

**ORDINANCE NO. 2015 -10**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ADOPTING CHAPTERS 17.30 (AGRICULTURAL ZONES) AND 17.40 (RESIDENTIAL ZONES), AMENDING CHAPTER 17.18 (USES) AND REPEALING CHAPTERS 17.24 (AGRICULTURAL A-5 ZONE), 17.28 (AGRICULTURAL A-1 ZONE), 17.32 (RESIDENTIAL R-1.8 ZONE), 17.36 (RESIDENTIAL R-2.5 ZONE), 17.40 (RESIDENTIAL R-3 ZONE), 17.45 (RESIDENTIAL R-4 ZONE), 17.46 (RESIDENTIAL R-5 ZONE) AND 17.48 (RESIDENTIAL R-M ZONE) OF TITLE 17 (PLANNING AND LAND USE ORDINANCE) OF THE SOUTH JORDAN CITY MUNICIPAL CODE.**

**WHEREAS**, Utah Code section 10-9a-102 grants the City of South Jordan the authority to enact ordinances that the City Council considers necessary or appropriate for the use and development of land within South Jordan; and

**WHEREAS**, the City Council has adopted the Planning and Land Use Ordinance of the City of South Jordan (Municipal Code Title 17), which includes the regulation of land uses; and

**WHEREAS**, the City Council desires to enact text amendments to clarify land use regulations and better manage the impacts of lands uses on surrounding properties; and

**WHEREAS**, the Planning Commission of the City of South Jordan has held a public hearing, reviewed and made recommendation concerning the subject text amendments; and

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

**WHEREAS**, the South Jordan 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 THE CITY OF SOUTH JORDAN:**

**SECTION 1. Adoption.** Chapter 17.30 (Agricultural Zones), as identified in Exhibit “A”, and chapter 17.40 (Residential Zones), as identified in Exhibit “B”, are hereby adopted as chapters of Title 17 (Planning and Land Use Ordinance) of the South Jordan City Municipal Code.

**SECTION 2. Amendment.** Chapter 17.18 (Uses) of the South Jordan City Municipal Code is hereby amended as identified in Exhibit “C”.

**SECTION 3. Repeal.** Chapters 17.24 (Agricultural A-5 Zone), 17.28 (Agricultural A-1 Zone), 17.32 (Residential R-1.8 Zone), 17.36 (Residential R-2.5 Zone), 17.40 (Residential R-3 Zone), 17.45 (Residential R-4 Zone), 17.46 (Residential R-5 Zone) and 17.48 (Residential R-M Zone) of the South Jordan City Municipal Code is hereby repealed.

**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 SOUTH JORDAN CITY, UTAH, ON THIS 7 DAY OF July, 2015 BY THE FOLLOWING VOTE:**

	YES	NO	ABSTAIN	ABSENT
Mark Seethaler	<u>X</u>	___	___	___
Chuck Newton	___	___	___	<u>X</u>
Donald Shelton	___	___	___	<u>X</u>
Steve Barnes	<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”**

Chapter 17.30 (Agricultural Zones) of Title 17 (Planning and Land Use Ordinance) of the South  
Jordan City Municipal Code

# Chapter 17.30 **AGRICULTURAL ZONES**

## **17.30.010: PURPOSE**

## **17.30.020: DEVELOPMENT & DESIGN STANDARDS**

## **17.30.030: PLANNED UNIT DEVELOPMENT**

## **17.30.040: OTHER REQUIREMENTS**

### **17.30.010: PURPOSE**

Chapter 17.30 is established to provide standards and regulations, consistent with the City's general plan and the purposes and provisions of this title, for agricultural areas in a growing suburban city. This chapter shall apply to the following agricultural zones as established in chapter 17.20 (Zone Establishment): A-5 and A-1 zones. Uses may only be conducted in agricultural zones in accordance with the regulations of this code. Allowed use (permitted and conditional), accessory use, temporary use and associated use regulations may be found in chapter 17.18 (Uses) of this title.

### **17.30.020: DEVELOPMENT AND DESIGN STANDARDS**

- A. Development Review. Uses proposed in agricultural zones may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in agricultural zones. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the city, except as otherwise allowed under state law.
- B. Lot Area. The area of any lot in agricultural zones shall not be less than the minimum lot area requirement identified in the Minimum Lot Area table below. Every portion of a parcel being subdivided shall be included as a lot or lots in the proposed subdivision plat, right of way or as common, limited common or private ownership.

<u>ZONE</u>	<u>MINIMUM LOT AREA (acres)</u>
<u>A-5</u>	<u>5</u>
<u>A-1</u>	<u>1</u>

- C. Lot Density. Only one single-family primary dwelling may be placed on a lot or parcel of land in an agricultural zone.
- D. Lot Width and Frontage. Each lot or parcel in an agricultural zone shall have a minimum lot width not less than the dimension in the Minimum Width column of the Lot Width and Frontage table below. The minimum lot width shall be measured at the minimum front

yard requirement (see subsection F of this section) that shall be determined from a point which corresponds to the midpoint of the front lot line. Each lot or parcel shall abut the right of way line of a public street a minimum distance not less than the dimension in the Frontage (Standard) column of the Lot Width and Frontage table below, except that lots with side property lines which diverge at an angle of at least twenty (20) degrees shall abut the right of way or landscaped open space a minimum distance not less than the dimension in the Frontage (Diverged) column.

<u>ZONE</u>	<u>MINIMUM WIDTH</u>	<u>FRONTAGE (STANDARD)</u>	<u>FRONTAGE (DIVERGED)</u>
A-5	100'	100'	60'
A-1	100'	100'	60'

E. Lot Coverage. The area of lot, parcel or private ownership area in an agricultural zone covered by buildings shall not exceed the percentage identified in the Lot Coverage table below of the total lot, parcel or private ownership area.

<u>ZONE</u>	<u>MAXIMUM BUILDING COVERAGE (%)</u>
A-5	20%
A-1	30%

F. Yard Area. The yard area (setback) requirements below shall apply in all agricultural zones. Minimum yard areas are measured from the corresponding front, side and rear property lines of lots or from the boundaries of private ownership areas. A land use permit shall be obtained prior to the construction of any accessory building for which a building permit is not required. An application form, lot plan showing streets, existing buildings, dimensions, easements and setbacks of the proposed accessory building and other information as needed shall be submitted for review.

1. Minimum yard area requirements for main buildings.

<u>ZONE</u>	<u>FRONT YARD (interior and corner lots)</u>	<u>FRONT GARAGE</u>	<u>FRONT YARD (cul-de-sac lots)</u>	<u>SIDE YARD (standard)</u>	<u>SIDE YARD (corner lot street side)</u>	<u>REAR YARD (interior lot)</u>	<u>REAR YARD (corner lot)</u>
A-5	30'	30'	25'	10'	25'	25'	10'
A-1	30'	30'	25'	10'	25'	25'	10'

2. Minimum yard area requirements for accessory buildings.

- a. Location: Accessory buildings may not be located between the front building line of a main building and the right of way that determines the front yard area.
- b. Side Yard: An accessory building may be located in a side yard, including a street side, if located no closer than the minimum side yard requirement for the main building pursuant to subsection F of this section (17.30.030), except that accessory buildings no greater than ten (10) feet in height and not containing habitable space may be located no closer than five (5) feet from the side property line or boundary.
- c. Rear Yard: An accessory building may be located in a rear yard no closer than three (3) feet from the side or rear property line or boundary and increased by one (1) foot for each foot of building height in excess of sixteen (16) feet, except that the setback shall be increased to no closer than five (5) feet from the side or rear property line or

boundary when adjacent to a right of way, which shall be increased by one (1) foot for each foot of building height in excess of sixteen (16) feet.

d. All buildings shall be separated by a minimum distance of five (5) feet.

3. Buildings used for the housing or shelter of animals shall be located a minimum distance of forty (40) feet from any existing dwelling or neighborhood street right of way or, if approved with a conditional use permit, a minimum of twenty (20) feet from any collector street right of way line.

4. Projections. The following may be erected on or projected into any required yard space in agricultural zones:

a. Fences and walls in conformance with this code.

b. Agricultural crops, landscape or garden elements, including trees, shrubs and other plants.

c. Utility or irrigation equipment or facilities.

d. Decks not more than two (2) feet high.

e. 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 (2) feet into a side yard, or four (4) feet into a front or rear yard.

f. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building no greater than eight (8) feet wide and extending no more than two (2) feet into a side yard, or four (4) feet into a front or rear yard.

G. Parking and Access. Parking areas and vehicle access in agricultural zones shall meet the requirements of chapter 16.26 (Parking and Access), chapter 17.18 (Uses) and title 10 (Traffic Code) of this code. A driveway may only directly access a collector or arterial street with approval of the Utah Department of Transportation ("UDOT") for UDOT streets, or with approval of the City Engineer for City streets.

H. Fencing, Screening and Clear Vision. The fencing, screening and clear vision requirements of this section shall apply in agricultural zones. A permit shall be obtained from the Development Services Department prior to construction of any fence in an agricultural zone. A completed fence application form that includes a diagram showing the location, and height of the proposed fence, and description of the proposed fence shall be submitted for review by the Development Services Department.

1. Utility Screening: In non-residential developments, all mechanical equipment, antennas (where possible), loading and utility areas, and trash receptacles shall be screened from view with architectural features or walls consistent with materials used in the associated buildings.

2. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as required by the development approval.

3. Rear and Side Yard Fencing: A maximum six (6) foot high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.

4. Front Yard Fencing: A maximum four (4) foot high, non-visually obscuring decorative wrought iron, simulated wrought iron or non-obscuring vinyl picket fence may be constructed along a side lot line to the right of way line or sidewalk of a neighborhood

street, except as regulated in clear vision areas. A masonry or solid vinyl fence or hedge may also be constructed along lot lines to the right of way or sidewalk but may not greater than three (3) feet high. Brick pillars may not exceed eighteen (18) inches square or be closer than ten (10) feet on center. Posts or pillars may not extend higher than four (4) inches above the fence panel.

5. Clear Vision: Landscape materials, except for mature trees that are pruned at least seven (7) feet above the ground, and fences shall be no greater than three (3) feet high within a ten (10) foot triangular area formed by the edge of a driveway and the street right of way line or within a thirty (30) foot triangular area formed by the right of way lines of intersecting streets. Lesser clear vision triangular areas may be approved by the city engineer based on traffic speeds, flow, volumes and other traffic related variables.

6. Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty (20) feet of a collector or arterial street right of way in an agricultural zone shall be constructed according to section 16.04.200 of this code.

I. Architecture. The following exterior materials and architectural standards are required in agricultural zones:

1. General Architectural Standards.

- a. All building materials shall be high quality, durable and low maintenance.
- b. The exteriors of buildings in agricultural zones shall be properly maintained by the owners or owner association.
- c. Signs shall meet the requirements of chapter 16.36 (Sign Ordinance) of this code and shall be constructed of materials that are consistent with the buildings they identify.
- d. Main buildings shall be no greater than thirty-five (35) feet high.

