

ORDINANCE NO. 2017 - 05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, REPEALING, RENUMBERING, AND AMENDING CERTAIN SECTIONS OF CHAPTERS 17.18 (USES), 17.70 (BANGERTE HIGHWAY MIXED USE ZONE), AND 17.74 (MIXED USE ZONE) OF THE SOUTH JORDAN CITY MUNICIPAL CODE.

WHEREAS, Utah Code §10-9a-102 grants the City Council of the City of South Jordan ("City Council") the authority to enact ordinances that it considers necessary or appropriate for the use and development of land in the City of South Jordan ("City"); and

WHEREAS, the City Council has adopted Title 17 of the South Jordan City Municipal Code ("City Code"); and

WHEREAS, the City Council desires to enact text amendments that clarify language within Title 17; and

WHEREAS, the City's Planning Commission held a public hearing, reviewed and made a recommendation concerning the subject text amendments; and

WHEREAS, the City Council held a public hearing and reviewed the subject text amendments; and

WHEREAS, the City Council finds that the subject text amendments will enhance the public health, safety and welfare, and will promote the goals of the General Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, UTAH:

SECTION 1. Repeal. Sections 17.70.020 to 17.70.040 and Sections 17.74.020, 17.74.030, 17.74.090 and 17.74.100 of the Code are hereby repealed.

SECTION 2. Renumbering. Sections 17.70.050 to 17.70.170 of the City Code are hereby renumbered sequentially starting with 17.70.020. Sections 17.74.040 to 17.74.080 of the City Code are hereby renumbered sequentially starting with 17.74.020.

SECTION 3. Amendment. The following sections of the City Code are hereby amended:

Section:

17.18.020(C)

17.18.030

17.74.010

17.74.080(A)(3)

Identified By:

Exhibit A

Exhibit B

Exhibit C

Exhibit D


SECTION 4. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 5. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS 7 DAY OF March, 2017 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	<u>X</u>	_____	_____	_____
Bradley Marlor	<u>X</u>	_____	_____	_____
Donald Shelton	<u>X</u>	_____	_____	_____
Tamara Zander	<u>X</u>	_____	_____	_____
Christopher Rogers	<u>X</u>	_____	_____	_____

Mayor:


David L. Alvord

Attest:


City Recorder

Approved as to form:


Office of the City Attorney



EXHIBIT A

SECTION 17.18.020(C) (ALLOWED USES TABLE)

C. Allowed Uses Table:

Category		Uses	ZONES (P=permitted, C=conditional)												
			A-5										R-2.5		
			A-1	BH-MU	C-C	C-F	C-I	C-N	I-F	MU-TC MU-TOD	P-O	R-1.8	R-3 R-4 R-5	R-M	
Agricultural		Animal Husbandry	P												
		Horticulture	P												
		Plant Nursery	C	C	C	C					C				
		Public Agricultural Facility	C								C				
Residential	Group Living	Community Residential Facility		C							C			C	
		Dormitory													
		Institutional Living													
		Live-Work		C											
	Household	Multi-Family													
		Neighborhood Residential Facility	P									P	P	P	
		Single-Family, Attached												P	
		Single-Family, Detached	P									P	P	P	
Public	Civic & Community	Cemetery													
		Community Services	C	C	C	P	P	C	P	C	C	C	C	C	
		Public Safety	C	C	C	C	C	C	C	C	C	C	C	C	
		Religious Assembly & Worship	C	C	C	C	C	C	C	C	C	C	C	C	
	Education	Elementary/Secondary Education	C	C	C	C				P	C	C	C	C	
		University/College		C	C	C			C	P	C				
		Vocational/Professional		C	C	C			C	P	C				
		Natural Open Space													
	Open Space	Park Open Space		C						C					
		Utility & Communication	Energy Conversion	C				C		C					
			Telecommunication Facility	C		C	C	C	C	C		C	C	C	C
			Utility Services	C		C	C	C	C	C		C	C	C	C
Commercial	Services	Animal Services			C	C	C	C							
		Business Support		P	C	P	P		P	P	P				
		Daycare	P	P	P	P		P	P	P	C	P	P	P	
		Financial Institution		P	P			C	P	P					
		Hospital				C					C				
		Light Service & Repair		C	C	C	P	C	P						
		Lodging		P	C	P		C	P	P	C				
		Medical/Dental Office or Clinic		P	P	P		P	P	P	P				
		Mortuary/Funeral Home			C						P				
		Office		P	P	P		P	P	P	P				
		Personal Services		P	P	P		P	P	P	P				
		Professional Services			P	P		P	P	P	P				
	Recreation & Assembly	Restaurant		P	C	P		C	P	P	C				
		Self-storage			C	C	C				C				
		Vehicle Repair					C		C						
		Vehicle Services		C	C	C	P		P	C					
		Arts & Recreation		P	P	P	P		P	P	P				
		Convention/Reception Center			C	C			C	C	C				
		Instruction & Training			P	C	P	P	P		C				
		Outdoor Recreation		C	C	C			C						
	Retail	Stadium/ Theater/ Auditorium		C	C	C			C	C					
		Gas Station		C	C	C	C	C	C	C					
		General Retail		P	P	P	P	P	P	P					
		Kiosk, Freestanding		P	C	C					P				
Shopping Center/Department Store			P	C	C			C	P						
Vehicle Sales & Rental				C	C			C							
Industrial		Manufacturing and Production	Assembly					P	P						
			Fabrication					C	C						
	Manufacturing						C	C							
	Mining														
	Sales & Service	Commercial Service & Repair					C	C							
		Food & Drink Preparation					C	C							
		Heavy Equipment Sales & Rental					C	C							
		Research & Development					P	P		C					
		Storage Yards					C								
		Wholesale & Warehouse					P	P							
	Transportation	Aircraft Transportation													
		Parking Facility									C				
Passenger Terminal/Station				C	C	C		C	C						
Railroad Facility						C									
Waste	Refuse														
	Salvage					C		C							

