per person employed on the highest employment shift		
Heavy Industrial	Freight Service	1 spaces per person employed on the highest employment shift	NA	
	Mining	1 spaces per person employed on the highest employment shift		
	Wind Energy System, Commercial	NA		
	Other Heavy Manufacturing	1 spaces per person employed on the highest employment shift		
INSTITUTIONAL				
Public and Institutional Uses	Animal Control or Rescue Facility	1 space per employee on the highest employment shift, plus 1 space per 1,000 sq.ft.	NA	
	Cemetery	NA	NA	
	Church, Synagogue, Mosque, Temple, Cathedral, or other religious buildings	.25 spaces per seat; or 1 space per 300 sq.ft. of floor area if no seating is present	1 space per 3 seats; or 1 space per 200 sq.ft. of floor area if no seating is present	
	Correctional Facility	1 space per employee on the highest employment shift, plus at least 5 visitor spaces	NA	

Table 19.48.150: Off Street Parking Requirements.

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

RECREATIONAL				
Fitness and Entertainment	Athletic Clubs	2 spaces per 100 sq.ft.	3 spaces per 100 sq.ft.	
	Club, Locker Club			
	Commercial Recreation, Recreation Facility	2.5 spaces per 1000 sq.ft. of floor area	4 spaces per 1,000 sq.ft. of floor area	
	Reception Hall, Reception Center, Theater, Concert Hall	1 space per 4 people at max occupancy	1 space per 2.5 people at max occupancy	

Outdoor	Campground	1 space per campsite	2 spaces per campsite	Spaces may be arranged one behind another
	Community Garden	NA	NA	
	Outdoor Recreation, Large Scale	As determined by Director or Designee		
	Stable, Public	1 space per employee on the highest employment shift, plus 4 guest spaces	NA	
SPECIALTY				
Specialty Uses	Agritourism	Parking and Stacking Spaces as determined by Director or Designee		
	Apiary			
	Crematorium			
	Drive-Up and Drive Thru Facilities			Drive-Up and Drive-Thru Facilities are subject to the stacking standards in 19.48.100.
	Seasonal Use or Sales			
	Ski Resort			

Chapter 19.50 Landscaping

19.50.010 – Purpose of Provisions.

- A. The City Council has found that:
1. Water is an increasingly scarce resource.
 2. Nearly two-thirds of the White City's culinary water resources are used for outdoor use, including watering landscapes.
 3. White City desires to promote the design, installation, and maintenance of landscapes that are both attractive and water efficient.
- B. Furthermore, the Council has determined that it is in the public's interest to conserve public water resources and promote water efficient landscaping. The purpose of this section is to protect and enhance the community's environmental, economic, recreational, and aesthetic resources by promoting efficient use of water in the community's landscapes, reduce water waste, and establish a structure for designing, installing, and maintaining water efficient landscapes throughout White City.

19.50.020 - Commercial, Industrial, Manufacturing, and Multi-Family Development.

A. Applicability.

1. The provisions of this Subsection (c) shall apply to landscaping for all new and reconstructed landscaping for public agency projects, private commercial and industrial projects, developer-installed landscaping in multifamily residential projects, and developer-installed landscaping in single-family projects that require project review and approval by White City. Such review includes site plan review, modified conditional use permit review, and building permits issued for exterior modifications to commercial and multifamily buildings.
2. This Subsection (c) does not apply to homeowner-provided landscaping at single-family projects, nor to registered historical sites.

B. Documentation to be Submitted for Plan Approval.

1. A Landscape Plan Documentation Package shall be submitted to and approved by the Public Utilities Department prior to the issuance of any permit. A copy of the approved Landscape Plan Documentation Package shall be provided to the property owner or site manager and to the local retail water purveyor. The Landscape Plan Documentation Package shall be prepared by a registered landscape architect or a landscape designer. The Irrigation Plan shall be prepared by an irrigation designer or a landscape architect. The Landscape Plan Documentation Package shall consist of the following items:
 - a. *Project Data Sheet.* The Project Data Sheet shall contain the following:
 - (1) Project name and address;
 - (2) Applicants or applicant's agent's name, address, phone number, and fax number;
 - (3) Landscape designer/landscape architect's name, address, phone number, and fax number; and
 - (4) Landscape contractor's name, address, phone number, and fax number.
 - b. *Planting Plan.* A detailed Planting Plan shall be drawn at a scale that clearly identifies the following:
 - (1) Location of all plant materials, a legend with botanical and common names, and size of plant materials;
 - (2) Property lines and street names;
 - (3) Existing and proposed buildings, walls, fences, light poles, utilities, paved areas, and other site improvements;
 - (4) Existing trees and plant materials to be removed or retained; and
 - (5) Designation of landscape zones.
 - c. *Irrigation Plan.* A detailed Irrigation Plan shall be drawn at the same scale as the Planting Plan and shall contain the following information:
 - (1) Layout of the irrigation system and a legend summarizing the type and size of all components of the system, including manufacturer name and model numbers;
 - (2) Static water pressure in pounds per square inch (psi) at the point of connection to the public water supply; and
 - (3) Flow rate in gallons per minute and design operating pressure in psi for each valve and precipitation rate in inches per hour for each valve with sprinklers.
 - d. *Grading Plan.* A Grading Plan shall be drawn at the same scale as the Planting Plan and shall contain the following information:

- (1) Property lines and street names, existing and proposed buildings, walls, fences, utilities, paved areas, and other site improvements; and
 - (2) Existing and finished contour lines and spot elevations as necessary for the proposed site improvements.
- e. *Soils Report.* A soils report will be required where irrigated landscaped areas consisting of grass or similar turf exceed 33 percent of the overall landscaped area. The soils report shall describe the depth, composition, and bulk density of the top soil and subsoil at the site and shall include recommendations for soil amendments. The Planting Plan shall incorporate the recommendations of the soils report into the planting specifications.
- f. *Landscape Water Allowance.* The annual landscape water allowance shall be calculated using the following equation:

$$\text{Landscape Water Allowance} = \text{ET} \times 1.0 \times 0.62 \times \text{A}$$

Where landscape water allowance is in gallons per growing season:

ET	=	Reference evapotranspiration in inches per growing season
1.0	=	ET adjustment factor, 100% of turf grass ET (growing season adjustment factor)
0.62	=	Conversion factor
A	=	Total irrigated landscape area in square feet

- g. *Irrigation Schedule.* A monthly irrigation schedule shall be prepared that covers the initial 90-day plant establishment period and the typical long-term use period. This schedule shall consist of a table with the following information for each valve:
- (1) Plant type (e.g., turf, trees, low water use plants);
 - (2) Irrigation type (e.g., sprinklers, drip, bubblers);
 - (3) Flow rate in gallons per minute;
 - (4) Precipitation rate in inches per hour (sprinklers only);
 - (5) Run times in minutes per day;
 - (6) Number of water days per week; and
 - (7) Cycle time to avoid runoff.

C. Landscape Design Standards.

1. Plant Selection.

- a. Plants selected for landscape zones shall consist of plants that are well suited to the microclimate and soil conditions at the project site. Plants with similar water needs shall be grouped together as much as possible in landscape zones.
- b. For projects located at the interface between urban areas and natural open space (non-irrigated), extra drought tolerant plants shall be selected that will blend with the native vegetation and are fire-resistant or fire-retardant. Plants with low fuel volume or high moisture content shall be emphasized. Plants that tend to accumulate excessive amounts of dead wood or debris shall be avoided.
- c. Areas with slopes greater than 30 percent shall be landscaped with deep rooting water conserving plants for erosion control and soil stabilization. Irrigation devices are limited to drip emitters, bubblers, or sprinklers with a maximum precipitation rate not to exceed 0.85 inches per hour.

- d. Parkstrips and other landscaped areas less than eight feet wide shall be landscaped with water conserving plants and/or grass.
 2. Mulch. After completion of all plantings, all irrigated non-turf areas shall be covered with a minimum layer of four inches of mulch to retain water, inhibit weed growth, and moderate soil temperature. Non-porous material shall not be placed under the mulch.
 3. Soil Preparation. Soil preparation shall be suitable to provide healthy growing conditions for the plants and to encourage water infiltration and penetration. Soil preparation shall include scarifying the soil to a minimum depth of six inches and amending the soil with organic material as per specific recommendations of the landscape designer/landscape architect based on the soils report.
- D. Irrigation Design Standards.
1. Landscape Water Meter. A water meter and backflow prevention assembly for landscaping that are in compliance with State Code shall be installed after the water provider meter and outside the water provider maintained meter box on the customer's service line. The size of the meter shall be determined based on irrigation demand.
 2. Pressure Regulation. A pressure regulating valve shall be installed and maintained by the consumer if the static service pressure exceeds 80 pounds per square inch (psi). The pressure regulating valve shall be located between the landscape water meter and the first point of water use, or first point of division in the pipe, and shall be set at the manufacturer's recommended pressure for sprinklers.
 3. Automatic Controller. All irrigation systems shall include an electric automatic controller with multiple program and multiple repeat cycle capabilities and a flexible calendar program. All controllers shall be equipped with an automatic rain shut-off device.
 4. Slopes Exceeding 30 Percent. On slopes exceeding 30 percent, the irrigation system shall consist of drip emitters, bubblers, or sprinklers with a maximum precipitation rate of 0.85 inches per hour and adjusted sprinkler cycle to eliminate runoff.
 5. Valves. Each valve shall irrigate a landscape zone with similar site, slope and soil conditions, and plant materials with similar watering needs. Turf and non-turf areas shall be irrigated on separate valves.
 6. Drip Emitters/Bubbler. Drip emitters or a bubbler shall be provided for each tree, where practicable. Bubblers shall not exceed one and one-half gallons per minute per device. Bubblers for trees shall be placed on a separate valve unless specifically exempted by the Public Utilities Department due to the limited number of trees on the project site.
 7. Sprinklers. Sprinklers shall have matched precipitation rates with each control valve circuit.
 8. Check Valves; Pressure Compensating Valves and Sprinklers. *Pressure Compensating Valves and Sprinklers*. Check valves shall be required where elevation differences will cause low head drainage. Pressure compensating valves and sprinklers shall be required where a significant variation in water pressure will occur within the irrigation system due to elevation differences.
 9. Drip Irrigation Lines. Drip irrigation lines shall be placed underground or otherwise permanently covered, except for drip emitters and where approved as a temporary installation. Filters and end flush valves shall be provided, as necessary.
 10. Operation Time for Irrigation Zones with Overhead Spray/Stream Sprinklers. Irrigation zones with overhead spray or stream sprinklers shall be designed to operate between 6:00 p.m. and 10:00 a.m. to reduce water loss from wind and evaporation. Drip or bubbler zones are excluded.

11. Program Valves. Program valves for multiple repeat cycles where necessary to reduce runoff, particularly slopes and soils with slow infiltration rates.
- E. Plan Review, Construction Inspection, and Post-Construction Monitoring.
1. As part of the site plan approval and building permit process, a copy of the Landscape Plan Documentation Package shall be submitted to the Municipality for review and approval before construction begins. With the Landscape Plan Documentation Package, a copy of the Landscape Water Allowance Worksheet shall be completed by a landscape designer and submitted to the City.
 2. All Landscape Plan Documentation Packages submitted must be certified by a licensed landscape architect or an approved landscape designer. The Irrigation Plan must be prepared by an approved irrigation designer or a landscape architect.
 3. All landscape irrigation systems shall be installed by an irrigation contractor. The person representing the contracting firm shall be a full-time employee of the firm and shall be directly involved with the project, including at least weekly site visits during construction.
 4. All installers, designers, and auditors shall meet State and local license, insurance, and bonding requirements and be able to show proof of such upon demand.
 5. During construction, site inspection of the landscaping may be performed by the Municipality.
 6. Following construction and prior to the release of the secondary bond guarantee posted for the project, an inspection shall be scheduled with the Planning and Development Services to verify compliance with the approved Landscape and Irrigation Plans. A Certificate of Substantial Completion, shall be completed by the property owner, contractor, or landscape designer/landscape architect and submitted to the Municipality.
 7. Following construction and prior to release of the secondary bond guarantee posted for the project, a water use efficiency review will be conducted by a landscape irrigation auditor. The auditor shall be independent of the contractor, design firm, and owner/developer of the project. The water performance audit will verify that the irrigation system complies with the minimum standards required by this section. The minimum efficiency required for the irrigation system is 60 percent for distribution efficiency for all fixed spray systems and 70 percent distribution efficiency for all rotor systems. The auditor shall furnish a certificate to the City, designer, installer, and owner/developer certifying compliance with the minimum distribution requirements, and an irrigation schedule. Compliance with this provision is required before the City will release the bond for the project.