2. Architectural Standards for Main Buildings.

- a. Main buildings, excluding main buildings used for agricultural uses, shall be constructed with a minimum of brick or stone that is calculated by multiplying two (2) by the perimeter of the foundation (including garage).
- b. Main buildings shall be constructed with a majority of the roof to be a minimum five to twelve (5:12) pitch, except that roofs of agricultural main buildings may be constructed to be a minimum four to twelve (4:12) roof pitch over the majority of the building.
- c. Residential main buildings shall include a minimum two (2) car garage (minimum twenty-two (22) feet by twenty-two (22) feet, or an approved equivalent area).
- d. The minimum total floor area, finished and unfinished, of any residential main building shall be two thousand four hundred (2,400) square feet.
- e. Residential main buildings shall include architectural elements (i.e. main entrance, porch) that distinguish the side of the building oriented towards the front yard as the front of the house. The front of the house shall be accessible by a pedestrian from the adjacent right of way.

3. Architectural Standards for Accessory Buildings:

- a. Accessory buildings may not be higher than the main building, except as approved by the Planning Commission as a conditional use permit. In no case shall an accessory building be greater than twenty five-feet (25') high.
- b. The footprint of an accessory building in agricultural zones shall not exceed the footprint of the main building, including the footprint of an attached garage, except as approved by the Planning Commission as a conditional use permit.
- c. Any portion of an accessory building within twenty (20) feet of a property line shall meet the following requirements, except as approved by the Planning Commission as a conditional use permit:
  - i. Openings (e.g. windows and doors) that are visible from the subject property line shall not be located in an exterior wall when the floor height exceeds four (4) feet above grade.
  - ii. The average wall height shall not exceed sixteen (16) feet above grade.
- d. Accessory buildings with a footprint exceeding two hundred (200) square feet shall be constructed with a minimum four to twelve (4:12) roof pitch over a majority of the structure.
- e. Applications for a conditional use permit under subsections 3a, 3b and 3c of this section shall demonstrate that the proposed accessory building is consistent with the character of the surrounding area, which analysis includes, but is not limited to, consideration of nearby structures and uses and applicable declarations of conditions, covenants and restrictions ("CC&Rs"). Written notice shall be provided to all property owners located within the subdivision plat of the subject property and to all property owners otherwise located within three hundred (300) feet of the subject property. Notice shall be provided no less than ten (10) days prior to the scheduled Planning Commission meeting.

#### J. Landscaping.

- 1. The front and street side yards of single-family lots shall be fully improved and properly maintained. Improvements shall include not less than fifty (50) percent of the yard area landscaped and not less than fifty (50) percent of the required landscaped area covered in lawn or other acceptable live plant material unless otherwise approved with a conditional use permit.
- 2. All collector street and other public and private park strips in agricultural zones shall be improved and maintained by the adjoining property owners according to specifications adopted by the city unless otherwise allowed with development approval.
- 3. Where an adjacent park strip in a residential right of way is at least five (5) feet wide, park strip improvements shall include one shade tree that is a minimum two (2) inch caliper, for every fifty (50) feet of frontage and spaced evenly throughout the landscaped portion of the park strip. Park strip trees shall be consistent with the "Streetscape Tree Species for South Jordan City" list.
- 4. In developments that have a principle use other than residential or agricultural, the following landscaping requirements shall also apply:
  - a. All areas of developments not approved for parking, buildings, recreation facilities, access, other hard surfaces, or otherwise exempted with development approval shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.

- b. A minimum of one (1) tree per one thousand (1,000) square feet, or part thereof, of landscaped areas, excluding landscaped sport or play areas, is required. At least thirty (30) percent of all required trees shall be minimum seven (7) foot evergreens. Deciduous trees shall be a minimum two (2) inch caliper. Deciduous and evergreen trees need not be equally spaced, except as required in parking areas and in park strips but shall be distributed throughout the required yard areas on the site.
- c. Curbed planters with two (2) inch or larger caliper shade trees and grass, shrubs or ground cover shall be installed at the ends of each parking row. Planters shall be at least five (5) feet wide.
- d. Minimum five (5) foot wide landscaped planters shall be installed along the street side of building foundations, except at building entrances.
- e. All landscaped areas shall be curbed.

5. Developments that are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights of way in the landscaping of the project and the urban trails system. Any area so included and perpetually preserved as open space may be counted toward required open space for the development. If approved by the city engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without approval of any entity or agency having jurisdiction over said waterways.

6. All required landscaping in yard areas and open spaces shall be installed prior to occupancy unless deferred pursuant to section 16.04.300 (Deferred Improvements) of title 16 (Subdivision and Development Ordinance).

7. Property owners shall properly irrigate and maintain all landscaped areas, including those in adjacent public right of way areas that are not maintained by the City.

8. Required trees may not be topped and required landscape material may not be removed in residential zones without city approval.

9. Dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval.

#### L. Lighting.

1. A lighting plan shall be submitted with all new developments that have a principle use that is not agricultural or residential.

2. Lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.

3. Lighting fixtures in all developments that have a principle use that is not agricultural or residential shall be architectural grade and consistent with the architectural theme of the development.

4. Lighting fixtures on public property shall be approved by the city engineer.

M. Streets. Streets in agricultural zones shall meet the requirements of section 16.04.180 (Streets) of title 16 (Subdivision and Development Ordinance), except that private streets and gated communities are prohibited in agricultural zones.

### **17.30.030: PLANNED UNIT DEVELOPMENT:**

Planned Unit Developments ("PUD") are not allowed in agricultural zones.

### **17.30.040: OTHER REQUIREMENTS:**

A. All developments shall be graded as required by the Development Services Department to provide adequate drainage. Buildings shall be equipped with facilities that discharge all roof drainage onto the subject lot or parcel.

B. All private areas of lots or parcels shall be properly maintained by the owners.

C. A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the city.

D. All common area improvements in developments, including, but not limited to, buildings, open space, recreational facilities, roads, fences, utilities, landscaping, walkways, streetlights and signs not specifically dedicated to the city or accepted for ownership or maintenance by the city shall be perpetually owned and maintained by the property owners of the development or their agents through a special taxing district or owners' association with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the city.

E. Prior Created Lots. Lots or parcels of land that legally existed or were created by a preliminary or final plat approval prior to the establishment of an agricultural zone shall not be denied a building permit solely for reason of nonconformance with the requirements of this chapter.

F. Before building permits are issued, all projects shall have been approved according to the provisions and requirements of this code and the applicable plat recorded with the Salt Lake County recorder's office.

G. Any open space provided within a subdivision to be jointly owned, maintained and preserved by an owners' association and/or special assessment area acceptable to the city shall be labeled and recorded as common area or as a perpetual open space easement. Private yard areas may not be counted as required open space. The city may determine the location of open space in a subdivision by considering topography, drainage or other land features. The city may require a cash bond or a letter of credit to guarantee installation of improvements.

H. Developers of projects that will include common area, private streets, shared private improvements, or shall otherwise include restrictive covenants shall submit a proposed declaration of conditions, covenants, and restrictions ("CC&Rs") to the city for review. The CC&Rs shall be recorded concurrently with the final plat and, except where the City has agreed to and executed documents to guarantee the establishment of a special assessment area, shall include the following:

1. An opinion of legal counsel licensed to practice law in the state that the project meets requirements of state law.

2. Provisions for a homeowners' association, maintenance of all buildings, streets, sidewalks, other improvements and common areas, adherence to city conditions and standards applicable to the development at the time of approval, snow removal, and other items recommended by city staff and approved by the Planning Commission.

3. Language required by section 17.04.300 of this title.

**Exhibit “B”**

Chapter 17.40 (Residential Zones) of Title 17 (Planning and Land Use Ordinance) of the South Jordan City Municipal Code

# Chapter 17.40 **RESIDENTIAL ZONES**

## **17.40.010: PURPOSE**

## **17.40.020: DEVELOPMENT & DESIGN STANDARDS**

## **17.40.030: PLANNED UNIT DEVELOPMENT**

## **17.40.040: OTHER REQUIREMENTS**

### **17.40.010: PURPOSE**

Chapter 17.40 is established to provide standards and regulations, consistent with the City's general plan and the purposes and provisions of this title, for single-family residential areas in the City. This chapter shall apply to the following residential zones as established in chapter 17.20 (Zone Establishment): R-1.8, R-2.5, R-3, R-4, R-5, and R-M zones. Uses may only be conducted in residential zones in accordance with the regulations of this code. Allowed use (permitted and conditional), accessory use, temporary use and other associated use regulations may be found in chapter 17.18 (Uses) of this title.

### **17.40.020: DEVELOPMENT AND DESIGN STANDARDS**

- A. Development Review. Uses proposed in residential zones may only be established in conformance with development review procedures of the city. Applicants shall follow the procedures and requirements of this code regarding development review in the preparation and review of development proposals in residential zones. All uses shall be conducted according to the approved plan or plat and any conditions of approval. Plans or plats may not be altered without prior approval of the city, except as otherwise allowed under state law.
- B. Lot Area. The area of any lot in residential zones shall not be less than the minimum lot area requirement identified in the Minimum Lot Area table below. Every portion of a parcel being subdivided shall be included as a lot or lots in the proposed subdivision plat, right of way or as common, limited common or private ownership.

<u>ZONE</u>	<u>MINIMUM LOT AREA (square feet)</u>
<u>R-1.8</u>	<u>14,520</u>
<u>R-2.5</u>	<u>12,000</u>
<u>R-3</u>	<u>10,000</u>
<u>R-4</u>	<u>8,000</u>
<u>R-5</u>	<u>6,000</u>
<u>R-M</u>	<u>5,000</u>

- C. Lot Density. The maximum gross density (number of lots or primary dwelling units per acre) in any residential development in a residential zone shall not exceed the density shown in the Lot Density table below. The primary dwelling density of each area zoned R-M shall be determined, according to the densities established in the Lot Density table.

with approval of a rezoning application per chapter 17.22 (Zoning Amendments) and indicted on the official zoning map with a numerical suffix matching the approved density.

<u>ZONE</u>	<u>MAXIMUM GROSS DENSITY</u>
<u>R-1.8</u>	<u>1.8</u>
<u>R-2.5</u>	<u>2.5</u>
<u>R-3</u>	<u>3</u>
<u>R-4</u>	<u>4</u>
<u>R-5</u>	<u>5</u>
<u>R-M-5</u>	<u>5</u>
<u>R-M-6</u>	<u>6</u>
<u>R-M-7</u>	<u>7</u>
<u>R-M-8</u>	<u>8</u>

D. Lot Width and Frontage. Each lot or parcel in a residential zone shall have a minimum lot width not less than the dimension in the Minimum Width column of the Lot Width and Frontage table below. The minimum lot width shall be measured at the minimum front yard requirement (see sub-section F of this section) that shall be determined from a point which corresponds to the midpoint of the front lot line. Each lot or parcel shall abut the right of way line of a public street a minimum distance not less than the dimension in the Frontage (Standard) column of the Lot Width and Frontage table below, except that lots with side property lines which diverge at an angle of at least twenty (20) degrees shall abut the right of way or landscaped open space a minimum distance not less than the dimension in the Frontage (Diverged) column.