EXHIBIT B

SECTION 17.18.030 (USE REGULATIONS)

17.18.030: USE REGULATIONS

17.18.030.010: GENERAL USE REGULATIONS

A. Uses may be conducted within the city only in accordance with the regulations of this title, including, but not limited to, the use regulations of this chapter, chapter 17.04, "General And Supplementary Provisions", of this title, and the zone specific use regulations listed in the applicable zone ordinance of this title. A conditional use permit, where required, must be obtained prior to the establishment of the use.

B. The development services director may provide interpretation of the provisions of this chapter to clarify words or phrases not otherwise defined, provide additional clarity necessary to apply provisions to specific cases, resolve the applicability of conflicting provisions, determine the applicability of provisions to uses not expressly listed in the table in section 17.18.020 of this chapter or determine and impose limitations on accessory uses not otherwise identified. If the development services director is unable to interpret the provision in question, a zone text amendment may be processed in order to clarify the zoning regulations.

1. Said interpretation shall consider the goals of the general plan, the purpose and intent of the zoning district involved, the character (e.g., scale, impacts, activities, materials, and building types) of allowed uses identified in the zoning district involved, the character of a proposed use, and the potential to generate negative impacts on surrounding properties.

2. The development services director shall issue a written decision within thirty (30) days of a request for interpretation.

3. The development services director shall maintain all written decisions and uniformly apply those decisions.

C. It shall be unlawful to park, store or leave, or to permit the parking, storing or leaving of any vehicle of any kind, or parts thereof, that is in a wrecked, junked, dismantled, inoperative or abandoned condition, whether attended or not, upon any private or public property for longer than seventy two (72) hours, except as the following applies:

1. Where commonly associated with an approved use and in an area designated for parking or storage on an approved site plan.

2. Where up to two (2) such vehicles or parts thereof are stored completely within an enclosed building or within a six foot (6') obscuring fence enclosure that completely screens view of the vehicles from public streets and neighboring properties.

D. Commercial vehicles or earthmoving or material handling equipment, such as semitrailer trucks and trailers, trucks and trailers exceeding eight thousand (8,000) pounds curb weight, "truck" as defined in section 10.04.020 of this code, delivery vehicles, dump trucks, backhoes, graders, loaders, cement trucks, bulldozers, belly dumps and scrapers, forklifts or other similar vehicle or equipment, may not be parked or stored on a residential lot or parcel for any length of time or on a nonresidential lot or parcel for not longer than forty eight (48) hours, except as the following applies:

1. In conjunction with and required for an active and approved development or construction project.
2. While loading or unloading said vehicle.
3. When commonly associated with an approved use on a nonresidential lot or parcel and in an area designated for parking or storage on an approved site plan or stored completely within an approved enclosed building or opaque fence enclosure.

E. Watercraft, trailers, campers, motor homes and other utility or recreational vehicles may only be stored within lawfully constructed buildings when associated with an allowed and approved use on the premises or in parking and storage areas shown on an approved site plan, except in conjunction with a single-family dwelling. Said trailers and vehicles on single-family lots or parcels shall be stored behind the front line of the main building and, when located in a street side yard, shall be eight feet (8') from the street right of way and behind a six foot (6') obscuring wall or fence, except that said vehicles may be stored temporarily in front or street side yards for no longer than seventy two (72) hours. Travel trailers, campers and motor homes may not be occupied as living quarters, except that a trailer or vehicle owned by a guest of the resident may be stored and occupied in the driveway located in the required front yard or street side yard of the permanent dwelling for no more than seven (7) days per calendar year.