19.50.130 – Single-Family Residential Development.

- A. Applicability. The provisions of this Subsection (d) apply to landscaping for all new and reconstructed landscaping for single-family residential dwellings. This Subsection (d) does not apply to residential developments with developer installed landscapes, nor to registered historical sites.
- B. Provisions for New or Reconstructed Landscapes.
1. Landscape Education Package. A copy of the Landscape Education Package shall be given to all new single-family homeowners by the Municipality at the time of application for a building permit and all new or modified water account owners. The Landscape Education Package, prepared by the Public Utilities Department, shall consist of the following items:
 - a. Principals of water efficient landscape design;
 - b. List of water conserving plants;

- c. List of certified landscape designers, certified irrigation system designers and suppliers, and certified landscape irrigation contractors;
 - d. Information packet about the various area demonstration gardens; and
 - e. Information packet about the City's water rate schedule, billing format for water use, and the economics of installing and maintaining a water efficient landscape.
2. Post Installation. After the landscaping has been installed, the homeowner is encouraged to notify the Public Utilities Department of its completion and request a listing of landscape auditors who can perform a water use efficiency review, also called a water check. The water check will determine the irrigation system efficiency, make recommendations for improvements, and provide the homeowner with an irrigation schedule
- C. Parkstrips and other landscaped areas less than eight feet wide are encouraged to be landscaped with water conserving plants.

19.50.140 – Prohibited Water Practices.

- A. Water of Water. Regardless of the age or type of a development (commercial, industrial, office, or residential) water shall be properly used. Waste of water is prohibited.
- B. Restricted Watering Time. Sprinkler irrigation of public and private landscapes is prohibited between the hours of 10:00 a.m. and 6:00 p.m. The provisions of this section shall apply to all landscapes within the municipality with the following exceptions:
 - 1. New lawns that require frequent irrigation for establishment purposes within 90 days of planting;
 - 2. Short cycles required for testing, inspecting, and maintaining irrigation systems; or

Where pressure problems exist in the water infrastructure requiring an alternate watering time as approved by the Director or Designee; 19.50.150 – Enforcement, Penalty, for Violations.

- A. Violation of this section. Any consumer who violates any provisions of this section shall be issued a written notice of violation. The written notice shall be affixed to the property where the violation occurred and mailed to the consumer of record and to any other person known to the City who is responsible for the violation and its corrections. Such notice shall describe the violation and order that it be corrected, cured, or abated immediately or within such specified time as the City determines is reasonable under the circumstances. Failure to receive such notice shall not invalidate further actions by the City. If the order is not complied with, the City may terminate water service to the customer and/or issue a Class C misdemeanor citation.

19.50.160 – Definitions.

- A. Definitions. The following definitions shall apply to this ordinance:
 - 1. “Administrative standards” means the set of rules, procedures, and requirements set forth in a landscape ordinance associated with making permit application, assembling materials for public review, meeting the requirements of the landscape ordinance, seeking approvals, enforcement, conducting site inspections, and filing reports.
 - 2. “Bubbler” means an irrigation head that delivers water to the root zone by flooding the planted area, usually measured in gallons per minute. Bubblers exhibit a trickle, umbrella, or short stream pattern.
 - 3. “Drip emitter” means means a drip irrigation fitting that delivers water slowly at the root zone of the plant, usually measured in gallons per hour.

4. "Evapotranspiration" means the quantity of water evaporated from adjacent soil surfaces and transpired by plants during a specific time, expressed in inches per day, month, or year. (See also Reference evapotranspiration rate.)
5. "Extra-drought tolerant plant" means a plant that can survive without irrigation throughout the year once established, although supplemental water may be desirable during drought periods for improved appearance and disease resistance.
6. "Ground cover" means material planted in such a way as to form a continuous cover over the ground that can be maintained at a height not more than 12 inches.
7. "Hardscape" means patios, decks, and paths; does not include driveways, parking lots, and sidewalks.
8. "Irrigated landscaped area" means all portions of a development site to be improved with planting and irrigation. Natural open space areas shall not be included in the irrigated landscaped area.
9. "Irrigation audit" means an on-site survey of the irrigation system, conduct of a catch-can test to measure system efficiency, and the generation of an irrigation schedule and recommendations to improve irrigation efficiency.
10. "Irrigation contractor" means a person who has been certified by the Irrigation Association to install irrigation system designs, or a landscape architect, or as otherwise approved by the Public Utilities Department.
11. "Irrigation designer" means a person who has been certified by the Irrigation Association to prepare irrigation system designs, or a landscape architect, or as otherwise approved by the Public Utilities Department.
12. "Irrigation efficiency" means the measurement of the amount of water beneficially applied, divided by the total amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system hardware characteristics and management practices.
13. "Irrigation Plan" means the plan that shows the components of the irrigation system with water meter size, backflow prevention, rain shut-off device, precipitation rates, flow rate and operating pressure for each irrigation zone, and identification of all irrigation equipment.
14. "Landscape architect" means a person who holds a certificate to practice landscape architecture in the State of Utah.
15. "Landscape designer" means a person who has been certified by the Utah Nursery and Landscape Association to prepare landscape plans or as otherwise approved by the Public Utilities Department.
16. "Landscape Education Package" means a package of documents that is intended to inform and educate water users in the City about water efficient landscapes. The package includes the principles of water efficient landscape design, a listing of water conserving plants, a listing of certified landscape designers, landscape architects, certified irrigation designers, certified irrigation contractors, an information packet about various area demonstration projects, City's water rates, billing format for water use, and the economics of installing and maintaining a water efficient landscape.
17. "Landscape Irrigation Auditor" means a person who has been certified by the Irrigation Association to conduct a landscape irrigation audit or as otherwise approved by the Public Utilities Department.

18. "Landscape Plan Documentation Package" means the preparation of graphic and written criteria, specifications, and detailed plans to arrange and modify the effects of natural features such as plantings, ground and water forms, circulation, walks and other features to comply with the provisions of this section. The Landscape Plan Documentation Package shall include a project data sheet, a Planting Plan, an Irrigation Plan, a Grading Plan, a soils report, a landscape water allowance, and an irrigation schedule.
19. "Landscape water allowance" means, for design purposes, the upper limit of annual applied water for the established landscaped area. The landscape water allowance is based upon the local reference evapotranspiration rate, the ET adjustment factor, and the size of the landscaped area.
20. "Landscaped Zone" means a portion of the landscaped area having plants with similar water needs, areas with similar microclimate (i.e., slope, exposure, wind, etc.), and soil conditions and areas that will be similarly irrigated. A landscape zone can be served by one irrigation valve or a set of valves with the same schedule.
21. "Landscaping" means any combination of living plants such as trees, shrubs, vines, ground covers, flowers, turf or ornamental grass; natural features such as rock, stone, or bark chips; and structural features, including, but not limited to, fountains, reflecting pools, outdoor art work, screen walls, fences, or benches.
22. "Mulch" means any material such as bark, wood chips, rocks/stones, or other similar materials left loose and applied to the soil.
23. "Non-drought tolerant plant" means a plant that will require regular irrigation for adequate appearance, growth, and disease resistance.
24. "Planting Plan" means a plan which clearly and accurately identifies and locates new and existing trees, shrubs, ground covers, turf areas, driveways, sidewalks, hardscape features, and fences.
25. "Precipitation rate" means the rate at which water is applied per unit of time, usually measured in inches per hour.
26. "Rain shut-off device" means a device wired to an automatic controller that shuts off the irrigation system when it rains.
27. "Reconstructed landscaping" means any existing approved landscaping and irrigation that is removed and replaced as part of new construction.
28. "Reference evapotranspiration rate or ET" means a standard measurement of environmental parameters that affect the water use of plants. ET is expressed in inches per day, month or year and is an estimate of the evapotranspiration of a large field of four- to five-inch tall, cool season grass that is well watered. The average growing season ET for the Sandy City area is 31.18 inches. (See also Evapotranspiration.)
29. "Runoff" means irrigation water that is not absorbed by the soil or landscape area to which it is applied and that flows onto other areas.
30. "Soils report" means a report by a soils laboratory indicating soil types, soil depth, uniformity, composition, bulk density, infiltration rates, and pH for the top soil and subsoil for a given site. The soils report also includes recommendations for soil amendments.
31. "Spray sprinkler" means an irrigation head that sprays water through a nozzle.
32. "Stream sprinkler" means an irrigation head that projects water through a gear rotor in single or multiple streams.

33. "Turf" means a surface layer of earth containing mowed grass with its roots.
34. "Waste of water" includes, but is not limited to:
- a. The use of water for any purpose, including landscape irrigation, that consumes or for which is applied substantial amounts of excess water beyond the reasonable amount required by the use, whether such excess water remains on the site, evaporates, percolates underground, goes into the sewer system, or is allowed to run into the gutter or street. Every water consumer is deemed to have under his control at all times the water lines and facilities, other than water utility facilities, through which water is being supplied and used to his premises, and to know the manner and extent of his water use and excess runoff.
 - b. The excessive use, loss, or escape of water through breaks, leaks, or malfunctions in the water user's plumbing for any period of time after such escape of water should reasonably have been discovered and corrected. It shall be presumed that a period of 48 hours after the water user discovers such break, leak, or malfunction or receives notice from the City of such condition, whichever occurs first, is a reasonable time to correct such condition.
 - c. Washing sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas except to alleviate immediate fire, health, or safety hazards.
35. "Water check". See Irrigation audit.
36. "Water conserving plant" means a plant that can generally survive with available rainfall once established, although supplemental irrigation may be needed or desired during the growing season.
37. "Water use efficiency review" means an on-site survey and measurement of irrigation equipment and management efficiency and the generation of recommendations to improve efficiency.

"Xeriscape" means a landscaping method developed especially for arid and semiarid climates that utilizes water-conserving techniques (as the use of drought tolerant plants, mulch, and efficient irrigation).

Chapter 19.52 Signs

19.52.010 – Purpose of Provisions.

- A. This Chapter is provided to achieve the purposes of the General Plan and all other Municipal Land Use Ordinances, and to achieve the following additional purposes:
1. To provide for the identification of businesses, sites and buildings;
 2. To provide a convenient method of public communication without unnecessary clutter;
 3. To eliminate signs and displays that create potential hazards to motorists, pedestrians, or property;
 4. To avoid confusion of allowed signs with required traffic signs and other regulatory and public safety signs;
 5. To minimize any adverse effects of signs and associated lighting on adjacent properties;
 6. To encourage signs that promote equity, diversity, and inclusion, including the provision of multi-lingual signs; and
 7. To ensure compliance with constitutional protected First Amendment Rights.

19.52.020 – Sign Plan Required.