<u>ZONE</u>	<u>MINIMUM WIDTH</u>	<u>FRONTAGE (STANDARD)</u>	<u>FRONTAGE (DIVERGED)</u>
<u>R-1.8</u>	<u>90'</u>	<u>90'</u>	<u>50'</u>
<u>R-2.5</u>	<u>90'</u>	<u>90'</u>	<u>50'</u>
<u>R-3</u>	<u>85'</u>	<u>85'</u>	<u>50'</u>
<u>R-4</u>	<u>80'</u>	<u>80'</u>	<u>50'</u>
<u>R-5</u>	<u>75'</u>	<u>75'</u>	<u>50'</u>
<u>R-M-5</u>	<u>65'</u>	<u>65'</u>	<u>40'</u>
<u>R-M-6</u>	<u>60'</u>	<u>60'</u>	<u>40'</u>
<u>R-M-7</u>	<u>55'</u>	<u>55'</u>	<u>40'</u>
<u>R-M-8</u>	<u>50'</u>	<u>50'</u>	<u>40'</u>

E. Lot Coverage. The area of lot, parcel or private ownership area in a residential zone covered by buildings shall not exceed the percentage identified in the Lot Coverage table below of the total lot, parcel or private ownership area.

<u>ZONE</u>	<u>MAXIMUM BUILDING COVERAGE (%)</u>
<u>R-1.8</u>	<u>40%</u>
<u>R-2.5</u>	<u>40%</u>
<u>R-3</u>	<u>40%</u>
<u>R-4</u>	<u>40%</u>
<u>R-5</u>	<u>50%</u>
<u>R-M</u>	<u>60%</u>

F. Yard Area. The yard area (setback) requirements below shall apply in all residential zones. Minimum yard areas are measured from the corresponding front, side and rear property lines of lots or from the boundaries of private ownership areas. A land use permit shall be obtained prior to the construction of any accessory building for which a building permit is not required. An application form, lot plan showing streets, existing buildings, dimensions, easements and setbacks of the proposed accessory building and other information as needed shall be submitted for review.

1. Minimum yard area requirements for main buildings are as follows:

<u>ZONE</u>	<u>FRONT YARD (interior and corner lots)</u>	<u>GARAGE OPENING (front or street side)</u>	<u>FRONT YARD (cul-de-sac lots)</u>	<u>SIDE YARD (standard)</u>	<u>SIDE YARD (corner lot street side)</u>	<u>REAR YARD (interior lot)</u>	<u>REAR YARD (corner lot)</u>
R-1.8	30'	30'	25'	10'	30'	25'	10'
R-2.5	25'	30'	20'	10'	25'	25'	10'
R-3	25'	30'	20'	10'	25'	25'	10'
R-4	20'	25'	20'	8'	20'	20'	10'
R-5	20'	25'	20'	8'	20'	20'	10'
R-M-5	20'	25'	20'	8'	10'	20'	10'
R-M-6	20'	25'	20'	8'	10'	20'	10'
R-M-7	15'	20'	15'	6'	10'	20'	10'
R-M-8	15'	20'	15'	5'	10'	20'	10'

2. Minimum yard area requirements for accessory buildings are as follows:

- a. Location: Accessory buildings may not be located between the front building line of a main building and the right of way that determines the front yard area.
- b. Side Yard: An accessory building may be located in a side yard, including a street side, if located no closer than the minimum side yard requirement for the main building pursuant to subsection F of this section (17.40.030), except that accessory buildings less than ten (10) feet in high and not containing habitable space may be located no closer than five (5) feet from the side property line.
- c. Rear Yard: An accessory building may be located in a rear yard no closer than three (3) feet from the side or rear property line or boundary and increased by one (1) foot for each foot of building height in excess of sixteen (16) feet, except that the setback shall be increased to no closer than five (5) feet from the side or rear property line or boundary when adjacent to a right of way, which shall be increased by one (1) foot for each foot of building height in excess of sixteen (16) feet.
- d. All buildings shall be separated by a minimum distance of five (5) feet.

3. Buildings used for the housing or shelter of animals shall be located a minimum distance of forty (40) feet from any existing dwelling or neighborhood street right of way or, if approved with a conditional use permit, a minimum of twenty (20) feet from any collector street right of way line.

4. Projections. The following may be erected on or projected into any required yard space in residential zones:

- a. Fences and walls in conformance with this code.
- b. Agricultural crops and landscape elements, including trees, shrubs and other plants.

- c. Utility or irrigation equipment or facilities.
- d. Decks not more than two (2) feet high.
- e. 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 (2) feet into a side yard, or four (4) feet into a front or rear yard.
- f. Chimneys, fireplace keys, box or bay windows or cantilevered walls attached to the building no greater than eight (8) feet wide and extending not more than two (2) feet into a side yard, or four (4) feet into a front or rear yard.

G. Parking and Access. Parking areas and vehicle access in residential zones shall meet the requirements of chapter 16.26 (Parking and Access), chapter 17.18 (Uses), and title 10 (Traffic Code) of this code. A driveway may only directly access a collector or arterial street with approval the Utah Department of Transportation ("UDOT") for UDOT streets or with approval of the City Engineer for City streets.

H. Fencing, Screening and Clear Vision. The fencing, screening and clear vision requirements of this section shall apply in residential zones. A permit shall be obtained from the Development Services Department prior to construction of any fence in a residential zone. A completed fence application form that includes a diagram showing the location and height of the proposed fence, and a description of the proposed fence shall be submitted for review by the Development Services Department.

1. Utility Screening: In non-residential developments, all mechanical equipment, antennas (where possible), loading and utility areas and trash receptacles shall be screened from view with architectural features or walls consistent with materials used in the associated buildings.

2. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as required by the development approval.

3. Rear and Side Yard Fencing: A maximum six (6) foot high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.

4. Front Yard Fencing: A maximum four (4) foot high, non-visually obscuring decorative wrought iron, simulated wrought iron or non-obscuring vinyl picket fence may be constructed along a side lot line to the right of way line or sidewalk of a neighborhood street, except as regulated in clear vision areas. A masonry or solid vinyl fence or hedge may also be constructed along lot lines to the right of way or sidewalk but may not be greater than three (3) feet high. Brick pillars may not exceed eighteen (18) inches square or be closer than ten (10) feet on center. Posts or pillars may not extend higher than four (4) inches above the fence panel.

5. Clear Vision: Landscape materials, except for mature trees that are pruned at least seven (7) feet above the ground, and fences shall be no greater than three (3) feet high within a ten (10) foot triangular area formed by the edge of a driveway and the street right of way line or within a thirty (30) foot triangular area formed by the right of way lines of intersecting streets. Lesser clear vision triangular areas may be approved by the city engineer based on traffic speeds, flow, volumes and other traffic related variables.

6. Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty (20) feet of a collector or arterial street

right of way in a residential zone shall be constructed according to section 16.04.200 of this code.

I. Architecture. The following exterior materials and architectural standards are required in residential zones:

1. General Architectural Standards.

- a. All building materials shall be high quality, durable and low maintenance.
- b. The exteriors of buildings in residential zones shall be properly maintained by the owners or owner association.
- c. Signs shall meet requirements of chapter 16.36 (Sign Ordinance) of this code and shall be constructed of materials that are consistent with the buildings they identify.
- d. Main buildings shall be no greater than thirty-five (35) feet high.

2. Architectural Standards for Main Buildings.

- a. Main buildings shall be constructed with a minimum amount of brick or stone that is calculated by multiplying two (2) by the perimeter length of the foundation (including garage).
- b. Main buildings shall be constructed with a majority of the roof to be a minimum five to twelve (5:12) roof pitch.
- c. Residential main buildings shall include a minimum two (2) car garage (minimum twenty-two (22) feet by twenty-two (22) feet, or an approved equivalent area).
- d. The minimum total floor area, finished and unfinished, of any residential main building shall be two thousand four hundred (2,400) square feet.
- e. Residential main buildings shall include architectural elements (i.e. main entrance, porch) that distinguish the side of the building oriented towards the front yard as the front of the house. The front of the house shall be accessible by a pedestrian from the adjacent right of way.

3. Architectural Standards for Accessory Buildings.

- a. Accessory buildings may not be higher than the main building, except as approved by the Planning Commission as a conditional use permit. In no case shall an accessory building be greater than twenty-five (25) feet high.
- b. The footprint of accessory buildings in the R-2.5, R-3, R-4, R-5 and R-M zones shall not exceed sixty (60) percent of the footprint of the main building, including the footprint of an attached garage, except that the Planning Commission may approve a conditional use permit for an accessory building with a footprint that is greater than sixty (60) percent but in no case shall exceed the footprint of the main building. In the R-1.8 zone, the footprint of an accessory building, such as a barn or a stable, shall not exceed the footprint of the main building, except with a conditional use permit approved by the Planning Commission.
- c. Any portion of an accessory building within twenty (20) feet of a property line shall meet the following requirements, except as approved by the Planning Commission as a conditional use permit:
  - i. Openings (e.g. windows and doors) that are visible from the property line shall not be located in an exterior wall when the floor height exceeds four (4) feet above grade.
  - ii. The average wall height shall not exceed sixteen (16) feet above grade.

- d. Accessory buildings with a footprint exceeding two hundred (200) square feet shall be constructed with a minimum four to twelve (4:12) roof pitch over a majority of the structure.
- e. Applications for a conditional use permit under subsections 3a, 3b and 3c of this section shall demonstrate that the proposed accessory building is consistent with the character of the surrounding area, which analysis includes, but is not limited to, consideration of nearby structures and uses and applicable declarations of conditions, covenants and restrictions ("CC&Rs"). Written notice shall be provided to all property owners located within the subdivision plat of the subject property and to all property owners otherwise located within three hundred (300) feet of the subject property. Notice shall be provided no less than ten (10) days prior to the scheduled Planning Commission meeting.