F. Sexually oriented businesses are allowed in the C-F, C-I, and I-F zones. Sexually oriented businesses shall be located no less than five hundred feet (500') from the right of way line of South Jordan Parkway, Shields Lane, and 11400 South Street to any buildings, signage, or other activities associated with the applicable use.

G. Businesses shall comply with the requirements of title 5, "Business Licenses And Regulations", of this code.

H. Telecommunications shall comply with the requirements of chapter 17.112, "Wireless Communications Facilities", of this title.

I. Wind energy conversion systems shall comply with the requirements of chapter 17.108, "Wind Energy Conversion Systems", of this title.

J. All uses are subject to the impact control measures in section 17.18.040 of this chapter.

17.18.030.020: AGRICULTURAL USE REGULATIONS

A. General Agricultural Use Regulations:

1. There shall be no open storage of trash, debris, used materials or commercial goods or wrecked or neglected materials, equipment or vehicles. Containers or enclosures containing said items shall not be located in a front yard area, except for temporary use as needed for construction or disposal.
2. Agricultural uses shall only be allowed as a primary use on legal lots or parcels of one acre or more.
3. Agricultural buildings with a footprint larger than five thousand (5,000) square feet shall require a conditional use permit.

B. Specific Regulations By Agricultural Use:

1. Animal Husbandry: Farm animals may only be allowed in conjunction with an allowed animal husbandry use, as per the allowed uses table in section 17.18.020 of this chapter, and as regulated in section 17.130.040, "Farm Animal Floating Zone", of this title.
2. Plant Nursery: Plant nursery uses in agricultural or residential zones shall be located on a legal lot or parcel with frontage and access to a collector or arterial street.
3. Public Agricultural Facility: Public agricultural facility uses in agricultural or residential zones shall be located on a legal lot or parcel with frontage and access to a collector or arterial street.

17.18.030.030: RESIDENTIAL USE REGULATIONS

A. General Residential Use Regulations:

1. There shall be no open storage of trash, debris, used materials or commercial goods or wrecked or neglected materials, equipment or vehicles. Containers or enclosures containing

said items shall not be located in a front yard area, except for temporary use as needed for construction or disposal.

2. Home occupations may be licensed in an approved residential dwelling and according to the provisions of chapter 17.98, "Home Occupations", of this title.

3. Garage or yard sales are not considered home occupations but may not be held more than four (4) calendar days per year. Sales of night crawlers gathered from the subject property, lemonade stands and similar occasional commercial activities related to the subject premises are not considered home occupations. Temporary signage may be used to advertise yard sales, night crawlers, lemonade stands and similar occasional commercial sales activities, provided it does not create a nuisance, is not placed on the public right of way, and provided it is removed by seven o'clock (7:00) P.M. each day and upon conclusion of the commercial activity.

4. Farm animals may be allowed as regulated in sections 17.130.020, "Residential Chickens Floating Zone", and 17.130.040, "Farm Animal Floating Zone", of this title.

5. Pets may be allowed as regulated by title 6, "Animals", of this code.

B. Specific Regulations By Residential Use:

1. Group Living Uses: All group living uses (community residential facility, dormitory, institutional facility) shall require site plan review according to title 16, chapter 16.24, "Site Plan Review", of this code and shall be located no closer than one-half (1/2) mile to another group living facility of the same use, unless otherwise approved by the planning commission with a conditional use permit pursuant to section 17.18.050 of this chapter.

a. P-O zone: Community residential facility uses shall not exceed two (2) stories.

ba. R-M zone: Community residential facility uses shall not exceed sixteen (16) occupants and shall be located on a legal lot or parcel with frontage and access to a collector or arterial street.

~~b. P-O zone: Community residential facility uses shall not exceed two (2) stories.~~

2. Institutional Facility: Excluding temporary emergency shelter as determined necessary by the city, institutional facility uses shall be located no closer than one mile from any elementary/secondary education use or any other institutional facility use.