- A. Application Requirements. When a land use application on a parcel of ground is submitted to Planning and Development Services, the application shall be accompanied by a complete comprehensive sign plan showing the location and sign type of all existing or proposed signs on the parcel of ground and shall include:
1. Name of organization and location;
 2. Contact person;
 3. Address and phone number for contact person;
 4. Description of the activities occurring on the site where the sign will be installed;
 5. Description of any existing signage that will remain on the site;
 6. Identification of the type of sign/signs to be erected by the applicant;
 7. Site plan depicting the locations of proposed signage and existing remaining signage;
 8. Scale drawings of the proposed signage; and
 9. A written description explaining the drawing of the proposed signage, including a detailed description of materials, colors, and letter height, type and style. A comprehensive sign plan shall also include conceptual renderings of each sign.
 10. A comprehensive sign plan shall also include conceptual renderings of each sign.
- B. Process. The sign plan shall be reviewed by the Director or Designee under the same process, permitted or conditional, as the land use application.
1. The Director or Designee is the land use authority for all permitted uses, including sign plans associated with a permitted use.
 2. The Planning Commission is the land use authority for all conditional uses, including sign plans associated with a conditional use.
- C. Applicants seeking to add a new sign on a property or enlarge or alter an existing sign are not required to submit a new sign plan, but are required to obtain a sign and building permit as described in Section 19.52.030.

19.52.030 – Sign and Building Permit Required.

- A. No new or existing sign may be erected, enlarged, re-located, or structurally altered without first obtaining a sign permit, and for any permanent sign, a building permit.
1. Changes to Sign Face or Copy. Unless an enlargement, relocation, or structural alteration is involved, a permit is not required for a change to sign face or copy.
 2. Requirements for Non-Permanent Signs. A sign permit is required for limited duration signs but is not required for temporary or portable signs.
 3. Nonetheless, temporary and portable signs shall include a signature in indelible ink on the lower right-hand corner, stating:
 - a. Contact information for the sign's owner; and
 - b. The date the temporary sign was erected.
- B. A nonconforming sign may not be reconstructed, raised, moved, placed, altered, extended, or enlarged unless the sign is changed so as to conform to all provisions of this Title.
1. Alterations do not include changing the text or copy of electronic message centers, off-premises advertising signs, theater signs, outdoor bulletins, or other similar signs which are designed to accommodate changeable copy.

2. Exception for LED Retrofits. Nonconforming signs that update fluorescent lighting to LED lighting may do so without coming into compliance with other provisions of this Chapter; however, a building permit is required for the retrofit.

19.52.040 – Enforcement.

- A. Any sign determined to be a hazard to the public health or safety, or determined to be a nuisance because of inadequate maintenance, dilapidation, or be a Land Use Ordinance or Building Code violation shall be remedied and corrected upon written notice by the Director or Designee.
 1. Any sign not remedied or corrected within the timeframe specified on the written notice by the Director or Designee shall be subject to removal by the Municipality, or subject to other remedies available to the Municipality under the law.
 - a. The Director or Designee may grant an extension to the specified timeline before removing the sign if good cause exists.
 - b. If a sign poses an immediate and significant hazard to public safety, the Director or Designee may authorize the immediate removal of such sign.
- B. The municipality or the property owner may confiscate non-permanent signs installed in violation of this Chapter. Neither the municipality nor the property owner is responsible for notifying sign owners of the confiscation of an illegal non-permanent sign.
- C. Where other ordinances are in conflict with the provisions of this Chapter, the most restrictive ordinance shall apply.

19.52.050 – Exempt Signs.

The following signs shall be allowed without a sign permit and shall not be included in the determination of the type, number, or area of permanent signs allowed within a zoning district, provided such signs comply with the regulations in this section, if any.

- A. Official traffic signs.
- B. Government/regulatory signs.
- C. Signs inside a building, or other enclosed facility, which are not meant to be viewed from the outside and are located greater than three (3) feet from the window.
- D. Holiday and seasonal decorations, provided that decorations are maintained in attractive condition and do not constitute a fire hazard. Holiday decorations may be erected no sooner than forty-five (45) days before the holiday and shall be removed no later than thirty (30) days after the date of the applicable holiday.
- E. Personal expression signs of any sign type, including flags, provided that they do not exceed six (6) sq. ft. in area per side and are not illuminated.
- F. Address signs. Up to two (2) signs stating address, number and/or name of occupants of the premises and do not include any commercial advertising or other identification.
 1. Residential districts. Signs not to exceed three (3) sq. ft. in area.
 2. Non-residential districts. Signs not to exceed five (5) sq. ft. in area.
- G. Public signs. Signs erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossing, and identification or directional signs for public facilities.
- H. Signs or emblems of a religious, civil, philanthropic, historical or educational organization that do not exceed four (4) sq. ft. in area.
- I. Driveway Signs. One (1) sign per driveway entrance, not to exceed two (2) sq. ft. in area.
- J. Security and warning signs. These limitations shall not apply to the posting of conventional “no trespassing” signs in accordance with state law.

1. Residential Zones. Signs not to exceed two square feet (2 sq.ft.) in area.
 2. Non-residential Zones. Maximum of one (1) large sign per property, not to exceed five square feet (5 sq. ft.) in area. All other posted security and warning signs may not exceed two square feet (2 sq. ft.) in area.
- K. Flags.
1. Location. Flags and flagpoles shall not be located within any right-of-way.
 2. Height. Flags and flagpoles shall have a maximum height of thirty-five feet (35 ft).
 3. Number. No more than four (4) flags per lot in residential zones, no more than six (6) flags per lot in all other zones.
 4. Size. Maximum flag size is thirty-five square feet (35 sq.ft.) in residential zones; there is no maximum size in non-residential zones.
 5. Flags up to six square feet (6 sq.ft.) in area are considered personal expression signs and are regulated in accordance with Subsection 19.52.050(E).
- L. Legal notices.
- M. Memorial signs or historical identification signs erected by the Municipality or other State or Federal Agencies, including plaque signs up to three square feet (3 sq.ft.) in area.
- N. Signs which are a permanent architectural feature of a building or structure, existing at the time of adoption of this ordinance.
- O. Incidental signs, including incidental window signs.
- P. Directional signs, provided the following standards are met:
1. Area. No single directional sign shall exceed four square feet (4 sq. ft.) in area.
 2. Height. Directional signs shall have a maximum height of four feet (4 ft.) ft.
 3. Illumination. Directional signs shall be non-illuminated.
- Q. Artwork and Murals.
1. The property owner receives written permission from the Director or Designee to install the mural or artwork;
 2. The installation contains no electrical or mechanical components or changing images;
 3. The installation does not cause damage to any building or site, especially any historically designated building or site;
 4. The primer and paint used if the mural or artwork is directly painted on a wall shall not be a vapor barrier; moisture shall be allowed to escape through the surface of the mural;
 5. No more than twenty-five percent (25%) of the artwork or mural may contain copy;
 6. The painted artwork or mural is maintained in good condition and repaired in the case of vandalism or accidental destruction; and
 7. The property owner submits an image of, description of, and the location of the finished mural to Planning and Development Services for inclusion in public maps advertising local artwork and points of interest.
- R. Temporary Signs. Temporary signs do not require a permit, as described in Section 19.52.030. However, temporary signs shall follow all standards outlined in this Chapter, including those found in Table 19.52.070.

19.52.060 – Prohibited Signs.

Sign types not specifically allowed or exempt as set forth within this Chapter are prohibited. In addition, the following signs are explicitly prohibited in the Municipality:

- A. All signs in violation of any provision of this Ordinance, including all signs erected, enlarged, or structurally altered without receiving the necessary approval(s).
- B. All signs in violation of any requirements or conditions of approval including all temporary signs established for longer than thirty (30) calendar days, or limited duration signs established for more than ninety (90) days.
 - 1. Established time periods for temporary and limited duration signs may be extended by the Director or Designee if the Director or Designee finds that a longer duration is needed in order to fulfill the purposes of the temporary or limited duration sign.
- C. Any new off-premise signs designed or intended to direct attention to a business, product, or service that is not sold, offered, or existing on the property where the sign is located, including all billboards.
 - 1. Subject to State Code, the Municipality may only require termination of an existing billboard in the Municipality and its associated rights through:
 - (1) Gift;
 - (2) Purchase;
 - (3) Agreement;
 - (4) Exchange; or
 - (5) Eminent Domain.
- D. Signs that are abandoned, dilapidated, or advertise businesses that no longer carry a business license or exist within the Municipality (see Section 19.52.120).
- E. Signs located within a clear view area.
- F. Snipe signs. Signs shall only be attached to utility poles in conformance with state and utility regulations and the requirements of this Chapter. Signs attached to any fences, utility poles, trees, shrubs, or other natural objects are prohibited, unless specifically provided for by law including no trespassing and no hunting.
- G. Vehicular signs. This regulation does not include the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and/or personal transportation.
- H. Mechanical movement signs, including revolving signs.
- I. Pennant strings and streamers.
- J. Animated signs, flashing signs, or signs that scroll or flash text or graphics.
- K. Inflatable devices or balloon signs, with the exception of balloons used in temporary, non-commercial situations.
- L. Any signs that imitate, resemble, interfere with, or obstruct official traffic or warning lights, signs, devices, or signals.
- M. Signs which prevent free ingress or egress from any door, window, fire escape, or that prevent free access from one part of a roof to any other part. No sign other than a safety sign shall be attached to a standpipe or fire escape.
- N. Signs which emit smoke, visible vapors, particulate matter, sound, odor or contain open flames.
- O. Reflective signs or signs containing mirrors.
- P. Signs incorporating beacon or festoon lighting.
- Q. Any banner or sign of any type suspended across a public street, without the permission of the owner of the property and road.
- R. Roof signs.

- S. Signs erected without the permission of the property owner, with the exception of those authorized or required by local, state, or federal government.
- T. Signs that exhibit statements, words, or pictures of obscene or pornographic subjects as determined by the Municipality.

19.52.070 – Allowed Signs.

The signs listed in Table 19.52.070 are allowed, subject to the specified standards. Additional standards may apply as indicated by superscript in the table, and as articulated following the Table.

Table 19.52.070: Allowed Signs and Associated Standards.				
Sign Type	Zones Permitted	Location / Setback	Dimensions	Number Permitted
Permanent				
Pole ^A Pole signs shall only be permitted in association with a Shopping Center Use as defined in Chapter 19.04 Definitions.]	All Zones except mixed-use zones and any zone that prohibits Shopping Centers.	Shall be set back at least five feet (5 ft.) from property lines.	<u>In C-1 Zones:</u> Max Height: 25 ft. Max Area: 48 sq.ft., plus 1 sq.ft. for every 4 ft. of public street frontage over 30 ft., not to exceed 128 sq.ft. <u>In C-2 Zones:</u> Max Height: 30 ft. Max Area: 48 sq.ft., plus 1 sq.ft. for every 10 ft. of public street frontage over 30 ft., not to exceed 256 sq.ft.	One sign per 300 ft. of frontage on a public street, and one additional sign on any frontage over 300 ft in length. Signs shall be spaced at least 100ft. apart.
Monument ^{A B E}	All Zones except for Forestry and Recreation (FR) and Mixed-Use Zones.	In single-family residential zones: Shall be set back at least six feet (6 ft.) from property lines. In all other zones: Shall be set back at least two feet (2 ft.) from property lines.	Max Height: 6 ft. Max Area: 32 sq.ft., plus 1 additional sq.ft. for every 10 ft. of public street frontage over 30 ft. up to a maximum of 64 sq.ft.	In residential zones: One sign per street frontage. In non-residential zones: One sign per 300 ft. of street frontage.

Wall or Flat	All Zones	Shall be attached to the wall of a building which faces on a public street.	<p>In commercial zones:</p> <p>In total, wall signs may not exceed 15% of the wall area.</p> <p>In manufacturing zones: In total, wall signs may not exceed 20% of the wall area.</p> <p>In all other zones:</p> <p>In total, wall signs may not exceed 5% of the wall area.</p> <p>No portion of a wall sign shall be mounted or painted on less than eight (8) feet above the finished grade or extend out more than twelve (12) inches from the building wall on which it is affixed.</p>	Maximum of 3 flat signs per use, with no more than 1 flat sign per building face.
Projecting / Blade	All Zones	Shall be located on the façade, at least 2 ft. away from a shared wall with an adjoining use or building.	<p>No portion of a projecting sign shall project more than 4 ft. from the face of the building; and</p> <p>The outermost portion of the projecting sign shall project no closer than 5 ft. from a curbline of a public street.</p> <p>The lowest edge of a projecting sign shall be at least 8 ft. above the finished grade.</p>	Maximum of 3 projecting / blade signs per use, with no more than 1 sign per building face.