#### J. Landscaping.

1. The front and street side yards of single-family lots shall be fully improved and properly maintained with not less than fifty (50) percent of the yard area landscaped and not less than fifty (50) percent of the required landscaped area covered in lawn or other acceptable live plant material unless otherwise approved with a conditional use permit.
2. All collector street and other public and private park strips in residential zones shall be improved and maintained by the adjoining property owners according to specifications adopted by the city unless otherwise allowed with development approval.
3. Where an adjacent park strip in a residential right of way is a minimum of five (5) feet wide, park strip improvements shall include one shade tree that is a minimum two (2) inch caliper, for every fifty (50) feet of frontage and spaced evenly throughout the landscaped portion of the park strip. Park strip trees shall be consistent with the "Streetscape Tree Species for South Jordan City" list.
4. In developments that have a principle use other than Single-Family, Detached, the following landscaping requirements shall apply:
  - a. All areas of developments not approved for parking, buildings, recreation facilities, access, other hard surfaces, or otherwise exempted with development approval shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.
  - b. A minimum of one (1) tree per one thousand (1,000) square feet, or part thereof, of landscaped areas, excluding landscaped sports or play areas, is required. At least thirty (30) percent of all required trees shall be a minimum seven (7) foot evergreen. Deciduous trees shall be a minimum two (2) inch caliper. Deciduous and evergreen trees need not be equally spaced, except as required in parking areas and in park strips but shall be distributed throughout the required yard areas on the site.
  - c. Curbed planters with two (2) inch or larger caliper shade trees and grass, shrubs or ground cover shall be installed at the ends of each parking row. Planters shall be at least five (5) feet wide.
  - d. Minimum five (5) foot wide landscaped planters shall be installed along the street side of building foundations, except at building entrances.
  - e. All landscaped areas shall be curbed.
5. Developments that are contiguous to canals, streams or drainage areas shall make reasonable efforts to include banks and rights of way in the landscaping of the project and

the urban trails system. Any area so included and perpetually preserved as open space may be counted toward required open space for the development. If approved by the city engineer, waterways which traverse developments may be left open if properly landscaped and maintained by the adjacent owners. Waterways may not be altered without approval of any entity or agency having jurisdiction over said waterways.

6. All required landscaping in yard areas and open spaces shall be installed prior to occupancy unless deferred pursuant to section 16.04.300 (Deferred Improvements) of title 16 (Subdivision and Development Ordinance).

7. Property owners shall properly irrigate and maintain all landscaped areas, including those in adjacent public rights of way that are not maintained by the City.

8. Required trees may not be topped and required landscape material may not be removed in residential zones without city approval.

9. Dead plant material shall be replaced in accordance with the requirements of this chapter and the conditions of site plan or plat approval.

#### L. Lighting.

1. A lighting plan shall be submitted with all new non-residential developments in residential zones.

2. Lighting shall be shielded to prevent glare on adjacent agricultural and residential properties.

3. Lighting fixtures in all developments that have a principle use that is not agricultural or residential shall be architectural grade and consistent with the architectural theme of the development.

4. Lighting fixtures on public property shall be approved by the city engineer.

M. Streets. Streets in residential zones shall meet the requirements of section 16.04.180 (Streets) of title 16 (Subdivision and Development Ordinance), except that private streets and gated communities are prohibited in residential zones unless otherwise provided for in this chapter.

### **17.40.030: PLANNED UNIT DEVELOPMENT**

A. As used in this chapter, planned unit development ("PUD") shall mean a single-family residential development in a residential zone. Except as altered by this section, all standards and requirements of this chapter shall apply.

B. A PUD may be allowed only with a conditional use permit in a residential zone. Allowed uses in a PUD shall be the same as those allowed in the zone.

C. Each PUD shall contain a minimum of five (5) acres.

D. An applicant applying for approval of a PUD shall submit to the Development Services Department for review a design plan for the PUD that applies a consistent architectural theme for all buildings, landscaping, streetscape, signs, street furniture, lighting, fencing and

other design components. The design plan shall consider reasonably anticipated detrimental effects and shall incorporate standards, restrictions, and guidelines to mitigate potential detrimental impacts on surrounding properties.

E. The treatment of buildings, materials and exterior appurtenances shall create an aesthetically pleasing site that is compatible with structures in the immediate area and meets the following requirements:

1. All sides of buildings that are readily viewed by pedestrians, motorists or adjacent properties shall receive equal design consideration.
2. Buildings shall be designed to relate to grade conditions such that exposure of foundation walls is minimal, which creates easy pedestrian access from sidewalks, open space and parking areas.

F. Each dwelling unit shall include a minimum two (2) car garage (minimum twenty-two (22) feet by twenty-two (22) feet, or approximate approved equivalent) and a total floor area not less than the amount shown in the PUD Minimum Floor Area table below.

<u>ZONE</u>	<u>PUD MINIMUM FLOOR AREA (square feet)</u>
<u>R-1.8</u>	<u>3,600</u>
<u>R-2.5</u>	<u>3,600</u>
<u>R-3</u>	<u>3,600</u>
<u>R-4</u>	<u>3,000</u>
<u>R-5</u>	<u>3,000</u>
<u>R-M</u>	<u>2,400</u>

G. All main buildings shall be constructed with minimum six to twelve (6:12) roof pitches, except that flat or shed style roof structures are allowed where approved with an architectural theme by the Planning Commission.

H All main buildings shall be constructed of a minimum amount of brick or stone that is calculated by multiplying three (3) by the perimeter length of the foundation (including garage). Stucco, if used, may not exceed twenty-five (25) percent of the total wall area on which it is used and shall contrast or accent other building materials.

I. A front-loaded garage of a residential main building shall be set back a minimum of five (5) feet from the front building line, which may include the porch.

J. The minimum lot area for each residential lot in a PUD shall not be less than the minimum lot area requirement identified in the PUD Minimum Lot Area table below.

<u>ZONE</u>	<u>PUD MINIMUM LOT AREA (square feet)</u>
<u>R-1.8</u>	<u>12,000</u>
<u>R-2.5</u>	<u>10,000</u>
<u>R-3</u>	<u>8,000</u>
<u>R-4</u>	<u>6,000</u>
<u>R-5</u>	<u>5,000</u>
<u>R-M</u>	<u>800</u>

K. A maximum of sixty (60) percent of the area of Single-Family, Detached lots or private ownership areas may be covered by buildings.

L. A PUD in the R-M zone shall provide open space area within the subdivision not less than the percentage, shown in the table below for each R-M zone subdistrict, of the gross area of the development. Any landscaped area required by this code, except for required park strip areas, may contribute to compliance with this open space requirement. Included in the required open space shall be an area that will accommodate, at a minimum, a circle with a radius of fifty (50) feet and, in that area, a recreational amenity such as a picnic pavilion, tot lot or other equivalent amenity as determined by the Planning Commission.

<u>ZONE</u>	<u>OPEN SPACE REQUIREMENT (% of gross area)</u>
<u>R-M-5</u>	<u>15%</u>
<u>R-M-6</u>	<u>18%</u>
<u>R-M-7</u>	<u>21%</u>
<u>R-M-8</u>	<u>24%</u>

M. The minimum yard, width and frontage requirements of lots and units in residential zones does not apply to Single-Family, Attached lots and may be altered for Single-Family, Detached lots as approved by the Planning Commission.

N. A public or common landscaped open space (green court) may be approved by the Planning Commission and may be used to establish a front lot line. A sidewalk of not less than five (5) feet wide shall be located adjacent to the front yard of each dwelling unit on a green court and shall connect to a sidewalk within a right of way.

O. One parking space per every four (4) primary dwelling units shall be provided for guest parking. Parking spaces shall be scattered throughout the project, so as to minimize the walking distance to the dwelling units. This requirement may be waived by the Planning Commission, upon a positive recommendation from the City Engineer and City Planner, if the applicant can show that the design of the project makes this requirement unnecessary.

P. Private streets that meet the following requirements may be approved by the Planning Commission:

1. Private streets in residential zones shall meet the requirements of section 16.04.180 (Streets) of title 16 (Subdivision and Development Ordinance).
2. For each side of all private streets that provide frontage for a main building, the right of way shall include a sidewalk not less than six (6) feet wide and a parkstrip not less than five (5) feet wide or designated parallel street parking not less than eight (8) feet wide. The required sidewalk shall connect to a public right of way.
3. The City Engineer, City Planner and Fire Marshal each have recommended approval of the private streets.

Q. A lighting plan for the PUD is required and shall be submitted to the Development Services Department for review.

## **17.40.040: OTHER REQUIREMENTS**

A. All developments shall be graded as required by the Development Services Department to provide adequate drainage. Buildings shall be equipped with facilities that discharge all roof drainage onto the subject lot or parcel.

B. All private areas of lots or parcels shall be properly maintained by the owners.

C. A project phasing plan shall be submitted for review at the time of plat or site plan approval. Development shall be in accordance with the phasing plan unless a revised phasing plan is approved by the city.

D. All common area improvements in developments, including, but not limited to, buildings, open space, recreational facilities, roads, fences, utilities, landscaping, walkways, streetlights and signs not specifically dedicated to the city or accepted for ownership or maintenance by the city shall be perpetually owned and maintained by the property owners of the development or their agents through a special taxing district or owners' association with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the city.

E. Prior Created Lots. Lots or parcels of land that legally existed or were created by a preliminary or final plat approval prior to the establishment of a residential zone shall not be denied a building permit solely for reason of nonconformance with the requirements of this chapter.

F. Before building permits are issued, all projects shall have been approved according to the provisions and requirements of this code and the applicable plat recorded with the Salt Lake County recorder's office.

G. Any open space provided within a subdivision to be jointly owned, maintained and preserved by an homeowners' association and/or special assessment area acceptable to the city shall be labeled and recorded as common area or as a perpetual open space easement. Private yard areas may not be counted as required open space. The city may determine the location of open space in a subdivision by considering topography, drainage or other land features. The city may require a cash bond or a letter of credit to guarantee installation of improvements.

H. Developers of projects that will include common area, private streets, shared private improvements, or shall otherwise include restrictive covenants shall submit a proposed declaration of conditions, covenants and restrictions ("CC&Rs") to the city for staff review. The CC&Rs shall be recorded concurrently with the final plat and, except where the City has agreed to and executed documents to guarantee the establishment of a special assessment area, shall include the following:

1. An opinion of legal counsel licensed to practice law in the state that the project meets requirements of state law.
2. Provisions for a homeowners' association, maintenance of all buildings, streets, sidewalks, other improvements and common areas, adherence to city conditions and standards applicable to the development at the time of approval, snow removal, and other items recommended by city staff and approved by the Planning Commission.
3. Language consistent with section 17.04.300 of this title.

**Exhibit “C”**

**Chapter 17.18 (Uses) of Title 17 (Planning and Land Use Ordinance) of the South Jordan City  
Municipal Code**

# CHAPTER 17.18 USES

- 17.18.010: PURPOSE**
- 17.18.020: ALLOWED USES**
- 17.18.030: USE REGULATIONS**
- 17.18.040: IMPACT CONTROL MEASURES**
- 17.18.050: CONDITIONAL USES**
- 17.18.060: USE DEFINITIONS**

## **17.18.010: PURPOSE:**

In order to implement the purposes and provisions of this title, this chapter is adopted to identify allowed uses, permitted and conditional, of zoning districts established within the City per chapter 17.20 (Zone Establishment) and consolidate regulations pertaining to allowed uses. ~~Zone-specific use regulations, as identified in individual zone chapters of this title, may also apply.~~ This chapter shall only apply to the zones listed in the Allowed Uses Table (17.18.020(C)).