~~3. Neighborhood Residential Facility: Neighborhood residential facility uses shall comply with title 5, chapter 5.62, "Residential Facilities", of this code.~~

34. Live-Work:

a. Where allowed, live-work units shall be specifically indicated on, and approved with, an associated subdivision or site plan. Live-work units are not allowed in an existing development, unless the subdivision or site plan is amended.

b. Allowed nonresidential uses shall be established with the approval of the project and shall be consistent with other nonresidential uses allowed in the associated zone. The following activities are prohibited: sexually oriented businesses; uses involving animals on site; vehicle service and repair; welding/woodworking; storage or distribution of flammable liquids and hazardous materials beyond that normally associated with a residential use; drive-through and other uses and activities that are not compatible with residential uses due to potential adverse health or safety affects from dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration or other impacts.

c. The floor area of the nonresidential use shall not exceed fifty percent (50%) of the total floor area of the unit.

d. Employees may only consist of the residents of the dwelling and not more than one additional nonresident person.

e. Each nonresidential use shall comply with all requirements of this code.

f. The exterior of live-work units shall be designed to be compatible with surrounding residential uses.

g. One wall sign may be allowed. The sign shall not exceed five percent (5%) of the facade of the unit and shall comply with all other requirements of title 16, chapter 16.36 of this code.

h. Garage and/or exterior areas shall not be used for the nonresidential use, except that a garage area may be used to park one vehicle related to the nonresidential use.

4. Neighborhood Residential Facility: Neighborhood residential facility uses shall comply with title 5, chapter 5.62, "Residential Facilities", of this code.

5. Single-Family, Attached: Lots or parcels may be occupied by only one single-family dwelling unit as the primary dwelling.

a. R-M zone: Single-family, attached uses may only be approved as part of a development agreement approved by the city council.

6. Single-Family, Detached: Lots or parcels may be occupied by only one single-family dwelling unit as the primary dwelling. Accessory dwelling units may be permitted according to the provisions of section 17.130.030, "Accessory Living Unit Floating Zone", of this title.

17.18.030.040: PUBLIC USE REGULATIONS

A. General Public Use Regulations:

1. There shall be no open storage of trash, debris, materials, equipment, goods or inventory, except for the following: those activities specifically allowed in conjunction with an approved use on the premises; temporary displays of products associated with a retail business that are removed daily; outdoor storage of inventory or products such as firewood, water softener salt, landscaping materials, and other building materials in screened areas designated on an approved site plan; and temporary uses consistent with those described in this chapter.

2. All public uses shall be conducted within completely enclosed buildings, unless otherwise allowed in this chapter, except those uses defined to allow outdoor activities and those temporary uses customarily conducted in the outdoors, including Christmas tree lots, firework stands and parking lot sales associated with an approved use on the property. Parking lot sales may not be conducted more than four (4) one-week periods per year.

3. Public uses in agricultural or residential zones shall be located on a legal lot or parcel with frontage and access to a collector or arterial street, with the following exceptions:

a. Religious assembly and worship; and

b. Utility service, not including a major utility facility.

B. Specific Regulations By Public Use:

1. Elementary/Secondary Education, University/College, Vocational/Professional: A conditional use permit is not required in the BH-MU Zone when the use is located on a legal lot or parcel with frontage and access to a collector or arterial street.

24. Utility Service: Minor utility facilities are not considered a primary use and may be allowed in all zones and on all lots or parcels at the discretion of the city engineer.

17.18.030.050: COMMERCIAL USE REGULATIONS

A. General Commercial Use Regulations:

1. There shall be no open storage of trash, debris, materials, equipment, goods or inventory, except for the following: those activities specifically allowed in conjunction with an approved use on the premises; temporary displays of products associated with a retail business that are removed daily; outdoor storage of inventory or products such as firewood, water softener salt, landscaping materials, and other building materials may be allowed in sales/storage yards as an accessory use according to Section 17.18.030.070~~in screened areas designated on an approved site plan~~. No more than twelve (12) small party balloons and six (6) weatherproof placards, each not exceeding two (2) square feet, per business may be attached to temporary displays and shall be removed daily with the displays. Allowed storage and displays shall be located a minimum of five feet (5') from any travel lane, outside of a public right of way, and shall allow pedestrian walkways of a minimum width of at least six feet (6') to remain unobstructed.

2. All commercial uses shall be conducted within completely enclosed buildings, except as otherwise allowed in this chapter, including, but not limited to, those uses defined herein that allow outdoor activities or allowed temporary uses per section 17.18.030.080 of this chapter.

3. No vehicle, boat or trailer, or parts thereof, that is in a wrecked, junked, dismantled, inoperative or abandoned condition, attended or not, may be parked or stored for longer than seventy two (72) hours unless stored within a completely enclosed building or behind an opaque fence enclosure that completely obscures said vehicle or parts from public view. No more than two (2) such vehicles may be so stored on a lot, except in conjunction with approved vehicle repair use.