Awning ^C	All Zones	Shall be centered within or over architectural elements such as windows or doors	<p>The lowest edge of the canopy or awning shall be at least eight feet (8 ft.) above the finished grade;</p> <p>The awning or canopy may not project more than six feet (6 ft.) from the building;</p> <p>A maximum of 25% of the wall area may be covered with an awning; and</p> <p>A maximum of 50% of the awning may be covered with graphics.</p>	Maximum of 3 awning signs per use, with no more than 1 awning sign per building face.
Window ^E	All Zones	NA	<p>In residential zones:</p> <p>The maximum sign area per use is 8 sq.ft.</p> <p>In all other zones:</p> <p>The maximum sign area per use is 16 sq.ft.</p>	Maximum of 3 window signs per use, with no more than 1 window sign per building face.
Marquee	All non-Residential Zones	Shall be located only above the principle public entrance of a building facing a public street or parking lot.	<p>The lowest edge of the marquee sign shall be at least 10 ft. above the finished grade;</p> <p>The sign may not exceed the width of the entrance it serves, plus 2 ft on each side thereof; and</p> <p>No marquee shall extend closer to the curb than 3 ft.</p>	1 per public entrance

Temporary Non-Permanent				
Limited Duration	All Zones	If 2 limited duration signs are allowed, the signs shall have a minimum of 200 ft. spacing between them.	In non-residential zones: Max Area: 32 sq.ft. Max Height: 8 ft. In residential zones: Max Area: 16 sq.ft. Max Height: 6 ft.	1 per parcel of ground, plus 1 additional sign if the parcel exceeds 5 acres or has at least 400 ft. of street frontage.
Portable		May not be placed in any manner that blocks the flow of pedestrian traffic or otherwise threatens the public health, safety, or welfare.	Max Area: 9 sq.ft. Max Height: 3 ft.	1 per business
Temporary			In non-residential zones: Max Area: 32 sq.ft. for banners, 16 sq.ft. for all other temporary signs Max Height: 24 ft. for hanging banner, 6 ft. for freestanding banner, 8 ft. for all other types In residential zones: Max Area: 32 sq.ft. for banners, 16 sq.ft. for all other temporary signs Max Height: 24 ft for hanging banner, 6 ft. for freestanding banner, 6 ft. for all other types	Only one banner is allowed per property. For other temporary sign types, 2 signs are allowed per property.

- A. Property abutting a freeway may have one sign located within thirty feet (30') of the freeway, not to exceed 256 600 sq. ft. in area. The height of such sign shall not exceed six-hundred square feet (600 sq ft) in area. The height of such sign shall not exceed sixty feet (60') above freeway grade.
- B. If a pole sign is used, a monument sign may not be used.
- C. Any ground-floor awning projecting into the right-of-way must be retractable.
- D. Incidental window signs displaying pertinent business information such as the business' hours of operation and credit cards accepted, shall be excluded from area calculations for window signs.
- E. Monument signs are prohibited on single-family properties but may be used in common areas to direct entry to a subdivision or identify a clubhouse or other amenity.

19.52.080 – Standards of General Applicability.

All signs, including those exempt from permitting processes, shall also comply with the following standards:

- A. Size Computation. When more than one use occupies a lot, the frontage may be used to calculate the sign size for one total pole or projecting sign, not for each use. The total may then be divided between the uses.
- B. Height of Pole Signs. The height of pole signs, except as otherwise specified in this Chapter, shall be measured from the grade at the property line of the yard in which the sign is located to the top of the sign.
- C. Imprint of Ownership Required. The imprint of the sign owner and sign erector of all signs shall be in plain and public view.
- D. Change of Copy. Sign text, statement, symbol, picture, graphics, and message may be changed and modified by the owner and do not constitute a structural sign alteration provided such changes do not constitute a public hazard or nuisance and are not of an obscene nature.
- E. Right-of-Way Clearance. No sign or portion thereof may be permitted within three (3) feet any road or street right-of-way or utility easement and all signs must maintain necessary clearances from underground or overhead power transmission lines, as required by the electrical power provider.
- F. Fire Protection Clearance. No sign or portion thereof may interfere with the use of fire protection appliances, including hydrants, standpipes, automatic fire sprinkler connections, and similar fire protection and suppression equipment. No sign or sign structure shall obstruct any fire lane.
- G. Signs Prohibited from Resembling Public Safety Devices. No sign or portion thereof may imitate or resemble a public safety sign or device including any lights, emblems, or text that resembles public warning or public safety lights or signs.
- H. Clear View and Traffic Flow Provisions. No sign or portion thereof may occupy any clear view area, and no sign may create any traffic or pedestrian flow hazard.
- I. Signs on Public Property. No sign may be located on publicly owned land or inside street rights-of-way except signs erected by permission of an authorized public agency.
- J. Design. All signs shall use materials and colors that are harmonious with the adjacent building(s).

19.52.090 – Design Standards Specific to Zones or Historic Districts.

Additional signage design guidelines may exist for mixed-use zones, historic districts, and special land use centers. The applicant shall refer to and comply with the municipality's other applicable adopted plans and ordinances.

19.52.100 – Sign Lighting Requirements.

The following sign lighting requirements are provided to achieve the purposes of this Chapter and Ordinance:

- A. Externally illuminated signs are permitted as follows:
 - 1. All externally lit signs shall be illuminated with steady, fully shielded light sources aimed directly onto the sign. Light bulbs or lighting tubes used for illuminating a sign shall not be visible from any location.
- B. The following internally illuminated signs are permitted:
 - 1. Individual back-lit letters that are silhouetted against an illuminated wall, or halo-illuminated.
 - 2. Individual letters with translucent faces, containing soft lighting elements inside each letter.
 - 3. Metal-faced box signs with cutout letters and soft-glow fluorescent tubes.
- C. Lighting.

1. No lighting or illumination associated with any sign shall constitute a safety hazard or create a nuisance to surrounding properties.
 2. The intensity of lighting shall not exceed that necessary to illuminate a sign from the closest adjacent public right-of-way. The nighttime illuminance of a sign may not increase ambient lighting conditions by more than three-tenths (0.3) foot candles when measured perpendicular to the sign face at a distance determined by the following formula:
 - a. Measurement Distance (in feet) = the square root of [Area of electronic message center face in square feet x 100]
 - b. An ambient light measurement shall be taken using a foot candle meter at the required distance with the sign lighting turned off. Immediately following the ambient light measurement taken in the manner required by this subsection, an operating light measurement shall be taken with the sign lights fully turned on.
 3. No light source shall be directed toward any adjacent property.
 4. All light sources shall be fully shielded or hooded.
- D. If the Director or Designee or adjacent property owners allege that an illuminated sign violates any portion of this Section, the complainant may request a photometric assessment to measure the amount of light and ascertain the validity of the alleged violation. If photometric measuring devices are available through the Municipality, the Municipality shall perform the assessment. If the Municipality has no measuring devices, the complainant may provide an independent assessment through a qualified professional to the Director or Designee. If such light is determined to be in violation, the owner of the light shall take appropriate, corrective action as directed.

19.52.110 – Electronic Message Center Requirements.

- A. An electronic message center (EMC) shall only display static images with instant or fade-in fade-out transitions. An electronic message center may not display scrolling text, video images, or scintillating images. Upward illumination in such displays is not allowed, to avoid light pollution. The light source of electronic message centers may not allow light trespass onto adjacent residential properties.
- B. Display Duration. The minimum image display duration is five (5) seconds.
- C. Transition Duration. The maximum image transition duration shall be two (2) seconds. Transitions from one static image shall fade out and fade or dissolve into the next static image without the use of flashing, animation, or movement.
- D. Ambient Light. All electronic message centers shall be equipped with a sensor or other programmable device that automatically determines the ambient illumination and must be programmed to automatically dim according to ambient light conditions. The nighttime illuminance of an electronic message center may not increase ambient lighting conditions by more than three-tenths (0.3) foot candles when measured perpendicular to the electronic message center face at a distance determined by the following formula:
 1. Measurement Distance (in feet) = the square root of [Area of electronic message center face in square feet x 100]
 2. An ambient light measurement shall be taken using a foot candle meter at the required distance with the sign turned off to a black screen. Immediately following the ambient light measurement taken in the manner required by this subsection, an operating light measurement shall be taken with the sign turned on to a full white screen.

E. Electronic Message Center Allowable Type and Size by Zone. Table 19.52.110 shows which type of signs are permitted to include an electronic message center in which zones. The Table also sets the maximum size of EMCs per zone and sign type.

1. All signs containing an EMC shall also include a non-digital identifier that covers at least twenty-five percent (25%) of the total sign area.

Zone	Sign Types Permitted to Include EMC	Additional Conditions	Allowable EMC Size as a Percentage of Total Allowable Sign Size
C-1, C-2, Mixed-Use	Monument	Permitted	50%
	Pole*	May not be located within 100' of an RMH, R-1, R-2, R-4, or R-M Zone.	
PR	Monument	Permitted	50%

*Pole signs shall only be permitted in association with a Shopping Center use, as defined in Chapter 19.04: Definitions.

19.52.120 – Unused and Abandoned Signs.

- A. Signs relating to a product no longer available for purchase, or to a business which has closed or moved, shall be removed or the advertising copy removed within thirty (30) days of such unavailability. Empty signs frames shall either be replaced with new signs for an active business or removed within six (6) months from the time the sign area becomes vacant.
- B. Vacant portions of signs where panels remain empty for over six (6) months shall be removed or brought into compliance by the property owner. If removal does not occur voluntarily, after appropriate notice is given, the entire sign and support structure shall be taken down by the owner or may be removed by the Municipality and all costs incurred shall be the responsibility of the property owner.

Chapter 19.54 (Reserved)

Chapter 19.56 Floodplain Hazard Regulations

19.56.010 – Authorization and Findings

- A. Statutory Authorization.
 1. The Legislature of the State of Utah has in Utah Code Unannotated 10-3-701 delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Municipal Council of White City does ordain as follows:
 2. The White City Metro Township elects to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended). The National Flood Insurance Program (NFIP) is a voluntary program administered by the Federal Emergency Management Agency (FEMA), a component of the U.S. Department of Homeland Security, and the White City Metro Township's community officials have elected to join the program, participate, and enforce this Flood

Damage Prevention Ordinance and the requirements and regulations of the NFIP. The NFIP, established in the aforesaid act, provides that areas of the White City Metro Township having a special flood hazard be identified by FEMA, and that floodplain management measures be applied in such flood hazard areas. Furthermore, the White City Metro Township may elect to administer the Flood Damage Prevention Ordinance to areas not identified as Special Flood Hazard Areas (SFHAs) by FEMA on the community's effective Flood Insurance Rate Map (FIRM), if the community has documentation to support that there is an inherent risk of flooding in such areas.

B. Findings of Fact.

1. The flood hazard areas of White City are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety, and general welfare.
2. These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazards areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.
3. These potential flood losses are caused by:
 - a. The cumulative effect of obstructions in floodplains that are known to cause increases in flood heights and velocities;
 - b. The occupancy of flood hazard areas by structures vulnerable to floods because they are inadequately elevated or otherwise unprotected from flood damages; and
 - c. Uses deemed unsuitable for floodplain areas or that do not account for the increased flood risk.