## **17.18.020: ALLOWED USES:**

- A. Development or use of a property for primary uses not specifically allowed in table 17.18.020(C) or approved by the provisions of this chapter and this code are prohibited, except as otherwise determined by the Development Services Director according to section 17.18.030(A)(2). Regardless of whether a primary use is allowed as a permitted or conditional use, the regulations of this title (Planning and Land Use Ordinance) shall apply. Allowed uses shall be identified in the Allowed Uses Table (17.18.020(C)) with a "P" for a permitted use and a "C" for a conditional use.
- B. The classification of uses as Residential, Commercial, Industrial, Public, and Agricultural, and associated grouping within each category, is for organizational and reference purposes.

C. Allowed Uses Table:

CATEGORY	USES	ZONES																			
		(P=permitted, C=conditional)																			
		A-5	R-1.8	R-2.5	R-3	R-4	R-5	R-M													
Agricultura	Animal Husbandry	P																			
	Horticulture	P																			
	Plant Nursery	C	C																		
	Public Agricultural Facility	C	C																		
Residential	Group Living																				
	Community Residential Facility						C														
	Dormitory																				
	Institutional Living																				
	Household																				
	Live-Work																				
	Multi-Family																				
Household	Neighborhood Residential Facility	P	P	P	P																
	Single-Family, Attached					P															
	Single-Family, Detached	P	P	P	P																
Public	Cemetary																				
	Civic & Community																				
	Community Services	C	C	C	C																
	Public Safety	C	C	C	C																
	Religious Assembly & Worship	C	C	C	C																
	Education																				
	Elementary/Secondary Education	C	C	C	C																
	University/College																				
	Vocational/Professional																				
	Open Space																				
	Natural Open Space																				
	Park Open Space																				
	Utility & Communication																				
Energy Conversion	C																				
Telecommunication Facility	C	C	C	C																	
Utility Services	C	C	C	C																	
Commercial	Animal Services																				
	Business Support																				
	Daycare	P	P	P	P																
	Financial Institution																				
	Hospital																				
	Light Service & Repair																				
	Lodging																				
	Medical/Dental Office or Clinic																				
	Mortuary/Funeral Home																				
	Office																				
	Personal Services																				
	Professional Services																				
	Restaurant																				
	Self-storage																				
	Vehicle Repair																				
	Vehicle Services																				
	Recreation & Assembly	Arts & Recreation																			
		Convention/Reception Center																			
		Instruction & Training																			
		Outdoor Recreation																			
		Stadium/ Theater/ Auditorium																			
	Retail	Gas Station																			
		General Retail																			
		Kiosk, Freestanding																			
		Shopping Center/Department Store																			
		Vehicle Sales & Rental																			

CATEGORY	USES	ZONES (P=permitted, C=conditional)													
		A-5	R-1.8	R-2.5	R-3	R-4	R-5	R-M							
Industrial	Manufacturing and Production	Assembly													
		Fabrication													
		Manufacturing													
		Mining													
	Sales & Service	Commercial Service & Repair													
		Food & Drink Preparation													
		Heavy Equipment Sales & Rental													
		Research & Development													
		Storage Yards													
	Transportation	Wholesale & Warehouse													
		Aircraft Transportation													
		Parking Facility													
		Passenger Terminal/Station													
	Waste	Railroad Facility													
		Refuse													
		Salvage													

**17.18.030: USE REGULATIONS:**

**A. 17.18.030.10: General Use Regulations.GENERAL USE REGULATION**

A. Uses may be conducted within the City only in accordance with the regulations of title 17 (Planning and Land Use Ordinance), including, but not limited to, the use regulations of this chapter, General and Supplementary Provisions (Chapter 17.04), 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, or the equivalent department director over the Planning Division, 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 table 17.18.020(C) 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.

1.  
2. The Development Services Director shall issue a written decision-in-writing within thirty (30) days of a request for interpretation.

2.

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~~which 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.
  - ~~1.~~
  2. Where up to two (2) such vehicles or parts thereof are stored completely within an enclosed building or within a six (6) 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 semi-trailer trucks and trailers, trucks and trailers exceeding eight thousand (8,000) pounds curb weight, "truck" as defined in section 10.24 (Truck Parking and Truck Routes), 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 non-residential 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.
  - ~~1.~~
  2. While loading or unloading said vehicle.
  - ~~2.~~
  3. When commonly associated with an approved use on a non-residential 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, in conjunction with a single-family dwelling or in parking and storage areas shown on an approved site plan. Said trailers and vehicles on single-family lots or parcels shall be stored behind the front line of the main building or in a street side yard that is located eight (8) feet from the street right of way and behind a six (6) foot 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 prohibited in all agricultural and residential zones.

F.G. Businesses shall also comply with the requirements of title 5 (Business Licenses and Regulations) of this code.

G.H. Telecommunications shall also comply with the requirements of chapter 17.112 (Wireless Communications Facilities) of this title.

I. Wind energy conversion systems shall ~~also~~ comply with the requirements of chapter 17.108 (Wind Energy Conversion Systems) of this title.

H.J. All uses are subject to the Impact Control Measures in section 17.18.040 of this chapter.

B. \_\_\_\_\_

### **17.18.030.20: 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 (1) 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 (17.18.020(C)), and as regulated in section 17.130.040 (Farm Animal Floating Zone) of chapter 17.130 (Overlay and Floating Zones).

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 Facilities: 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.

### **C. ~~17.18.030.30: Residential Use Regulations.~~ RESIDENTIAL USE REGULATIONS**

#### **A. General Residential Use Regulations.**

A.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.

B.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.

C.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 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 sales activities, provided it does not create a nuisance, is not placed on the public right of way, and provided it is removed by 7:00 p.m. each day and upon conclusion of the activity.

D.4. Farm animals may be allowed as regulated in sections 17.130.020 (Residential Chicken Floating Zone) and 17.130.040 (Farm Animal Floating Zone) of this title.

E.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 Living) shall require site plan review according to chapter 16.24 (Site Plan Review) of title 16 (Subdivision and Development Ordinance) 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. 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.

2. Institutional Facility: Excluding temporary emergency shelter as determined necessary by the City, Institutional Facility uses shall be located no closer than one (1) mile from any Elementary/Secondary Education use or any other Institutional Facility use.

~~F. Care Facilities that provide mental, emotional, behavioral or addiction treatment or care shall be located no closer than one (1) mile to:~~

~~1. Any other Care Facility that offers mental, emotional, behavioral or addictive treatment or care.~~

~~G. Any Elementary/Secondary Education use.~~

~~H. Institutional Facilities, excluding temporary emergency shelter as determined necessary by the City, shall be located no closer than one (1) mile from any Elementary/Secondary Education use.~~

~~I.3. Neighborhood Residential Facilities: Neighborhood Residential Facility uses shall comply with chapter 5.62 (Residential Facilities) of title 5 (Business Licenses and Regulations).~~

~~J.4. Live-Work units shall comply with the following requirements:~~

- 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 non-residential uses shall be established with the approval of the project and shall be consistent with other non-residential uses allowed in the associated zone. The following activities are prohibited: sexually oriented businesses; uses involving animals on-site; vehicle service and repair; welding/wood working; 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~~ which 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 non-residential use shall not exceed fifty (50) percent 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 non-resident person.
- e. Each non-residential 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 (5) percent of the façade of the unit and shall comply with all other requirements of chapter 16.36.
- h. Garage and/or exterior areas shall not be used for the non-residential use, except that a garage area may be used to park one vehicle related to the non-residential use.

~~5. Single-Family, Attached: Lots or parcels in single-family residential zones may shall be occupied by only one Single-Family, Detached or sSingle-fFamily, Attached dwelling unit as the primary dwelling.~~

~~a. R-M Zone: Single-Family, Attached uses may only be approved as part of a PUD Subdivision.~~

~~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.~~

~~K. Accessory dwelling units may be permitted according to the provisions of section 17.130.030 (Accessory Living Unit Floating Zone) of this title.~~

### **17.18.030.40: 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. 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.

### ~~D.~~ **17.18.030.50: COMMERCIAL USE REGULATIONS: 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 which 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. Allowed storage and displays shall be located a minimum of five (5) feet from any travel lane, outside of a public right of way and shall allow pedestrian walkways of a minimum width of at least six (6) feet to remain unobstructed.

4.

A.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 17.18.030H.

~~B. 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 which 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. Allowed storage and displays shall be located a minimum of five (5) feet from any travel lane, outside of a public right of way and shall allow pedestrian walkways of a minimum width of at least six (6) feet to remain unobstructed.~~

~~G.3. No vehicle, boat or trailer, or parts thereof, thatwhich 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 thatwhich 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 discernable 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.

#### D.B. Specific Regulations by Commercial Use.

~~E.1. Animal Service: Aand 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 (300) feet from the property line of a residential zone, educational institution, or place of worship.~~

~~F.2. Daycare: Daycare uses in residential zonesareas, excluding those operating as an approved home occupation business, areshall be required to be located on a minimum one (1) acre legal lot or parcel.~~

~~G.3. Non-depository Financial Institutions: shall comply with the following requirements:~~

~~1.a. Establishments shall be located no closer than one (1) mile from other similar establishments.~~

~~2.b. The proposed use is limited to short-term title loan and short-term consumer installment loan business.~~

~~3.c. The following services are specifically prohibited: pawn brokerage services, deposits for personal property, "cash for gold," "cash for precious metals," processing or storage of repossessed vehicles or other repossessed property, and the purchase, exchange or sale of used or secondhand merchandise or personal property.~~

~~4.d. All business activity, including customer queuing, shall be accommodated inside of the building.~~

~~H.4. Arts & Recreation: All gun ranges shall requirebe a conditional use.~~

~~I.5. Where-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 in use, or by 10:00 p.m. on Sundays through Thursdays, and by 11:00 p.m. on Fridays and Saturdays, whichever is earlier.

~~J.6. Kiosks, Freestanding:~~ Kiosks, Freestanding uses 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.

~~K.7. 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.

~~E.~~ **17.18.030.60: Industrial Use Regulations-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 which 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. Allowed outdoor activities, temporary displays, and approved outdoor storage shall be located a minimum distance of five (5) feet from any travel lane, located outside of public rights of way, and shall allow for pedestrian walkways that are a minimum width of six (6) feet to remain unobstructed.~~

~~4.~~

~~A.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 and allowed temporary uses per section 17.18.030H.~~

~~B.3. 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 which 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. Allowed outdoor activities, temporary displays, and approved outdoor storage shall be located a minimum distance of five (5) feet from any travel lane, located outside of public rights of way, and shall allow for pedestrian walkways that are a minimum width of six (6) feet to remain unobstructed.~~

~~4. No vehicle, boat, or trailer, or parts thereof, thatwhich 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 & Repair, Heavy Equipment Sales and Rental, Storage Yards, or Salvage uses.~~

~~5. 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.

~~C.~~

~~D. Storage Yard: Storage activities associated with a Storage Yard uses shall be enclosed by a six (6) feet tall obscure fence or wall.~~

~~F. Public Use Regulations.~~

~~A. 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.~~

~~B. 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 which 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.~~

~~C. Educational facilities shall have direct access to a collector or arterial street.~~

~~D.1. Minor utility facilities for local distribution, such as switch boxes, transformer boxes, and underground water and sewer lines, within established rights of way or public utility easements may be allowed in all zones at the discretion of the City Engineer. Utility Service uses that include the following shall be located no closer than one thousand (1,000) feet from the property line of a residential zone or an existing dwelling unit: sewer facilities, other than below grade lines; regional power~~

generation; and above-ground facilities on a site exceeding ten thousand (10,000) square feet.