4. Public address and music systems shall be designed and operated so they are not discernible at the property line of any lot or parcel containing a single-family home.

5. Commercial uses in agricultural or residential zones shall be located on a legal lot or parcel with frontage and access to a collector or arterial street.

B. Specific Regulations By Commercial Use:

1. Animal Services: All commercial uses involving animals shall be conducted within an enclosed facility that is maintained and operated so that neither the sound nor smell of any animals kept on the premises can be discerned on adjacent lots or parcels. Outdoor animal runs may be approved as an accessory use with a conditional use permit and shall meet the following requirements: located a minimum of three hundred feet (300') from the property line of a residential zone, educational institution, or place of worship.

2. Arts & Recreation: All gun ranges require a conditional use.

32. Daycare: Daycare use in residential zones, excluding those operating as an approved home occupation business, are required to be located on a minimum one acre legal lot or parcel.

43. Financial Institution, Nondepository:

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

b. Use activities ~~The proposed use shall be~~ limited to short term title loan and short term consumer installment loan business.

c. The following services are specifically prohibited: ~~pawn brokerage services, deposits for personal property, "cash for gold", "cash for precious metals", and the processing or storage of repossessed vehicles or other repossessed property, and the purchase, exchange or sale of used or secondhand merchandise or personal property.~~

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

5. Gas Station: Where buildings in the MU Zone are built to the street, associated vehicle bays, gas pumps, and vacuums shall be located to the side or rear of the main building.

6. General Retail: C-N Zone: Secondary metals dealer, recycler, and other similar businesses are prohibited in the C-N zones.

7. Kiosks, Freestanding: Kiosks, freestanding use may only be conducted with an approved site plan. Kiosks shall not be allowed on parcels less than three (3) acres in size and shall be separated by a minimum distance of four hundred (400) linear feet from all other outdoor kiosks. Kiosks shall not be allowed within required landscaped yard areas, building setbacks, within fifty (50) feet of a building or within thirty (30) feet of the public right of way. Kiosk structures shall not exceed twenty (20) square feet in area nor ten (10) feet in height and shall

incorporate materials and colors of surrounding buildings as determined by the development services director. Kiosks with drive-up facilities shall be designed to allow for a minimum of two (2) vehicles to be queued at any one given time without obstructing drive aisles or other functionality of other parking stalls as determined by the city engineer. There shall be multiple twenty four (24) hour video surveillance and adequate illumination as determined by the city's public safety department. All kiosks shall be securely mounted and anchored to the ground as determined by the city building official.

4. Self Storage:

~~a. C-C Zone: Self storage uses shall not exceed six (6) total acres in the C-C zone.~~

~~b. C-F Zone: Self storage uses shall not exceed six (6) total acres in the C-F zone, and shall not be located on any property with a general plan designation of TOD or on property located east of 250 West Street. (Ord. 2016-02, 4-19-2016)~~

~~c. P-O Zone: Self storage uses shall not exceed three (3) acres in the P-O zone. (Ord. 2016-20, 7-19-2016)~~

5. Arts And Recreation: All gun ranges shall require a conditional use.

86. Medical/Dental Office Or Clinic: Medical/dental office or clinic buildings in the C-N zone shall not exceed five thousand (5,000) square feet.

97. Office: Office buildings in the C-N zone shall not exceed five thousand (5,000) square feet.

10. Outdoor Recreation: Where facilities are approved within three hundred (300) feet of the property line of a residential zone, all outdoor lighting shall be extinguished when the facilities are not operating, or by ten o'clock (10:00) P.M. on Sundays through Thursdays, and by eleven o'clock (11:00) P.M. on Fridays and Saturdays, whichever is earlier.

11. Personal Services: Laundry/dry cleaning activities require a conditional use permit in the BH-MU Zone.

128. Restaurant: The combined site area of restaurant uses shall occupy no more than twenty percent (20%) of the area within any individual P-O zone area. Drive-through facilities associated with a restaurant use are prohibited in the P-O zone.