19.56.020 – Purpose of Provisions

- A. It is the purpose of this Chapter to promote the public health, safety and general welfare of the community and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:
1. Protect human life and health;
 2. Minimize expenditure of public money for costly flood control projects;
 3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
 4. Minimize prolonged business interruptions;
 5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
 6. Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
 7. Ensure that potential buyers are notified that property is in a flood area and can make their decisions based on full information.

19.56.030 - Methods of Reducing Flood Losses.

In order to accomplish its purposes, this chapter includes methods and provisions for:

- A. Restricting or prohibiting land uses that are dangerous to health, safety, or property in times of flooding, or cause excessive increases in flood heights or velocities;

- B. Requiring that land uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
- D. Controlling filling, grading, dredging and other developments that may increase flood damage; and
- E. Preventing or regulating the construction of flood barriers that will unnaturally divert floodwaters or may increase flood hazards to other lands.

19.56.040 – General Provisions.

- A. Lands to which this chapter applies. This chapter shall apply to all areas of special flood hazards within the jurisdiction of White City.
- B. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Salt Lake County and Incorporated Communities," dated November 19, 2021, with accompanying flood insurance rate maps (FIRMs), and any revisions thereto are hereby automatically adopted by reference and declared to be a part of this chapter.
- C. Establishment of Development Permit. A Floodplain Development Permit shall be required to ensure conformance with the provisions of this Chapter.
- D. Compliance. No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this Chapter and other applicable regulations.
- E. Abrogation and Greater Restrictions. This Chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- F. Interpretation. In the interpretation and application of this Chapter, all provisions shall be:
 1. Considered as minimum requirements;
 2. Liberally construed in favor of the governing body; and
 3. Deemed neither to limit nor repeal any other powers granted under State statutes.
- G. Warning and Disclaimer of Liability.
 1. The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes.
 2. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the municipal Township, any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damages that result from reliance on this chapter, or any administrative decision lawfully made thereunder.

19.56.050 – Administration.

- A. Floodplain Administrator Appointed. The Director of Planning and Development Services is hereby appointed the Floodplain Administrator to administer and implement the provisions of this Chapter and other appropriate sections of 44 CFR (National Flood Insurance Program Regulations) pertaining to floodplain management.
- B. Duties and Responsibilities of the Floodplain Administrator. Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

1. Maintain and hold open for public inspection all records pertaining to the provisions of this Chapter.
 2. Review permit application to determine whether proposed building site, including the placement of manufactured homes, will be reasonably safe from flooding.
 3. Review, approve or deny all applications for development permits required by adoption of this Chapter.
 4. Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
 5. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.
 6. Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is Utah Division of Emergency Management, State Floodplain Manager, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
 7. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
 8. When base flood elevation data has not been provided in accordance with Article 3, Section B, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of Article 5.
 9. When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
- C. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one foot, provided that the community first applies for a conditional FIRM revision through FEMA (Conditional Letter of Map Revision).

19.56.060 – Permit Procedures.

- A. Application. Application for a Floodplain Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following submittals and information are required:
1. Plans drawn to scale showing the location, dimensions, and elevations of proposed landscape alterations.

2. Plans drawn to scale showing the location, dimensions, and elevation of existing and proposed structures, including the placement of manufactured homes.
 3. Location of the foregoing in relation to SFHA's.
 4. Elevation, in relation to mean sea level, of the lowest floor (including basement and crawlspace) of all new and substantially improved structures.
 5. Elevation, in relation to mean sea level, to which any nonresidential structure (if applicable) shall be floodproofed.
 6. A certificate from a registered professional engineer that the nonresidential floodproofed structure (if applicable) shall meet the floodproofing criteria of this chapter and the NFIP Regulations.
 7. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.
 8. All other information that may reasonable be required by the Floodplain Administrator.
 9. Reasonable fees in accordance with the adopted fee schedule.
 10. The municipality shall become the owner of all Floodplain Development Permits and shall maintain a record of all such information in accordance with this chapter and the NFIP Regulations.
- B. Approval or Denial. Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be based on all of the provisions of this Chapter and the following relevant factors:
1. The danger to life and property due to flooding or erosion damage;
 2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 3. The danger that materials may be swept onto other lands to the injury of others;
 4. The compatibility of the proposed use with existing and anticipated development;
 5. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 6. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
 7. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
 8. The necessity to the facility of a waterfront location, where applicable;
 9. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use; and
 10. The relationship of the proposed use to the comprehensive plan for that area.

19.56.070 - Variances and Appeal Procedures.

- A. The land use hearing officer shall hear and decide all appeals and requests for variances from the requirements of this chapter, as provided in Chapter 19.20 of this title, as amended. The following conditions shall apply, in addition to the provisions of Chapter 19.20:
1. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below one foot above the base level, providing the land use hearing officer has considered all technical evaluations, all relevant factors, and standards specified in other sections of this chapter, providing the following items have been considered:

- a. The danger that materials may be swept onto other land to the injury of others;
 - b. The danger to life and property due to flooding or erosion damage;
 - c. The susceptibility of the proposed facility and its contents to flood damage, and the effect of such damage on the individual owner:
 - d. The importance of the services provided by the proposed facility to the community;
 - e. The necessity to the facility of a waterfront location, where applicable;
 - f. The availability of alternative locations for the proposed use, which are not subject to flooding or erosion damage;
 - g. The compatibility of the proposed use with the existing and anticipated development;
 - h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - j. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
 - k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
2. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.
 3. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
 4. The Floodplain Administrator shall maintain in perpetuity a record of all variance actions, including justification for their issuance, and shall report variances to FEMA and the State Coordinating Agency upon issuing a variance.
- B. Prerequisites for Granting a Variance.
1. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 2. Variances shall only be issued upon:
 - a. A showing of good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional and undue hardship to the applicant; and
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 3. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below one foot above the base flood elevation and that the cost of flood insurance will be commensurate with the increased flood risk resulting from the reduced lowest floor elevation.
- C. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
1. The criteria outlined in subsection 19.56.060.B.1-10 are met, and
 2. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

- D. The land use hearing officer shall maintain the record of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

19.56.080 – Provisions for Flood Hazard Reduction.

- A. General Standards. In all areas of special flood hazards, the following standards are required for all new construction and substantial improvements:
1. All new construction and substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure and capable of resisting the hydrostatic and hydrodynamic loads, including the effects of buoyancy.
 2. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
 3. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
 4. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
 5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
 6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and
 7. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- B. Substantial Improvement and Substantial Damage Determination. For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, shall:
1. Estimate the market value of the building or structure only (not of land) before the start of construction of the proposed work. If the applicant disagrees with the estimated market value, the applicant may obtain an appraisal of the market value prepared by a qualified independent appraiser. In the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.
 2. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure.
 3. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; the determination requires evaluation of previous permits issued for improvements and repairs.
 4. Utilize FEMA's Substantial Improvement/Substantial Desk Reference when making any determination on Substantial Improvement and/or Substantial Damage.
 5. The substantial improvement regulations apply to all of the work that is proposed as the improvement, even if multiple permits are issued. Therefore, the determination of the cost of the improvement should consider all costs of all phases of the work before issuance of the first permit.

6. Notify the applicant that if it is determined that the work constitutes substantial improvement or repair of substantial damage, compliance with the flood regulations of this chapter is required.
- C. Specific Standards. In all areas of special flood hazards where base flood elevation data has been provided as set forth in this chapter, the following standards are required:
1. Residential Construction. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated to 1 foot or more above the base flood elevation. A registered professional engineer, or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this chapter are satisfied.
 2. Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to 1 foot or more above the base flood elevation or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.
 3. Enclosures. New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
 - a. A minimum of two openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.
 - b. The bottom of all openings shall be no higher than one foot (1') above grade.
 - c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
 4. Enclosures below the BFE. Enclosures below the BFE may only be used for building access, vehicle parking, and storage. Certification and documentation from a professional, licensed engineer is required if the structure's lowest floor is built below the BFE. Applicant shall enter into a maintenance and nonconversion agreement with the municipality that it will maintain the improvements outlined in this paragraph and not modify or convert them to uses other than approved uses.
 5. Crawlspaces. New construction and substantial improvements built on an at grade crawlspace or sub-grade (below grade) crawlspace may be permitted if the development is designed and meets or exceeds the standards found in FEMA's Technical Bulletins 1, 2, and 11, which include but are not limited to the following:
 - a. The structure must be affixed to a permanent foundation, designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from

- hydrodynamic and hydrostatic loads, including the effects of buoyancy. Because of hydrodynamic loads, crawlspace construction is not allowed in areas with flood velocities greater than 5 feet per second unless the design is reviewed by a qualified design professional, such as a registered professional engineer.
- b. The crawlspace is an enclosed area below the BFE and, as such, must have flood openings that equalize hydrostatic pressures by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than 1 foot above the LAG.
 - c. The crawlspace enclosure must have proper flood openings that allow equalization of hydrostatic pressure by allowing automatic entry and exit of floodwaters. To achieve this, a minimum of 1 square inch of flood opening is required per 1 square foot of the enclosed area subject to flooding.
 - d. Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawlspace used to elevate the building, but also any joists, insulation, piers, or other materials that extend below the BFE. Ductwork must either be placed above the BFE or sealed from floodwaters.
 - e. Any building utility systems within the crawlspace must be elevated above the BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions.
 - f. The interior grade of a crawlspace below the BFE must not be more than 2 feet below the LAG.
 - g. The height of the below-grade crawlspace, measured from the lowest interior grade of the crawlspace floor to the bottom of the floor joist of the next higher floor cannot exceed 4 feet at any point.
 - h. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event.
 - i. Note. Buildings with below grade crawlspaces will have higher flood insurance premiums than buildings that have preferred crawlspace construction, with interior elevation at or above the LAG.
6. Manufactured Homes.
- a. All manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
 - b. Manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites outside of a manufactured home park or subdivision; in a new manufactured home park or subdivision; in an expansion to an existing manufactured home park or subdivision; or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to one foot (1') or more above the base flood elevation and

- be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- c. In the A1-30, AH, AO and AE Zones, manufactured homes placed or substantially improved in an existing manufactured home park shall be elevated so that the lowest floor is one foot (1') or more above the base flood elevation; or the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
7. Recreational Vehicles. Recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either:
- a. Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use;
 - b. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
 - c. Meet the permit requirements and the elevation and anchoring requirements for "manufactured homes" in this section.
- D. Standards for Subdivision Proposals.
1. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
 2. All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Floodplain Development Permit and other requirements of this chapter.
 3. Base flood elevation data shall be generated for subdivision proposals and other proposed development that is greater than 50 lots or 5 acres, including the placement of manufactured home parks and subdivisions.
 4. All subdivision proposals, including the placement of manufactured home parks and subdivisions shall, have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- E. Standards for Areas of Shallow Flooding (AO/AH Zones). Located within the areas of special flood hazard established by this chapter, are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of 1 to 3 feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:
1. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated one foot (1') or more above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified).
 2. All new construction and substantial improvements of non-residential structures:
 - a. Have the lowest floor (including basement) elevated one foot (1') or more above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two (2) feet if no depth number is specified), or;

- b. Together with attendant utility and sanitary facilities be designed so that below one foot (1') above the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
 3. A registered professional engineer shall submit a certification to the Floodplain Administrator that the standards of this subsection are satisfied.
 4. Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.
- F. Floodways. Located within areas of special flood hazard established in Section 19.56.040 are areas designated as "floodways." Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:
1. Designate a regulatory floodway that will not increase the base flood level more than 1 foot.
 2. Encroachments, including fill, new construction, substantial improvements, placement of manufactured homes, and other developments, are prohibited unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
 3. If subsection A of this section is satisfied, all new construction and substantial improvements and placement of manufactured homes shall comply with all applicable flood-hazard reduction provisions of Sections 19.56.100 through 19.56.180.
 4. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision through FEMA.

19.56.090 – Definitions.