~~G. 17.18.030.70: Agricultural Use Regulations.~~

~~A. Agricultural buildings with a footprint larger than five thousand (5,000) square feet shall require a conditional use permit.~~

~~B. One produce stand not exceeding one per lot or parcel and not more than three hundred (300) square feet is allowed as an accessory use for selling produce grown on the premises.~~

~~C. There shall be no open storage of trash, debris, used materials or commercial goods or wrecked or neglected materials, equipment or vehicles.~~

~~H. ACCESSORY USE REGULATIONS: 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.~~

~~A.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.~~

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

~~C.2. Commercial, Industrial and Public accessory uses 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.~~

~~D.3. The sale and distribution of fuel, not otherwise classified as a Gas Station, from above ground 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 (1,000) feet from the property line of a residential zone, and be setback from any public rights 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 ZoOnes: Pproduce stands not exceeding one per legal lot or parcel and shall be no not more than three hundred (300) square feet is allowed as an accessory use for selling produce grown on the premises.

E.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 chapter 17.130 (Overlay & Floating Zone).

F.

#### **17.18.030.80: Temporary Use Regulations.—TEMPORARY USE REGULATIONS**

A. Temporary uses are uses that do not exceed sixty (60) days in duration and that do not require permanent structures or improvements thatwhich 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.

B. ~~Such uses may include, but are not limited to, shaved ice kiosks, Christmas tree lots, firework stands, revivals and carnivals. A temporary use shall not cause or create a nuisance or hazard and shall conform to all requirements of this title. Temporary uses that exceed sixty (60) days in duration or are not similar to listed permitted uses may only be authorized with a conditional use permit which need not be renewed in the future; provided, that all conditions continue to be met and no hazards or nuisances have been created as a result of the use. The property owner shall ensure that aAll trash iswill be removed and the property iswill be restored to a clean condition after atthe temporary use has been terminated.~~

C. Temporary uses may include, but are not limited to, shaved ice kiosks, Christmas tree lots, firework stands, revivals and carnivals.

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

A.1. A City business license for commercial uses;

B.2. Building or electrical permit (if necessary);

C.3. Hours of operation;

D.4. Salt Lake Valley Health Department approval;

E.5. Plot plan showing the location of the use, buildings and structures, setbacks, parking, access to public streets and adjacent uses;

F.6. Mass gathering permit (if necessary); and

G.7. Property owner's authorization.

#### **17.18.040: IMPACT CONTROL MEASURES:**

Impact Control Measures, as explained by this section, generally apply to allowed uses when the context or scale of a proposed project increases the potential for negative

impacts (e.g. traffic, sound, hazardous waste, light, vibration, odor, glare, etc.) on surrounding properties or on the public health, safety, and welfare.- Additional measures may be required of conditional uses, according to section 17.18.050 (Conditional Uses). The Development Services Director may require Impact Control Measures during the review of a proposed use or project not otherwise listed or to modify the requirements of a required Impact Control Measure according to identifiable extenuating circumstances. With all required Impact Control Measures, the applicant shall be required to provide the applicable documentation, at the applicant's expense, and demonstrate that the design of a project and operation of the use will adequately mitigate the contextual impact. If the regulations of this section are determined to be in conflict with other regulations of the code, the more restrictive regulations shall apply.

A. Traffic Study.- The purpose of a traffic study is to identify the extent of traffic impacts generated by a use or project on transportation system capacity, level of service, and safety. A traffic study shall be commissioned from a licensed professional engineer by the City, at the expense of the applicant. The fee for the traffic study shall be paid prior to the commencement of the study. Proposed uses and projects ~~that~~which meet any of the following criteria shall provide a traffic study:

1. Initial establishment of uses identified in the Required Impact Control Measures Table (17.18.040(H)).

2. Project may generate more than one hundred (100) trips in a peak hour or one thousand (1000) total daily trips.

3. New construction project that exceeds ten (10) acres.

3.4. All uses proposing to access residential streets and that may generate more than twenty-five (25) trips in a peak hour or two hundred and fifty (250) total daily trips.

B. Circulation and Access Plan. The purpose of a circulation plan is to identify potential traffic conflicts generated by proposed access points and vehicular, pedestrian, and bicycle routes of a proposed project. The circulation plan shall show adjacent roads, access points, primary travel routes, drop-off and pick-up areas, stacking and queuing areas, connections with adjacent properties, and pedestrian and bicycle routes. All projects that meet any of the following criteria shall provide a Circulation and Access Plan:

1. Initial establishment of uses identified in the Required Impact Control Measures Table (17.18.040(H)).

2. New construction projects proposing the use of a drive-through, car wash, or vehicle bay.

3. Projects that require a traffic study per section 17.18.040(A).

4. Projects that include proposed private streets in residential areas.

C. Operations Plan. The purpose of ~~an~~the operations plan is to identify the potential sound, vibration, light, glare, odor, crime, access, traffic, hazardous materials, fire, and environmental impacts generated by a use or project based on the operational

nature, scale, or practices of an establishment. The operations plan shall include the following information, if applicable: date of commencement of operations; proposed hours and days of operation; a general description of the operation; a projection of the number of persons on site (e.g. employees and customers, etc.); types of accessory uses anticipated; hazardous materials to be used or produced on site; and all other relevant information to describe the nature, scale, practices of the establishment. All projects ~~that~~ which meet any of the following criteria shall provide an Operations Plan:

1. Initial establishment of uses identified in the Required Impact Control Measures Table (17.18.040(H)).

2. Initial establishment of all non-residential uses that involve animals, when located less than three hundred (300) feet from the property line of a residential zone or existing dwelling unit.

D. Sound Study. The purpose of ~~at~~ the sound study is to determine the potential for detrimental effects from sound generated by the proposed use or project. A sound study shall be commissioned, at the expense of the applicant, from a member of a national acoustical association (i.e. National Council of Acoustical Consultants, Acoustical Society of America, or Institute of Noise Control Engineering) or an expert consultant with demonstrated experience and capacity as determined by the Development Services Director. The sound study shall include sufficient information to determine the likelihood of compliance with Salt Lake County Health Department noise regulations and the requirements of this title. All uses that meet any of the following criteria shall provide a sound study:

1. Initial establishment of uses identified in the Required Impact Control Measures Table (17.18.040(H)).

2. All gun ranges.

3. All non-residential uses that anticipate using outdoor speakers or public address systems.

4. Initial establishment of the following uses shall require a sound study when located within three hundred (300) feet of a property line of a- residential zone, an existing dwelling unit, a Religious Assembly use, or an Elementary, Secondary Education use:

- a. Outdoor animal activities associated with non-residential uses, including kennels, runs and corrals.
- b. Drive-through facilities
- c. Car washes
- d. Non-residential outdoor accessory uses

E. Rehabilitation and Containment Plan. A containment plan shall document hazardous materials to be stored, used, or produced in significant quantities and the policies and practices to prevent and contain the accidental or inappropriate discharge of those materials. The plan shall demonstrate that the proposed use will comply with all State and federal requirements and that the public and the environment will be protected

from hazardous conditions. A rehabilitation plan shall also include ~~actions~~ measures that will be taken upon cessation of activities or uses involving potentially hazardous materials to ensure that the site is free from hazardous materials for future activities or uses. A Containment and Rehabilitation Plan shall be provided for the following uses:

1. Uses Identified in the Required Impact Control Measures Table (17.18.040(H)).
2. Accessory uses that involve significant quantities of hazardous materials

F. Additional Notice. The purpose of the additional notice ~~control measure requirement~~ is to ensure that property owners are notified of uses and projects with a greater likelihood for negative impacts on properties beyond the immediate vicinity. Uses and projects requiring additional notice according to this section shall provide notice to all property owners of record within six hundred (600) feet of the boundary of the subject property for any statutorily required public hearing, in addition to other noticing requirements of this code and state law. The Additional Notice requirement shall apply to the following uses and projects:

1. Initial establishment of uses identified in the Required Impact Control Measures Table (17.18.040(H)).
2. New construction projects that exceed ten (10) acres.

G. Residential Protection Area. The purpose of a residential protection area is to minimize the impact of a use on existing residential areas. A residential protection area is the area within a prescribed distance from a residential use where additional restrictions apply to a use or ~~a uses~~ is prohibited. Uses and buildings that were compliant upon initial establishment shall not be considered non-conforming, according to the requirements of this chapter, due to subsequent rezoning and development of a residential use within the residential protection area. Residential protection areas shall be applied according to the following:

1. Uses ~~are~~ shall be prohibited, except for associated parking or open space, within the distance identified in the Required Impact Control Measures Table (17.18.040(H)) as measured from the property line of ~~the nearest~~ residential zone.
2. Indoor gun ranges shall be located no closer than ~~one hundred (100)~~ feet from the property line of a residential zone. The range portion of an outdoor gun range shall be located no closer than one thousand five hundred (1,500) feet from a property line and no closer than two thousand five hundred (2,500) feet from the property line of a residential zone or existing dwelling unit.
3. Aircraft Transportation landing and take-off facilities shall be located no closer than one thousand (1,000) feet to the property line of a residential zone, except for rotor craft used by emergency services in temporary situations.
4. ~~Facilities offering on-site residence for mental, emotional, behavioral, or addiction treatment or care shall be located no closer than five hundred (500) feet from the property line of a residential zone or an existing dwelling unit, except for Residential Facility uses as regulated by this title and state law. Sexually oriented businesses shall~~

be located no closer than one thousand (1,000) feet from the property line of a residential zone or an existing single-family dwelling.