~~9. Outdoor Recreation: Where facilities are approved within three hundred feet (300') of the property line of a residential zone, all outdoor lighting shall be extinguished when the facilities are not operating, or by ten o'clock (10:00) P.M. on Sundays through Thursdays, and by eleven o'clock (11:00) P.M. on Fridays and Saturdays, whichever is earlier.~~

~~10. General Retail:~~

~~a. C-N Zone: Pawnbroker, secondhand merchandise dealer, secondary metals dealer, recycler, and other similar businesses are prohibited in the C-N zones.~~

~~b. I-F Zone: Screened sales yards are a permitted use for lumber, building material, and landscaping sales in the I-F zone. Sales yards shall comply with the minimum yard area requirements of the zone.~~

~~11. Kiosks, Freestanding: Kiosks, freestanding use may only be conducted with an approved site plan. Kiosks shall not be allowed on parcels less than three (3) acres in size and shall be separated by a minimum distance of four hundred (400) linear feet from all other outdoor kiosks. Kiosks shall not be allowed within required landscaped yard areas, building setbacks, within fifty feet (50') of a building or within thirty feet (30') of the public right of way. Kiosk structures shall not exceed twenty (20) square feet in area nor ten feet (10') in height and shall incorporate materials and colors of surrounding buildings as determined by the development services director. Kiosks with drive-up facilities shall be designed to allow for a minimum of two (2) vehicles to be queued at any one given time without obstructing drive aisles or other functionality of other parking stalls as determined by the city engineer. There shall be multiple twenty four (24) hour video surveillance and adequate illumination as determined by the city's public safety department. All kiosks shall be securely mounted and anchored to the ground as determined by the city building official.~~

13. Self-Storage:

a. C-C Zone: Self-storage uses shall not exceed six (6) total acres in the C-C zone.

b. C-F Zone: Self-storage uses shall not exceed six (6) total acres in the C-F zone, and shall not be located on any property with a general plan designation of TOD or on property located east of 250 West Street.

c. P-O Zone: Self-storage uses shall not exceed three (3) acres in the P-O zone.

~~1412~~. Shopping Center/Department Store: Shopping center/department store uses shall have direct access to a major collector or arterial road. Individual uses in a shopping center/department store use shall each comply with the requirements of this code.

~~1513~~. Vehicle Sales And Rental: Uses involving vehicle sales shall include a building of not less than eight thousand (8,000) square feet.

a. BH-MU Zone: Vehicle inventory, which includes vehicles kept for sale or rental, shall only be kept within a completely enclosed building.

16. Vehicle Services: Where buildings in the MU Zone are built to the street, vehicle bays, and vacuums shall be located to the side or rear of the building.

17.18.030.060: INDUSTRIAL USE REGULATIONS

A. General Industrial Use Regulations:

1. There shall be no open storage of trash, debris, materials, equipment, goods or inventory, except for the following: those activities specifically allowed in conjunction with an approved use on the premises; temporary displays of products associated with a retail business that are removed daily; outdoor storage of inventory or products such as firewood, water softener salt, landscaping materials, and other building materials in screened areas designated on an approved site plan. No more than twelve (12) small party balloons and six (6) weatherproof placards, each not exceeding two (2) square feet, per business may be attached to temporary displays and shall be removed daily with the displays. Allowed outdoor activities, temporary displays, and approved outdoor storage shall be located a minimum distance of five feet (5') from any travel lane, located outside of public rights of way, and shall allow for pedestrian walkways that are a minimum width of six feet (6') to remain unobstructed.

2. All industrial uses shall be conducted within completely enclosed buildings, except as otherwise allowed in this chapter, including, but not limited to, those uses defined herein that allow outdoor activities, accessory uses per Section 17.18.030.070, and allowed temporary uses per section 17.18.030.080 of this chapter.

3. No vehicle, boat, or trailer, or parts thereof, that is in a wrecked, junked, dismantled, inoperative, or abandoned condition, whether attended or not, may be parked or stored for longer than seventy two (72) hours unless stored within a completely enclosed building or behind an opaque fence enclosure that completely obscures said vehicle or parts from public view. No more than two (2) such vehicles may be so stored on a lot, except in conjunction

with approved commercial service and repair, heavy equipment sales and rental, storage yards, or salvage uses.

4. Industrial uses in agricultural or residential zones shall be located on a legal lot or parcel with frontage and access to a collector or arterial street.

B. Specific Regulations By Industrial Use:

1. Storage Yard: Storage activities associated with a storage yard use shall be enclosed by a six foot (6') tall obscure fence or wall.

17.18.030.070: ACCESSORY USE REGULATIONS

A. General Accessory Use Regulations:

1. Accessory uses and buildings are permitted only in conjunction with the regulations of this code and only when commonly and customarily associated with and incidental and secondary to allowed and approved primary uses.

2. When more than one accessory use is associated with a primary use, the accessory uses shall cumulatively remain incidental and secondary to the allowed uses.