- A. The following definitions shall apply to terms use in this chapter. Unless specifically defined below, words or phrases used in this Chapter shall be interpreted to give them the meaning they have in common usage and to give this Chapter its most reasonable application.
1. "100-Year Flood" means a flood having a recurrence interval that has a 1-percent chance of being equaled or exceeded during any given year (1-percent-annual-chance flood). The terms "100-hundred-year flood" and "1-percent-annual-chance flood" are synonymous. The term does not imply that the flood will necessarily happen once every 100 hundred years. Mandatory flood insurance requirements may apply.
 2. "100-Year Floodplain" means the area of land susceptible to being inundated due to the occurrence of a 1-percent-annual-chance flood.
 3. "500-Year Flood" means a flood having a recurrence interval that has a 0.2-percent chance of being equaled or exceeded during any given year (0.2-percent-annual-chance flood). The term does not imply that the flood will necessarily happen once every 500 years and mandatory flood insurance requirement generally does not apply.
 4. "500-Year Floodplain" means the area of land susceptible to being inundated due to the occurrence of a 0.2-percent-annual-chance flood.
 5. "Accessory Structure" means a structure that is on the same parcel of property as a principal structure. Its use is incidental to the use of the principal structure. The ownership of the

accessory structure is the same owner as of the principal structure. An accessory structure is a non-residential structure of low value that is used solely for the parking of vehicles and storage of tools, materials, or equipment. No human habitation is allowed within an accessory structure.

6. "Addition" means any improvement that expands the enclosed footprint or increases the square footage of an existing structure. This includes lateral additions added to the side, front, or rear of a structure; vertical additions added on top of a structure; and enclosures added underneath a structure.
7. "Alluvial Fan Flooding" means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.
8. "APEX" means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.
9. "Appurtenant Structure"—see Accessory Structure.
10. "Area of Future-Conditions Flood Hazard" means the land area that would be inundated by the 1-percent-annual-chance (100-year) flood, based on future-conditions hydrology.
11. "Area of Shallow Flooding" means a designated AO, AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
12. "Area of Special Flood-Related Erosion Hazard" means the land within a community that is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area, in preparation for publication of the FIRM, Zone E may be further refined.
13. "Area of Special Flood Hazard" means the lands in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A1-99, VO, V1-30, VE or V
14. "Base Flood" means the flood having a 1-percent chance of being equaled or exceeded in any given year.
15. "Base Flood Elevation (BFE)" means the water surface elevation of the 1-percent-annual-chance flood event. It is the height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas. It is also the elevation shown on the FIRM and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1-percent chance of equaling or exceeding that level in any given year.
16. "Basement" means any area of the building having its floor subgrade (below ground level) on all sides. A walkout basement that does not require a step up to grade is not considered a basement.
17. "Best Available Data" means existing flood hazard information adopted by a community and reflected on an effective FIRM, FBFM, and/or within an FIS report; or draft or preliminary flood hazard information supplied by FEMA or from another source. Other sources may include, but

are not limited to, state, other federal agencies, or local studies, the more restrictive of which would be reasonably used by the community. {If Higher Standard Option elected refer to ARTICLE III, SECTION B.1 USE OF BEST AVAILABLE DATA}

18. "Breakaway Wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system. Any walls below the lowest floor in a building in a V or VE Zone should give way under wind and water loads without causing collapse, displacement, or other damage to the elevated portion of the building or the supporting pilings or columns. Breakaway walls apply only to V or VE Zones.
19. "Building" see Structure.
20. "Channelization" means the artificial creation, enlargement, realignment, or alteration of a stream channel's slope, shape, or alignment. Streambank restoration may be deemed as channelization.
21. "Code of Federal Regulations (CFR)" means the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government.
22. "Conditional Letter of Map Revision (CLOMR)" means FEMA's comment on a proposed project that would, upon construction, affect the hydrologic and/or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective BFEs, and/or the SFHA. The letter does not revise an effective map; it indicates whether the project, if built as proposed, would be recognized by FEMA.
23. "Conditional Letter of Map Revision Based on Fill (CLOMR-F)" means FEMA's comment on a proposed structure or property. The letter does not revise an effective map; it indicates whether the project, if built as proposed, would be removed from the floodplain.
24. "Crawlspace" means an under-floor space that has its interior floor area (finished or not) no more than 4 feet from the bottom floor joist the next higher floor elevation, designed with proper openings that equalize hydrostatic pressures of flood water, and is not used for habitation.
25. "Critical Facility" means a facility or building where even a slight chance of flooding is too great a threat. Typical critical facilities include hospitals, fire stations, police stations, schools, storage of critical records, assisted living and similar facilities.
26. "Critical Feature" means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.
27. "Deed Restriction" means a clause in a deed that limits the future use of the property in some respect. Deed restrictions may impose a vast variety of limitations and conditions. For example, they may limit the density of buildings, dictate the types of structures that can be erected, or prevent buildings from being used for specific purposes or from being used at all.
28. "Detached Garage" means a building that is used solely for storage of materials or vehicle parking for up to four housing occupants. If a detached garage is designed or used for habitation or conducting business, or has multiple stories, then the building is not considered a detached garage under the NFIP.
29. "Development" means any human-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading,

paving, demolition, excavation or drilling operations, or storage either temporary or permanent of equipment or materials.

30. "Elevated Building" means a non-basement building (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls met the standards of Section 60.3(e)(5) of the National Flood Insurance Program regulations.
31. "Enclosure" means an enclosed walled-in area below the lowest floor of an elevated building. Enclosures below the BFE may only be used for building access, vehicle parking, and storage.
32. "Erosion" means the process of the gradual wearing away of land masses by wind, water, or other natural agents.
33. "Existing Construction" means structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. It may also be referred to as Existing Structures.
34. "Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the community.
35. "Existing Structures"—see Existing Construction.
36. "Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
37. "FEMA" means the Federal Emergency Management Agency.
38. "FHBM" means Flood Hazard Boundary Map.
39. "Fill" means the placement of materials, such as dirt, sand, or rock to elevate a structure, property, or portion of a property above the natural elevation of the site, regardless of where the material was obtained from. The common practice of removing unsuitable material and replacing with engineered material is not considered fill if the elevations are returned to the existing conditions. Any fill placed or used prior to the area being mapped as a flood hazard area is not deemed as fill.
40. "Flood or Flooding" means:
 - a. A general and temporary condition of partial or complete inundation of normally dry land areas from:

- b. The overflow of inland or tidal waters.
 - c. The unusual and rapid accumulation or runoff of surface waters from any source.
 - d. Mudslides (i.e., mudflows) that are proximately caused by flooding as defined in this Chapter and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
 - e. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in this Chapter.
41. "Flood Insurance Manual" means the document FEMA produces twice a year and is used to write flood insurance policies underwritten by the NFIP. The document contains definitions, policy rates, coverage and limitations, application and insurance policy forms.
 42. "Flood Insurance Rate Map (FIRM)" means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).
 43. "Flood Insurance Study (FIS) or Flood elevation study" means an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation, and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.
 44. "Floodplain Development Permit" means a community issued permit or document that is used for any development that occurs within an SFHA identified by FEMA or the community. It is used to address the proposed development to ensure compliance with the community's ordinance.
 45. "Floodplain or Flood-Prone Area" means any land area susceptible to being inundated by water from any source whether or not identified by FEMA (see definition of Flooding).
 46. "Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, mitigation plans, and floodplain management regulations.
 47. "Floodplain Management Regulations" means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for flood damage prevention and reduction.
 48. "Flood Opening" means an opening in the wall of an enclosed structure that allows floodwaters to automatically enter and exit the enclosure. Refer to FEMA Technical Bulletin 1.
 49. "Flood Protection System" means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to an SFHA and to reduce the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized, flood modifying works are those

constructed in conformance with sound engineering standards. FEMA only accredits levees, both private and public, that have been certified by a professional engineer or firm in which the certification shows that the levee have met and continue to meet the minimum regulatory standards cited in Title 44, Chapter 1, Section 65.10 of the Code of Federal Regulations (44 CFR 65.10).

50. "Floodproofing" means any combination of structural and non-structural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents. Floodproofing can either be accomplished in the form of dry floodproofing in which the structure is watertight below the levels that need flood protection, or wet floodproofing in permanent or contingent measures applied to a structure that prevent or provide resistance to damage from flooding, while allowing floodwaters to enter the structure or area.
51. "Floodway"—see Regulatory Floodway.
52. "Floodway encroachment lines" mean the lines marking the limits of floodways on federal, state, and local flood plain maps.
53. "Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.
54. "Functionally Dependent Use" means a development that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and repair facilities. It does not include long-term storage or related manufacturing facilities.
55. "Highest Adjacent Grade (HAG)" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. In AO Zones, the highest adjacent grade is utilized by comparing the lowest floor elevation to that of the highest adjacent grade and the depth of the AO Zone.
56. "Historic Structure" means any structure that is:
 - a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - c. Individually listed on a state inventory of historic places in states with historic reservation programs that have been approved by the Secretary of the Interior; or
 - d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - e. By an approved state program as determined by the Secretary of the Interior, or
 - f. Directly by the Secretary of the Interior in states without approved programs.
57. "Letter of Map Amendment (LOMA)" means an official amendment, by letter, to an effective FIRM. A LOMA establishes a property's location in relation to the SFHA. It is usually issued

because a property or structure has been inadvertently mapped as being in the floodplain, when it is actually on natural high ground above the BFE.

58. "Letter of Map Revision (LOMR)" means FEMA's modification or revision to an entire or portion of the effective FIRM, or Flood Boundary and Floodway Map, or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective BFEs, or the SFHA.
59. "Letter of Map Revision Based on Fill (LOMR-F)" means FEMA's amendment, by letter, to an effective FIRM where fill was brought in or used to elevate a property, portion of property or structure above the BFE.
60. "Levee" means a man-made structure usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.
61. "Levee System" means a flood protection system that consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.
62. "Lowest Adjacent Grade (LAG)" means the lowest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. For an existing structure, it means the lowest point where the structure and ground touch, including but not limited to attached garages, decks, stairs, and basement windows.
63. "Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of this title.
64. "Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than one hundred eighty consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.
65. "Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
66. "Map" means the FHBM or the FIRM for a community issued by FEMA.
67. "Mean Sea Level" means, for purposes of the NFIP, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which BFEs shown on a community's FIRM are referenced.
68. "Mixed Use Structures" means structures with both a business and a residential component, but where the area used for business is less than 50 percent of the total floor area of the structure.
69. "New Construction" means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures. For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the

effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

70. "New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
71. "No-Rise Certifications" means formal certifications signed and stamped by a professional engineer licensed to practice in the state, demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that a proposed development will not result in any increase (0.00 feet) in flood levels within the community during the occurrence of a base flood event.
72. "Physical Map Revision (PMR)" is FEMA's action whereby one or more map panels are physically revised and republished.
73. "Recreational Vehicle" means a vehicle which is:
 - a. Built on a single chassis;
 - b. 400 square feet or less when measured at the largest horizontal projection;
 - c. Designed to be self-propelled or permanently towable by a light duty truck; and
 - d. Designed primarily, not for use as a permanent dwelling but, as temporary living quarters for recreational, camping, travel, or seasonal use.
74. "Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
75. "Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, creek, etcetera, which can be intermittent or perennial.
76. "Section 1316" means to the section of the National Flood Insurance Act of 1968, as amended, which provides for the denial of flood insurance coverage for any property that the Administrator finds has been declared by a duly constituted State or local authority to be in violation of State or local floodplain management regulations. Section 1316 is issued for a property, not a property owner, and remains with the property even after a change of ownership.
77. "Special Flood Hazard Area"—see Area of Special Flood Hazard.
78. "Start of Construction" means substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include

excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

79. "Structure for Floodplain Management Purposes" means a walled and roofed building, culvert, bridge, dam, or a gas or liquid storage tank that is principally above ground, as well as a manufactured home.
80. "Structure for insurance purposes" means:
 - a. A building with two or more outside rigid walls and a fully secured roof, which is affixed to a permanent site.
 - b. A manufactured home ("a manufactured home," also known as a mobile home, is a structure: built on a permanent chassis, transported to its site in one or more sections, and affixed to a permanent foundation); or
 - c. A travel trailer without wheels built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws.
 - d. For insurance purposes, "structure" does not mean a recreational vehicle or a park trailer or other similar vehicle, except as described in paragraph (3) of this definition, or a gas or liquid storage tank.
81. "Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
82. "Substantial Improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed.
 - a. The term does not, however, include:
 - b. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and are the minimum necessary to assure safe living conditions; or
 - c. Any alteration of a "historic structure", if the alteration will not preclude the structure's continued designation as a "historic structure."
83. "Variance" means a grant of relief by a community from the terms of a flood plain management regulation.
84. "Violation" means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Sections 44 CFR 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.
85. "Water surface elevation" means the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and

frequencies, such as the 1-percent-annual-chance flood event, in the flood plains of coastal or riverine areas.