5. When allowed non-residential uses ~~that are not otherwise prohibited by this section~~ are located within one hundred (100) feet of the property line of a residential zone, the following shall apply:

- a. Individual uses shall not occupy an enclosed space that exceeds ten thousand (10,000) square feet.
- b. Buildings that serve multiple tenants shall not exceed a total floor area of thirty thousand (30,000) square feet.
- c. Buildings shall not exceed thirty-five (35) feet in height and shall be set back from the common residential property line a minimum distance of twenty-five (25) feet.

e. \_\_\_\_\_

H. Required Impact Control Measures Table:

CATEGORY	USES	Required Impact Control Measures						(X=required)
		A. Traffic	B. Circulation & Access	C. Operations	D. Sound	E. Rehab. & Contain.	F. Additional Notice	G. Residential Protection Area
<b>Agricultural</b>	Animal Husbandry			X				100'
	Horticulture			X				100'
	Plant Nursery			X			X	100' <sup>11</sup>
	Public Agricultural Facility		X	X	X		X	300' <sup>11</sup>
<b>Residential</b>	<b>Group Living</b>	Community Residential Facility		X	X		X	
		Dormitory	X	X	X		X	300'
		Institutional Living		X	X		X	1 mile
	<b>Household</b>	Live-Work	X	X	X		X	300'
		Multi-Family	X	X			X	300'
		Neighborhood Residential Facility						
		Single-Family, Attached		X			X	
	Single-Family, Detached		X					
<b>Public</b>	<b>Civic &amp; Community</b>	Cemetery						
		Community Services		X	X			
		Public Safety		X	X	X		X
	<b>Education</b>	Religious Assembly & Worship		X	X			
		Elementary/Secondary Education	X	X	X		X	
		University/College	X	X	X		X	
	<b>Open Space</b>	Vocational/Professional	X	X	X		X	
		Natural Open Space						
		Park Open Space						
	<b>Utility &amp; Communication</b>	Energy Conversion			X			100'
		Telecommunication Facility			X			
		Utility Services			X		X	1,000' <sup>12</sup>
	<b>Commercial</b>	<b>Services</b>	Animal Services			X	X	X
Business Support								
Daycare				X	X			
Financial Institution					X		X <sup>3</sup>	
Hospital			X	X	X		X	100'
Light Service & Repair					X			100'
Lodging								100'
Medical/Dental Office or Clinic								
Mortuary/Funeral Home								100'
Office								
Personal Services					X			
Professional Services								
Restaurant								100'
<b>Recreation &amp; Assembly</b>		Self-storage		X	X			
		Vehicle Repair		X	X	X	X	300'
		Vehicle Services		X	X	X	X	300'
		Arts & Recreation		X	X			
		Convention/Reception Center	X	X	X		X	100'
		Instruction & Training		X	X			
<b>Retail</b>	Outdoor Recreation	X	X	X	X	X	100'	
	Stadium/ Theater/ Auditorium	X	X	X	X <sup>4</sup>	X	100'	
	Gas Station	X	X	X		X	100'	
	General Retail							
	Kiosk, Freestanding		X	X			100'	
	Shopping Center/Department Store	X	X	X		X		
	Vehicle Sales & Rental						300'	

CATEGORY	USES	Required Impact Control Measures (X=required)						
		A. Traffic	B. Circulation & Access	C. Operations	D. Sound	E. Rehab. & Contain.	F. Additional Notice	G. Residential Protection Area
Industrial	Manufacturing and Production	Assembly			X			100'
		Fabrication			X	X	X	300'
		Manufacturing			X	X	X	500'
		Mining			X	X	X	500'
	Sales & Service	Commercial Service & Repair		X	X	X	X	500'
		Food & Drink Preparation			X	X	X	500'
		Heavy Equipment Sales & Rental			X			300'
		Research & Development			X	X		300'
		Storage Yards			X	X	X	300'
	Transportation	Wholesale & Warehouse			X		X	300'
		Aircraft Transportation	X	X	X	X	X	500'
		Parking Facility	X	X	X			300'
		Passenger Terminal/Station	X	X	X	X		100'
	Waste	Railroad Facility			X	X	X	300'
		Refuse			X	X	X	500'
		Salvage			X	X	X	500'

1. When located in an R-1.8 zone, the Residential Protection Area shall apply to adjacent residential properties.

2. Only applies to Major Utility Facilities.

3. Only applies to Non-Depository Financial Institutions.

4. Only applies to outdoor or open air facilities.

#### 17.18.050: CONDITIONAL USES:

- A. Purpose. The purpose of this section is to establish standards for certain uses designated as “conditional uses” in the various land use zones. The Planning Commission or City Council may approve, approve with conditions, or deny conditional uses based on compliance with the standards and criteria of this section.
- B. Permit Required. A conditional use shall not be established or commenced without a conditional use permit approved by the Planning Commission or City Council in conformance with the requirements of this section and other pertinent laws and ordinances. Unless amended, revoked, or otherwise specified by the Planning Commission or City Council, a conditional use permit shall be of indefinite duration and shall run with the land, except for when the conditional use is a home occupation, temporary or seasonal, or has been approved for a leased or rented property.
- C. Permit Application. Application for a conditional use permit shall be submitted to the Development Services Department and shall include:
1. a completed application form provided by the City, which includes an affidavit that must be signed by the property owner or the property owner’s authorized agent;
  2. a fee as specified in the current consolidated fee schedule;
  3. a description of the proposed use;
  4. mailing labels and postage for owners of the subject property and property owners within three hundred (300) feet of the subject property; and

5. a site plan pursuant to chapter 16.24 (Site Plan Review) of this code, unless the proposed conditional use is temporary and/or does not require building or permanent site improvements or alterations.

D. Permit Application Review.

1. All documents required to be submitted with a conditional use application shall be delivered to the Development Services Department for review. The Development Services Department shall review each application for completeness and conformance to this section, the General Plan, and this code.

2. The Development Services Department may provide the application to other City departments for review and comment as may be required by this code, as necessary for complete review of the application, or as necessary to identify and understand the potential detrimental effects of the proposed conditional use.

3. In addition to the application for a conditional use permit, the Development Services Department may require other information or studies to address potential detrimental effects of the proposed conditional use that have been reasonably anticipated by the City during its review of the application.

E. Notice and Public Hearing. After a complete and accurate conditional use permit application has been submitted to and reviewed by the Development Services Department, the Planning Commission shall hold a public hearing. Notice of the public hearing shall be given as required by the Utah Open and Public Meetings Act and section 17.04.060 (Public Notices) of this title.

F. Planning Commission Review and Action.

1. The Planning Commission shall approve a conditional use permit application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed conditional use in accordance with applicable standards.

2. The Planning Commission may deny a conditional use permit application if the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards.

G. City Council Review or Appeal.

1. The City or any person aggrieved by a final decision, determination, or requirement of the Planning Commission regarding the approval, approval with conditions, or denial of a conditional use permit application may appeal the Planning Commission's final action to the City Council pursuant to section 16.04.370 (Appeals) of this code.

2. The City Council shall review the Planning Commission's final action as follows:

- a. The City Council may, after reviewing the record of the Planning Commission's final action, summarily affirm the Planning Commission's final action, or review the appealed conditional use application de novo.
- b. Where the City Council reviews the conditional use permit application de novo, the City Council shall follow the same procedure as set forth in this section and:
  - i. shall approve the conditional use permit application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed conditional use in accordance with applicable standards; or
  - ii. may deny a conditional use permit application if the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards.

#### H. Timely Commencement.

1. The holder of a conditional use permit shall substantially comply with all conditions of the permit and an approved site plan, if one is required pursuant to part (C) of this section, within one (1) year of final permit approval by the Planning Commission or City Council. If an approved site plan is required, substantial compliance shall include obtaining a current building permit, paying all application and impact fees, and by completing the foundation of at least one (1) principal building. If an approved site plan is not required, substantial compliance shall include obtaining a business license.

2. If a conditional use permit is to expire pursuant to part (H)(1) of this section, a request for an extension may be filed with the Development Services Department not less than thirty (30) days prior to the expiration date. The Planning Commission may, after evaluating the permittee's progress in the previous year and considering the recommendation of the Development Services Department, grant an extension for the conditional use permit of up to one (1) additional year.

- a. Failure to request the extension in a timely manner shall cause a conditional use permit to automatically expire without further notice.
- b. The original conditional use permit shall remain valid until the request for extension is acted upon by the Planning Commission.
- c. Once a conditional use permit has expired, the permittee must obtain approval of a new permit prior to any reinstatement of the use.
- d. Only one extension may be granted.

3. If an approved conditional use ceases for any reason for a continuous period of one (1) year or more, the conditional use permit shall automatically expire without further notice. Once a permit has expired, the permittee must obtain approval of a new permit prior to any reinstatement of the conditional use.

#### I. Compliance and Revocation.

1. A conditional use may be commenced and operated only upon:

- a. compliance with all conditions of an applicable conditional use permit;

- b. observance of all requirements of this code relating to maintenance of improvements and conduct of the use or business as approved; and
  - c. compliance with all applicable local, state, and federal laws.
2. A conditional use permit may be revoked by the City Council at any time due to the permittee's failure to commence or operate the conditional use in accordance with the requirements of part (l)(1) of this section.
3. No conditional use permit shall be revoked until after a public hearing is held before the City Council. The permittee shall be notified in writing of such hearing. The notification shall state the grounds for complaint, or reasons for revocation, and the time and location of the hearing. At the hearing, the permittee shall be given an opportunity to be heard and may call witnesses and present evidence on his or her behalf. Upon conclusion of the hearing, the City Council shall determine whether or not the permit should be revoked.

**17.18.060: USE DEFINITIONS:**

A. Agricultural.

Animal Husbandry – The keeping, grazing, feeding, or breeding of farm animals, and may include the sale of commodities produced. Activities commonly associated with this use include ranches, dairies, and farms.

Horticulture – The cultivation and production of crops, plants, vines and trees, and may include the sale of commodities produced. This use does not include logging and forestry uses. Activities commonly associated with this use include farms, greenhouses, orchards, and sod farms.

Plant Nursery – Establishments primarily engaged in selling trees, shrubs, bulbs, seeds, mulches, fertilizers, and other plants and garden supplies. Activities are often conducted outdoors and items may be grown on-site.

Public Agricultural Facilities – Agricultural facilities, such as barns, stables, corrals and arenas, for boarding, riding, exhibition and training for commercial and public activities. Activities commonly associated with this use may include horse shows, educational events, agricultural exhibits, training clinics, and rodeos.

B. Residential.

Group Living:

Community ResidentialCare Facility – An establishment that provides residence to individuals, typically more than eight (8), for prolonged care, is properly licensed with the State and City, and does not qualify as a "Neighborhood Residential Facility". Terms commonly associated with this use are assisted living, convalescent care, and nursing care.

~~An establishment offering voluntary residents prolonged care for medical, geriatric, mental, emotional, behavioral or addiction treatment and services. Care Facility shall not include establishments that qualify as a Residential Facility. Terms commonly~~

~~associated with this use include assisted living, nursing home, transitional treatment and extended care.~~

Dormitory – A facility that provides residence to individuals of an associated educational, office or public institution, and not otherwise defined as Institutional Facility.

Individual living areas are typically not complete dwelling units. It is most commonly associated with student living.

Institutional Facility – An establishment that provides residence for the following purposes: correctional, secured supervision, or emergency, protective or temporary shelter. Individual living areas are typically not complete dwelling units. Terms commonly associated with this use may include jail, prison, and homeless shelter.

~~Residential Facility – (See chapter 5.62 (Residential Facilities) of this code.)~~

Household:

Live-Work – A structure that contains both residential occupancy and commercial activity, where the resident occupants are responsible for a commercial activity that is not considered a “Home Occupation” or an accessory use. Allowed commercial activities shall be determined with development approval.

Multi-Family – Multiple attached dwellings within a single building on a single lot or parcel. Terms commonly associated with this use may include apartment and condominium.

Neighborhood Residential Facility – An establishment that provides residence to individuals for prolonged care, is located in a residential area, maintains the residential character of the area, is properly licensed with the State and City, and complies with chapter 5.62 (Residential Facilities) of this code. Terms commonly associated with this use include group home and residential facility for persons with a disability.