B. Specific Regulations By Use Type:

1. Residential accessory uses and buildings may include, but are not limited to, home occupations, accessory living units, yard sales, caretakers, garages, sheds, swimming pools, recreational equipment, gardens and greenhouses.

2. Commercial, industrial and public accessory uses and buildings may include, but are not limited to, parking lots, terraces and properly screened utility and loading areas. The following activities, commonly associated with allowed commercial uses, may be conducted as accessory uses only in conformance with an approved conditional use permit: drive-through facility, car wash and outdoor speaker or public address system.

a. BH-MU Zone: Drive-through facilities on lots or parcels adjacent to a right of way shall be screened with landscaping and/or fencing to a height of not less than two feet (2') and not more than four feet (4') above the right of way sidewalk or driving surface of the drive-through, whichever is higher.

ba. C-C and C-F zones: One electronic vending machine (e.g., food, beverage, kiosks, etc.) may be located outside of the building of an established business if the building has a minimum main level footprint or floor area of five thousand (5,000) square feet and a minimum facade width of fifty (50) linear feet. One additional outdoor electronic vending machine may be allowed for every additional ten thousand (10,000) square feet of main level floor area. All outdoor vending machines shall be located adjacent to the building and within fifty feet (50') of the building's main entrance. Electronic vending machines shall not exceed fifteen (15) square feet in area and no more than seven feet (7') high. Electronic vending machines shall not impede or obstruct vehicular and/or designated pedestrian pathways or access.

c. MU Zone: Drive-through facilities shall be located at the rear of the structure.

d. Outdoor storage shall only be allowed in association with Plant Nursery, Vehicle Repair, Retail, or Industrial uses and when located within sale/storage yards shown on an approved site plan and screened from view by a six (6) foot fence or wall. Sales/storage yards shall comply with yard area requirements of the applicable zone. Sales/storage yards require a conditional use permit when associated with Vehicle Repair or Retail uses.

3. The sale and distribution of fuel, not otherwise classified as a gas station, from aboveground tanks may be allowed as an accessory use in commercial and industrial zones and shall require the following: a conditional use permit, be located one thousand feet (1,000') from the property line of a residential zone, and be set back from any adjacent public right of way the same distance as the primary building on the site.

4. Agricultural accessory uses may include, but are not limited to, barns, garages, silos, sheds, stables, paddocks, greenhouses, windmills, wells and water storage facilities.

a. Agricultural Zones: Produce stands not exceeding one per legal lot or parcel and shall be no more than three hundred (300) square feet are allowed as an accessory use for selling produce grown on the premises.

b. R-1.8 Zone: Animal husbandry and horticulture is allowed as an accessory use to an approved single-family, detached primary use in the R-1.8 zone and as regulated in section 17.130.040, "Farm Animal Floating Zone", of this title.

17.18.030.080: TEMPORARY USE REGULATIONS

A. General Temporary Use Regulations:

1. Temporary uses are uses that do not exceed sixty (60) days in duration and that do not require permanent structures or improvements that are not already established with an approved permanent use and site plan. Temporary uses that exceed sixty (60) days in duration or are not similar to allowed primary uses in a zone may only be authorized with a conditional use permit.

2. A temporary use shall not cause or create a nuisance or hazard and shall conform to all requirements of this title. The property owner shall ensure that all trash is removed and the property is restored to a clean condition after a temporary use is terminated.

3. Temporary uses shall obtain and/or provide the following:

- a. A city business license for commercial uses;
- b. Building or electrical permit (if necessary);
- c. Hours of operation;
- d. Salt Lake Valley health department approval;
- e. Plot plan showing the location of the use, buildings and structures, setbacks, parking, access to public streets and adjacent uses;
- f. Mass gathering permit (if necessary); and
- g. Property owner's authorization.

B. Specific Regulations By Use Type:

1. Temporary uses in commercial zones and the I-F zone may include, but are not limited to, shaved ice kiosks, Christmas tree lots, fireworks stands, and sidewalk sales associated with an approved use on the property. Parking lot sales may be allowed as a temporary use in the BH-MU, C-C, C-F, and I-F zones for up to four (4) one-week periods per year when associated with an approved use on the property.

EXHIBIT C

SECTION 17.74.010 (OBJECTIVES AND CHARACTERISTICS OF ZONE)

17.74.010: OBJECTIVES AND CHARACTERISTICS OF ZONE

The mixed use (MU) zone is established to provide a zone to be used in specific locations near city transportation nodes and corridors with the intent of allowing a mix of specific land uses that are typically found separately in “mutually exclusive” zoning districts. Mixed use represents a departure from characteristic zoning to the extent that it encourages a combination of land uses which may be compatible, but have traditionally been separated.