86. "Watercourse" means the channel and banks of an identifiable water in a creek, brook, stream, river, ditch or other similar feature.

Chapter 19.58 Geological Hazards Ordinance

19.58.010 - Purpose of provisions.

The purpose of the geologic hazards ordinance is to promote the health, safety and general welfare of the citizens of the municipality, and minimize the potential adverse effects of geologic hazards to public health, safety and property by encouraging wise land use in geologically hazardous areas.

19.58.020 - Definitions.

- A. As used in this chapter, the following terms have the following meanings:
1. "Active fault" means a fault displaying evidence of greater than four inches of displacement along one or more of its traces during Holocene time (about 10,000 years ago to the present).
 2. "Avalanche" means a large mass of snow, ice, and debris in swift motion down a slope; includes both wet and dry snow avalanches.
 3. "Buildable area" means that portion of a site where an approved engineering geology and/or geotechnical report, as required, has indicated is not impacted by geologic hazards, or concluded that the identified hazards can be mitigated to a level where risk to human life and property are reduced to an acceptable and reasonable level, and where structures may be safely sited. Buildable areas must be clearly marked on the site plan and/or final approved plat, as appropriate.
 4. "Critical facilities" means essential facilities, and lifelines such as major utility, transportation, and communication facilities and their connections to essential facilities.
 5. "Debris flow" means a slurry of rock, soil, organic material, and water transported in an extremely fast and destructive flow that flows down channels and onto and across alluvial fans; includes a continuum of sedimentation events and processes including debris, flows, debris floods, mudflows, clearwater floods, and alluvial fan flooding.
 6. "Development" includes all critical and essential facilities, subdivisions, single- and multi-family dwellings, commercial and industrial buildings, additions to existing buildings, storage facilities, pipelines and utility conveyances, and other land uses.
 7. "Engineering geologist" means a geologist who, through education, training and experience, is able to conduct field investigations and interpret geologic conditions to assure that geologic factors affecting engineered works are recognized, adequately interpreted, and presented for use in engineering practice and for the protection of the public.
 8. "Engineering geology" means the application of geological data, principles and interpretation so that geological factors affecting planning, design, construction, and maintenance of engineered works are properly recognized and adequately interpreted.
 9. "Essential facility" means buildings and other structures that are intended to remain operational in the event of extreme environmental loading from snow or earthquakes, including all Category II and III structures as classified in Table 1604.5 of the Building Code.
 10. "Fault" means a fracture in the earth's crust forming a boundary between rock or soil masses that have moved relative to each other (see "Active fault").

11. "Fault setback" means an area on either side of a fault within which construction of structures for human occupancy or critical facilities is not permitted.
12. "Fault scarp" means a steep slope or cliff formed by movement along a fault.
13. "Fault trace" means the intersection of a fault plane with the ground surface, often present as a fault scarp, or detected as a lineament on aerial photographs.
14. "Fault zone" means a corridor of variable width along one or more fault traces, within which deformation has occurred.
15. "Geologic hazard" means a surface fault rupture, liquefaction, landslide, debris flow, rockfall, avalanche, and/or other geologic processes that may present a risk to life and property.
16. "Geologic hazard maps" refers to the following maps showing Geologic Hazards Special Study Areas in then unincorporated Salt Lake County:
 17. "Surface Fault Rupture and Liquefaction Potential Special Study Areas" dated March 31, 1989 and revised March 1995;
 18. "Avalanche Special Study Areas" dated March 31, 1989;
 19. "Landslide, Debris Flow, and Rockfall Special Study Area Map" dated April 9, 2002.
20. "Geologic Hazard Special Study Area" means a potentially hazardous area as shown on the geological hazards maps, or in other areas defined under "Applicability" (Section 19.58.030), within which hazard investigations are generally required prior to development.
21. "Geotechnical Engineer" means a professional engineer licensed in the State of Utah whose education, training and experience, is in the field of geotechnical engineering.
22. "Geotechnical Engineering" means the investigation and engineering evaluation of earth materials including soil, rock and man-made materials and their interaction with earth retention systems, foundations, and other civil engineering works. The practice involves the fields of soil mechanics, rock mechanics, and earth sciences and requires knowledge of engineering laws, formulas, construction techniques, and performance evaluation of engineering.
23. "Governing body" means the Municipal Council.
24. "Landslide" means a general term for the downslope movement of a mass of soil, surficial deposits or bedrock, including a continuum of processes between landslides, earthflows, mudflows, debris flows and debris avalanches, and rockfall.
25. "Liquefaction" means a process by which certain water-saturated soils lose bearing strength because of earthquake-related ground shaking and subsequent increase of groundwater pore pressure.
26. "Non-Buildable Area" means that portion of a site which an engineering geology report has concluded may be impacted by geologic hazards that cannot be feasibly mitigated to a safe level, and where siting of structures is not permitted.
27. "Rockfall" means a rock, or mass of rock, newly detached from a cliff or other steep slope which moves downslope by falling, rolling, toppling, or bouncing; includes rockslides, rockfall avalanches, and talus.
28. "Setback" means an area within which construction of habitable structures or critical facilities is not permitted.
29. "Slope Stability" means the resistance of a natural or artificial slope or other inclined surface to failure by landsliding; usually assessed under both static and dynamic (earthquake induced) conditions.

30. "Structure designed for human occupancy" means any residential dwelling or other structure used or intended for supporting or sheltering any human occupancy.

19.58.030 - Applicability.

These regulations are applicable to:

- A. All lands within Geological Hazard Special Study Areas in the municipality, as shown on the following geologic hazards maps on file with Planning and Development Services:
 - 1. "Surface Fault Rupture and Liquefaction Potential Special Study Areas" dated March 31, 1989 and revised March 1995;
 - 2. "Avalanche Special Study Areas" dated March 31, 1989; and
 - 3. "Landslide, Debris Flow, and Rockfall Special Study Areas" dated April 9, 2002.
- B. Areas where slopes are in excess of thirty percent; and
- C. Areas where topography, geology, soil conditions, slope instability, slope angle or aspect, whether on-site or off-site, indicate a potential for geologic hazards.
- D. Such maps and areas described above and all amendments thereto are made a part of this chapter as if fully described and detailed herein. Each change in the geologic hazards maps shall be subject to the amendment procedures set forth in Chapter 19.16.

19.58.040 - Disputes.

- A. Disputes may arise when:
 - 1. There is a conflict between the boundary lines illustrated on the map and actual field conditions,
 - 2. Detailed investigations show that mapped hazards are not present within a particular area, or
 - 3. Field conditions indicate that unmapped hazards may exist that require study.
- B. Disputes shall be settled as follows:
 - 1. The person disputing the special study area boundary or the presence of mapped or unmapped hazard(s) within a particular area shall submit technical and geologic evidence to support their claim to the Municipal Geologist in the form of a site-specific geologic hazards report (see Section 19.58.060).
 - 2. The Municipal Geologist may request the Utah Geological Survey, U.S. Forest Service, and/or other experts to review the evidence (third-party review) prior to making a decision concerning the dispute. The cost of the third-party review shall be paid by the person disputing the map.
 - 3. The Municipal Geologist may allow deviations from the mapped boundary line only if evidence is provided by the applicant that, to the satisfaction of the Municipal Geologist, clearly and conclusively establishes that the Geologic Hazard Special Study Area boundary location is incorrect, or that the mapped hazards are not present within a particular area.
 - 4. Any decision of the Municipal Geologist may be appealed to the land use hearing officer pursuant to the appeal procedures set forth in Chapter 19.20.

19.58.050 - Studies and reports required.

Any applicant requesting development on a parcel of land within a Geologic Hazard Special Study Area, as required under Chart 19.58.050, or in other applicable areas as defined in Section 19.58.030, shall submit to the Planning and Development Services Division two copies of a site-specific geologic hazard study and report.

Chart 19.58.050: Special Study Area Report Requirements

Based on Special Study Area Maps

Is a Site-Specific Geological Hazards Report Required Prior to Approval?					
Land Use (Type of Facility)	Surface Fault Rupture	Liquefaction Potential		Landslide, Debris Flow & Rockfall	Avalanche
		HIGH and MODERATE	LOW and VERY LOW		
Critical and Essential Facilities as defined in Section 19.58.020	Yes	Yes	Yes	Yes	Yes
Industrial and Commercial Bldgs. (1 story and <5,000 sq. ft.)	Yes	No*	Yes	Yes	Yes
Industrial and Commercial Bldgs. (>5,000 sq. ft.)	Yes	Yes	Yes	Yes	Yes
Residential-Single Lots/Single Family Homes	Yes	No*	Yes	Yes	Yes
Residential Subdivisions (>9 Lots), and Residential Multi-Family Dwellings (4 or more units per acre)	Yes	Yes	Yes	Yes	Yes
Residential Subdivisions (<9 Lots), and Residential Multi-Family Dwellings (<4 units per acre)	Yes	No*	Yes	Yes	Yes

*Although a site-specific investigation is not required, the owner is required to file a disclosure notice prior to land use approval

19.58.060 - Geologic hazard and engineering geology reports.

This section describes requirements for site-specific geologic hazard studies and reports, where required according to Section 19.58.050, the Geologic Hazard maps and Chart 19.58.050:

- A. An engineering geology report that includes a geologic hazards investigation and assessment shall be prepared by a qualified engineering geologist, except as provided in Sections 19.58.060 (C) and (F), below. A "qualified engineering geologist" requires 1) an undergraduate or graduate degree in geology, engineering geology, or a related field with a strong emphasis in geologic coursework, from an accredited university; 2) at least three full years of experience in a responsible position in the field of engineering geology; and 3) per State law, after January 1, 2003, geologists practicing before the public must be licensed in Utah. The report shall be site-specific and shall identify all known or suspected potential geologic hazards, originating on-site or off-site, whether previously mapped or

unmapped, that may affect the particular property. All reports shall be signed and stamped by the preparer and include the qualifications of the preparer.

- B. Fault rupture hazard reports shall contain all requirements as described in the document "Minimum Standards for Surface Fault Rupture Studies" published by Salt Lake County, and incorporated by reference as Appendix A of this ordinance. Fault study reports shall be prepared, signed, and stamped by a qualified engineering geologist as described in Appendix A.
- C. Liquefaction analyses shall contain all requirements as stated in the document "Liquefaction: A Guide to Land Use Planning" published by Salt Lake County and incorporated by reference as Appendix B to this ordinance. Liquefaction analyses shall be prepared by a qualified professional geotechnical engineer licensed in the State of Utah, and shall include the professional engineer's original stamp and signature.
- D. Debris flow hazard studies and reports shall include test pits or trench logs (scaled 1 inch to 5 feet), include estimates of the number and frequency of past events and their thicknesses, volume and maximum clast sizes; and include estimates of the recurrence, depth, and impact forces anticipated in future events. While debris flow hazard analyses may require contributions from hydrologists and engineers, the debris flow report shall be under the control of, and prepared by, a qualified engineering geologist, and shall include the geologist's qualifications to perform the study (such as their experience in performing similar studies).
- E. Landslide reports shall be prepared in accordance with the Utah Geological Survey's "Guidelines for Evaluating Landslide Hazards in Utah" (Hylland, 1996). Landslide reports shall be prepared, signed, and stamped by a qualified engineering geologist, and include the qualifications of the preparer. Slope stability or other analyses included in these reports shall include both static and dynamic conditions, and shall be prepared by a qualified professional geotechnical engineer licensed in the State of Utah, and shall include the professional engineer's original stamp and signature.
- F. Snow avalanche hazard reports shall be prepared in accordance with the document "Snow-Avalanche Hazard Analysis for Land Use Planning and Engineering" (Colorado Geological Survey Bulletin 49) or other appropriate references. Avalanche hazard reports must be prepared by an experienced avalanche expert, and shall include the avalanche expert's qualifications to perform the study (such as their experience in performing similar studies).
- G. Other geologic hazard or engineering geology reports shall be prepared in accordance with Utah Geological Survey Miscellaneous Publication M, "Guidelines for Preparing Engineering Geologic Reports in Utah." All reports shall be signed by the preparer and include the qualifications of the preparer. Generally, these reports must be prepared, signed, and stamped by a qualified engineering geologist licensed in the State of Utah. However, reports co-prepared by a professional engineer must include the professional engineer's original stamp and signature.
- H. All reports shall include, at a minimum:
 - 1. A 1:24,000-scale geologic map (with reference) showing the surface geology, bedrock geology (where exposed), bedding attitudes, faults or other structural features, and the locations of any geologic hazards;
 - 2. A detailed site map of the subject area showing any site-specific mapping performed as part of the geologic investigation, and including boundaries and features related to any geologic hazards, topography, and drainage. The site map must show the location and boundaries of the hazard(s), delineation of any recommended setback distances from hazard(s), and

recommended location(s) for structures. Buildable and non-buildable areas shall be clearly identified. Scale shall be one inch equals two hundred feet or smaller.

3. Trench logs and test pit logs (scale: 1 inch equals 5 feet, or smaller), boring logs (scale: 1 inch equals 5 feet, or smaller), aerial photographs, references with citations, and other supporting information, as applicable
- I. Conclusions that summarize the characteristics of the geologic hazards, and that address the potential effects of the geologic conditions and geologic hazards on the proposed development and occupants thereof in terms of risk and potential damage.
- J. Specific recommendations for additional or more detailed studies, as may be required to understand or quantify the hazard, evaluate whether mitigation measures are required, and evaluate mitigation options.
- K. Specific recommendations for avoidance or mitigation of the effects of the hazard(s), consistent with the purposes set forth in Section 19.58.010. Design or performance criteria for engineered mitigation measures and all supporting calculations, analyses, modeling or other methods, and assumptions, shall be included in the report. Final design plans and specifications for engineered mitigation must be signed and stamped by a qualified professional geotechnical or structural engineer, as appropriate.
- L. Evidence on which recommendations and conclusions are based shall be clearly stated in the report.
- M. Additional or more detailed studies may be required, as recommended by the report or as determined by the Municipal Geologist, to understand or quantify the hazard, or to evaluate whether mitigation measures recommended in the report are adequate.

19.58.070 - Review of reports—Approval procedure.

- A. In order to fulfill the purposes of this chapter, the Planning and Development Services Division or the Planning Commission, as appropriate under the Municipality's Development Standards, shall review any proposed land use which requires preparation of a geologic hazard report under this chapter to determine the possible risks to the safety of persons or property from geologic hazards.
- B. Prior to consideration of any such development by the Planning and Development Services Division and the Planning Commission, the geologic hazard report shall be submitted to the Municipal Geologist for review and recommendation. The Municipal Geologist may request the Utah Geological Survey, the U.S. Forest Service, and/or other experts to review the report (third-party review) and provide additional recommendations. Any cost the municipal must pay for such third-party reviews shall be paid by the applicant prior to Planning Commission or Planning and Development Services Division action. The Municipal Geologist shall file a copy of the geologic hazard report in the Municipal Geologist's Geologic Hazards Library, and another copy in the Planning and Development Services project file. A copy may also be forwarded to the Utah Geological Survey.
- C. The Municipal Geologist and other retained experts in their review of the report, and the Planning Commission or Planning and Development Services Director in their consideration of the development, shall determine whether the development complies with all of the following standards:
 1. A suitable geologic hazard report has been prepared by a qualified professional as defined in Section 19.58.060.
 2. The proposed land use does not present an unreasonable risk to the safety of persons or property (including buildings, storm drains, public streets, utilities or critical facilities, whether

off-site or on-site), or to the aesthetics and natural functions of the landscape (e.g. slopes, streams or other waterways, drainage, wildlife habitat, etc., whether off-site or on-site) because of the presence of geologic hazards or because of modifications to the site due to the proposed land use;

3. At the Planning Commission's discretion, with advice from the Municipal Geologist, the proposed land use may be approved if the applicant submits substantial evidence in the geologic hazard report that, using best available practices, the identified hazards can be mitigated to a level where the risk of human life and damage to property are reduced to an acceptable and reasonable level in a manner which has a minimum effect on the natural environment. Mitigation measures should consider, in their design, the intended aesthetic functions of other governing ordinances such as the Foothills and Canyons Overlay Zone (Ch. 19.72).
- D. Any area determined to contain geologic hazards to life or property shall not be approved for development unless the applicant demonstrates that the identified hazards or limitations can be overcome in such a manner as to minimize hazard to life or property. The applicant must include, with the geologic hazards report, an acceptable mitigation plan that defines how the identified hazards or limitations will be overcome in such a manner as to minimize hazard to life or property, as described in Section 19.58.070C(1), above, and without impacting or affecting off-site areas.
- E. The Municipal Geologist may set other requirements as are necessary to overcome any geologic hazards and to ensure that the purposes of this chapter are met. These requirements may include, but are not limited to:
 1. Additional or more detailed studies to understand or quantify the hazard or determine whether mitigation measures recommended in the report are adequate;
 2. Specific mitigation requirements; establishment of buildable and/or non-buildable areas; limitations on slope grading; and/or revegetation;
 3. Installation of monitoring equipment and seasonal monitoring of surface and subsurface geologic conditions, including groundwater levels;
 4. Other requirements such as time schedules for completion of the mitigation, phasing of development, etc.
- F. The Planning Commission or Planning and Development Services Director may set requirements necessary to reduce the risks from geologic hazards as a condition to the approval of any development which requires a geologic hazards report.

19.58.080 - Requirements in geologic hazard areas.

- A. Active fault considerations.
 1. No critical facility (excluding transportation lines or utilities, which by their nature may cross active faults) or structures designed for human occupancy shall be built astride an active fault. A fault study must be prepared as defined in Sections 19.58.030 and 19.58.060, and Appendix A, prior to final approval of the land use or building permits. If a fault is discovered in the excavation for such a structure, whether located within a Special Study Area or not, a special study, as described in Section 19.58.060 must be performed to determine if the fault is active. If the fault is determined to be active, the procedures set forth in Section 19.58.070 shall be followed. The fault study report shall establish a fault setback on either side of the fault following the requirements in Appendix A, within which no critical facilities or structures for human occupancy shall be placed.

2. No structure designed for human occupancy shall be built on a fault scarp. Footing setbacks from a fault scarp shall meet the requirements in Appendix A or the requirements of the Building Code, whichever is more stringent. The Planning and Development Services Director may increase footing setback requirements where information from a geotechnical report indicates slope conditions warrant a greater setback distance.
- B. Liquefaction considerations.
1. Liquefaction analyses shall be performed for all critical facilities regardless of the mapped special study area designation for the site.
 2. For all structures for which a liquefaction analysis indicates that ground settlement may be anticipated, the project structural engineer shall provide documentation to the Municipal Geologist that the building will be designed to accommodate the predicted ground settlements, in such a manner as to be protective of life safety during the design event.
- C. Avalanche considerations.
1. Development of structures for human occupancy is not permitted within an avalanche special study area, or in other areas where avalanche hazards may exist, unless a detailed avalanche hazard analysis is performed, as described in Section 19.58.060, by a qualified avalanche expert.
 2. If the avalanche analysis indicates that the site may be impacted by avalanches, the report shall delineate the following areas:
 - a. A "red zone" of high avalanche potential [return period of twenty-five years or less, and/or impact pressures over six hundred pounds per square foot (psf)] within which critical facilities or structures for human occupancy are not permitted;
 - b. A "blue zone" (return period between twenty-five and three hundred years, and impact pressures less than six hundred psf) within which critical facilities or structures for human occupancy shall only be permitted when at least one of the following requirements has been met:
 - (1) The structure is designed to incorporate direct protection measures that address the estimated impact forces (flowing snow/debris and powder blast loading). The estimated impact forces shall be calculated by the avalanche expert. The structure shall be designed by, and the plans stamped by, a qualified structural engineer licensed in the State of Utah; or
 - (2) Appropriate engineering controls (i.e. deflection structures, snow retention nets, dams, etc.) are designed and installed to mitigate the avalanche hazard. Design or performance criteria for engineered mitigation measures (including estimated impact forces, flow heights, location and dimensions of the mitigation structures) and all supporting modeling or other analyses, calculations, and assumptions, shall be calculated by the avalanche expert and included in the report. Final design plans and specifications for engineered mitigation must be signed and stamped by a qualified professional geotechnical or structural engineer, as appropriate, licensed in the State of Utah.

19.58.090 - Disclosure.

Disclosure when a geologic hazards report is required. Whenever a geologic hazards report is required under this chapter, the owner of the parcel shall record a restrictive covenant running with the land in a form satisfactory to the municipality prior to the approval of any development or subdivision of such

parcel. Disclosure will include signing a Disclosure and Acknowledgment Form provided by the municipality, which will include the following:

- A. Notice that the parcel is located within a Geologic Hazard Special Study Area as shown on the geologic hazard map or otherwise defined in Section 19.58.030;
- B. Notice that a geologic hazards report was prepared and is available for public inspection in the Municipal Geologist's Geologic Hazards Library;
- C. Where geologic hazards and related setbacks are delineated in subdivisions and PUDs, the owner shall also place additional notification on the plat stating the above information, prior to final approval of the plat.
- D. Disclosure when a geologic hazards report is not required. Whenever a parcel to be developed is located within a Geologic Hazard Special Study Area but a geologic hazards report is not required under this chapter (such as but not limited to, a single-family home located in a moderate liquefaction potential area), notice that the parcel is located within such area(s) shall be recorded by the land owner by signing a Disclosure and Acknowledgment Form provided by the municipality, prior to the approval of any such development.

19.58.100 - Warning and disclaimer.

The geologic hazards ordinance codified in this chapter and geologic hazard maps represent only those hazardous areas known to the municipality, and should not be construed to include all possible potential hazard areas. The geologic hazards ordinance and the geologic hazard maps may be amended as new information becomes available pursuant to procedures set forth in Chapter 19.90. The provisions of this chapter do not in any way assure or imply that areas outside its boundaries will be free from the possible adverse effects of geologic hazards. This chapter shall not create liability on the part of the municipality, any officer or employee thereof for any damages from geologic hazards that result from reliance on this chapter or any administrative requirement or decision lawfully made thereunder.

19.58.110 - Change of use.

No change in use which results in the conversion of a building or structure from one not used for human occupancy to one that is so used shall be permitted unless the building or structure complies with the provisions of this chapter.

19.58.120 - Conflicting regulations.

In cases of conflict between the provisions of existing zoning classifications, building code, subdivision ordinance, or any other ordinance of the municipality and the geologic hazards ordinance codified in this chapter, the most restrictive provision shall apply.

Chapter 19.60: (Reserved)

Chapter 19.62: (Reserved)

Chapter 19.64: (Reserved)

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