The intent of this zone is to create self-sustaining developments that become walkable areas that provide convenient pedestrian access to mass transit, commercial services and employment opportunities. Proposed developments shall include design standards that incorporate “walkable” elements, such as a mix of uses, “build-to” lines, compact building design, preservation of open space, pedestrian friendly streets, streetscape, parking concealment, architectural control, and maintenance.

A. MU-TOD Subdistrict: The purpose of this subdistrict is to encourage the development of high intensity regional mixed land uses with maximum building height and bulk standards conducive to transit oriented development. The focus of such uses would be in appropriate areas along Jordan Gateway and I-15 in proximity to the FrontRunner Commuter Rail Station.

B. MU-TC Subdistrict: The purpose of this subdistrict is to encourage the development of medium intensity community and town center mixed uses that are built at a human scale, and are pedestrian friendly and architecturally diverse. The location of such uses would be in appropriate areas along portions of Redwood Road and South Jordan Parkway, with a focus on the area around city hall and the South Jordan Towne Plaza.

EXHIBIT D

SECTION 17.74.080060(A)(3) (BUILDING HEIGHT)

3. Building Height: Buildings shall have a minimum and maximum number of stories as indicated by building type and mixed use subdistrict in the table below~~(see sections 17.74.090 and 17.74.100 of this chapter)~~, with height ~~to be measured according to~~ in accordance with the city's adopted ordinances and standards. The planning commission may approve Buildings of greater building heights than shown in the table below~~allowed may be approved by the planning commission on a limited basis if it identifies site or design characteristics that are unique to the development such as the size, scale, topography, or uniqueness of the development; amenities (e.g. i.e., rooftop gardens), that justify allowing greater building heights.~~ Approved structures with additional height may be required to employ suitable “step back” architecture and other architectural features that create which encourage a development that is built at the human scale, and is pedestrian friendly and more walkable architecturally diverse “village” feel at street level.

Subdistrict	Commercial		Office		Vertical Mixed Use		Public and Quasi-Public	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
MU-TOD	1 story, ext. ¹	20 stories ²	3 stories	20 stories ²	2 stories	20 stories ²	1 story, ext. ¹	3 stories
MU-TC	1 story, ext. ¹	4 stories ²	1 story, ext. ¹	4 stories ²	2 stories	5 stories ²	1 story, ext. ¹	3 stories

Notes:

1. Vertical architectural elements that make the buildings appear greater than one story.
2. “Step back” architecture may be required so that building heights adjacent to public streets are limited to enhance pedestrian design.

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TIMES

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AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF **CITY OF SOUTH JORDAN NOTICE OF PUBLIC HEARING** Notice is hereby given that the City of South Jordan has scheduled public hearings before the South Jordan City Planning Commission on Tuesday, January 24, 2017 at 6:30 p.m. and before the South Jordan City Council on Tuesday, March 7, 2017 at 6:00 p.m. to receive public comment regarding a proposed amendment to the Planning and Zoning Code (Title 17) of the South Jordan Municipal Code, including revisions to chapters 17.18 (Uses), 17.70 (BH-MU Zone), and 17.74 (MU Zone). The draft documents are available for review at www.sjc.utah.gov/planning_documents.asp or by visiting South Jordan City Hall, 1600 W. Towne Center Drive (10810 S.). The hearings will be held at South Jordan City Hall. All interested parties are invited to attend. The City will provide reasonable accommodations for all timely requests. The hearing impaired may call 7-1-1 to contact TDD Utah Relay. For inquiries, contact South Jordan City Offices at 801-254-3742.

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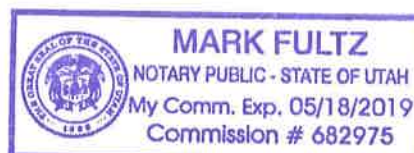
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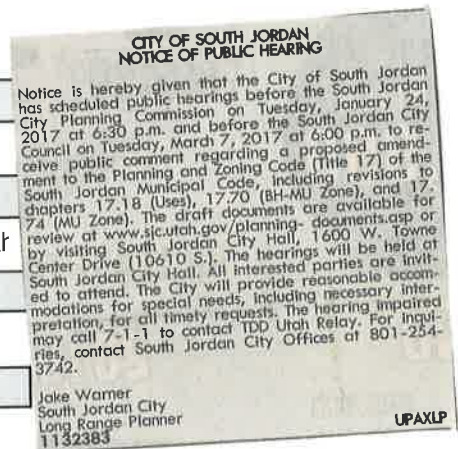
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ORD 2017-05

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