Single-Family, Attached – An individual dwelling on an individual lot or parcel attached along a property line to similar dwellings within a shared building. Terms commonly associated with this use may include townhome, rowhouse, and duplex.

Single-Family, Detached – An individual dwelling on an individual lot or parcel that is separated from other dwellings and buildings by yard space.

#### C. Public/Civic.

##### Civic & Community

Cemetery – Land used or dedicated to the interment of human or animal remains, including cremated remains. A cemetery may include, if located within the boundary of the cemetery, a crematorium, mortuary/funeral home, mausoleum, sales facility, and maintenance facility.

Community Services – Establishments generally operated by governmental entities or non-profit organizations to provide a service to the public. Activities commonly

associated with this use include government administration, library, museum, community center, cultural exhibits, post office, public assistance office, and aquarium.

Public Safety – Facilities generally operated by governmental entities for public safety and emergency services, including police and fire, and related administration.

Religious Assembly & Worship – Establishment of an organized religion operated for worship, religious training or study, government or administration of the religious organization, or for promotion of religious activities. Other establishments maintained by religious organizations, such as educational institutions, hospitals, publishing facilities, social services and secondhand stores, are classified according to the primary activity. Terms commonly associated with this use include churches, convents, monasteries, seminaries, religious shrines, and temples.

#### Education:

Elementary/Secondary Education – Public or private schools furnishing academic courses, typically for kindergarten through grade 12, which comply with compulsory education requirements and may include technical courses. Schools commonly associated with this use include elementary schools, middle schools, high schools, academies, boarding schools, preparatory schools, special education schools, and vocational high schools.

University/College – Institution primarily engaged in post-secondary education by offering instruction in a variety of fields and is authorized to offer academic degrees (associates, bachelors, masters, and doctoral) or certificates. Facilities may be composed of multiple buildings organized on an integrated campus. Buildings may include classrooms, administration, sports facilities, dormitories, research, auditoriums, libraries and faculty offices. Other terms commonly associated with this use include community college, junior college, and technical institute.

Vocational/Professional – Establishments primarily engaged in specific specialized, technical or occupational education and training, and not otherwise classified as University/College or Elementary/Secondary Education.

#### Open Space:

Natural Open Space – Areas of land or water essentially unimproved and reserved for scenic, environmental or preservation purposes, and may include steep slopes, flood plains, hazard areas, unique vegetation, river corridors, wetlands, wildlife habitat and archeological, historical and cultural resources. Parking, trails, and access roads may be included as accessory uses.

Park Open Space – Areas of land or water developed or reserved for development primarily with vegetative landscaping for the scenic, cultural and recreational use, and enjoyment of the public. Active-use amenities such as ball fields or courts, trails, open air theater, picnic facilities and playground equipment may be included. Parking and maintenance facilities may also be included as accessory uses.

#### Utility and Communication:

Energy Conversion – Facilities and land used or intended to be used for the production of energy from natural forces such as wind, water, sunlight, geothermal heat, or biomass to be utilized beyond on-site consumption.

Telecommunication Facility – Freestanding buildings, structures and towers primarily intended for transmission or reception of communication signals between and among different points.

Utility Services – Facilities engaged in the transmission, distribution or disposal of electricity, gas, sewer, and water. Activities commonly associated with this use include generating plants, substations, storage tanks, towers, treatment plants, pump stations, and water wells.

- Minor Utility Facility - infrastructure for local distribution and service, such as switch boxes, transformer boxes, and underground water and sewer lines, within established rights of way or public utility easements.
- Major Utility Facility – facilities that include the following: sewer facilities, other than below grade lines; regional power generation, other than Energy Conversion; and above-ground facilities on a site exceeding ten thousand (10,000) square feet.

C.D. Commercial.

Services:

Animal Service – An establishment engaged in the grooming, care, breeding, boarding, raising, veterinary medicine, dentistry, or surgery services of animals, except for uses defined by “Animal Husbandry.”

Business Support – Establishments primarily engaged in rendering business support services, such as photocopying and duplication, equipment sales and leasing, computer repair, call center, and mailing services.

Daycare – Establishments primarily engaged in the care of infants or children, or in providing prekindergarten education. Terms commonly associated with this use include Head Start centers, nursery schools, preschool, and child care center.

Financial Institutions – Establishments that provide financial services to the public and business, including depository and non-depository establishments.

- Depository Financial Institution – Establishments that are primarily engaged in depository banking and are generally a state or federally chartered bank, credit unions, and saving institutions.
- Non-depository Financial Institution – Establishments that are primarily engaged in short-term lending, such as title loans, check cashing, deferred deposit loan, or similar type of businesses.

Hospital – A facility providing 24-hour medical services to the general public with a typical length of stay not exceeding one week. Terms commonly associated with this use may include: emergency room, surgical center, and maternity care.

Light Service & Repair – Establishments that primarily provide to the general public light assembly, minor service or repair of items completely within an enclosed space, generally in small quantities, not exceeding one hundred (100) pounds, not related to vehicle repair, not for wholesale and that do not emit noise, vibration, odors, or light beyond the enclosed space that would negatively impact surrounding properties and establishments. Products and items commonly associated with this use include jewelry, appliances, furniture, shoes, apparel, crafts, sewing, electronics, and computers.

Lodging – A commercial establishment providing temporary residence to the general public, with a temporary length of stay not exceeding thirty (30) days. Terms commonly associated with this use include bed and breakfast, hotel, motel, and inn.

Medical/Dental Office or Clinic – Establishments primarily engaged in providing out-patient medical, dental, and other health services, including offices, clinics and laboratories for doctors of medicine, dentists, chiropractors, optometrists and other health practitioners, but not including activities defined by other uses such as Community Residential Care Facility, Neighborhood Residential Facility, and Hospital.

Mortuary/Funeral Home – Establishments and facilities engaged in providing services to prepare deceased humans for burial, conduct autopsies, and arrange, conduct, and manage funeral services. Other activities associated with this use may include sale of burial and funeral items, storage of funeral vehicles, and a caretaker dwelling unit. A crematorium may be included with an approved conditional use permit.

Office – Establishments primarily engaged in conducting business executive, management, administrative, or clerical services; or vocational or professional training and instruction in business, language, commerce, or other similar activities not otherwise defined as an Educational, Recreation & Instruction, or Professional Services use. On-site sales may be conducted as an accessory use.

Personal Services – Commercial establishments primarily engaged in providing services of a personal nature. Activities commonly associated with this use include:

- laundry/dry-cleaning
- portrait and photography
- beauty and barber shops
- tanning salon
- tattoo parlor
- massage therapy
- clothing rental & tailoring

Professional Services – Commercial establishments primarily engaged in providing professional work to individuals or businesses in fields such as advertising, legal, insurance, real estate, finances, accounting, architecture, and engineering.

Restaurant – Establishments primarily engaged in the retail sale of prepared food and drinks for on-site or immediate consumption. Terms commonly associated with this use include:

- bar
- buffet

- cafes
- cafeteria
- coffee shop
- concession stand
- diner
- luncheonette
- fast food
- food cart
- food stand
- grill
- luncheonette
- restaurant
- snack shop

Self-storage – Enclosed facilities, typically divided into separately leased or rented compartments, intended for the storage needs of individuals, organizations, or businesses. Stored items are non-toxic, non-hazardous, and not intended for on-site retail or wholesale. A dwelling may be included for on-site management of the facility.

Vehicle Repair – Establishments primarily engaged in the repair of vehicles within enclosed facilities, and may include towing and outside storage of vehicles repaired or to be repaired. Vehicle repairs commonly associated with this use include the following:

- body work and paint
- undercoating and rust-proofing
- exhaust system
- engines
- brakes
- electrical
- fuel
- radiator
- transmission
- upholstery

Vehicle Services – Establishments primarily engaged in providing vehicle services, except for Vehicle Repair, within enclosed facilities and vehicles are generally on-site for less than one (1) business day. Activities commonly associated with this use include:

- carwash
- automotive diagnostics
- emissions testing without repair
- automotive inspection
- glass replacement
- window tinting
- automotive lubricating service
- detailing
- tires

## Recreation & Assembly:

**Arts & Recreation** – Establishments primarily engaged in participant focused artistic, cultural, entertainment, or recreational activities and interests conducted within an indoor facility. Activities commonly associated with this use include amusement center, arcade, art gallery or studio, bowling center, fitness center, ball courts, gun range, and swimming pool.

**Convention/Reception Center** – Facilities of single or multiple buildings used for public gatherings of specific events, whether social, commercial, civic, religious, political, or educational. The facility is typically rented for individual events and may include restaurants or concessions. Activities commonly associated with this use include conventions, trade shows, seminars, speeches, and receptions.

**Instruction & Training** – Establishments primarily engaged in personal or group instruction of cultural, sports, or recreational activities such as dance, gymnastics, martial arts, music, and similar activities.

**Outdoor Recreation** – Facilities primarily intended for participant focused exercise, active physical fitness activities and other recreational activities conducted outdoors or within partially enclosed or screened facilities, where spectators are incidental. Activities commonly associated with this use include golf courses, mini-golf, ball courts and fields, tracks, swimming pools, amusement parks, skateboard park, range, and model airplane parks.

**Stadium/Theater/Auditorium** – Facilities, generally including tiered seating, primarily intended for cultural, entertainment and athletic spectator events. Facilities may include concessions, and restaurants. Activities commonly associated with this use include arenas, movie theaters, live theaters, sporting events, stage productions, and concerts.

## Retail:

**Gas Station** – An establishment primarily engaged in the retail sale of gasoline from fixed equipment into automobiles. Convenience items may also be sold.

**General Retail** – An establishment, not defined elsewhere, that is engaged in providing goods to consumers for immediate purchase and removal from the premises. Service and repair activities, consistent with the Light Service & Repair use, may be conducted as accessory uses. Products and terms commonly associated with this use include:

- art supplies
- vehicle and equipment parts and supplies
- building, hardware, and garden materials and supplies
- food (grocery, bakery, health, diet, poultry, meat, dairy, vitamins, and convenience)
- apparel, shoe, and jewelry
- furniture, furnishing, and appliance
- electronic, and computer
- pharmacy, and drug

- sporting goods, and bicycles
- hobby, craft, toy, and game
- book, and stationary
- secondhand, and pawn
- gift, novelty, and souvenir
- camera, and photographic
- florists
- office supply
- pets
- medical supply
- religious goods
- tobacco, and alcohol
- personal care
- variety stores
- pet store

**Kiosk, Freestanding** – A self-contained, unstaffed, and freestanding outdoor structure used for commercial activities such as banking or the retail sale of goods, and not directly associated with other uses on the property.

**Shopping Center/Department Store** – An individual building, or group of buildings managed as a single property, containing multiple retail and commercial stores, departments, or functions and exceeds fifty thousand (50,000) square feet in combined floor area.

**Vehicle Sales & Rental** – An establishment primarily engaged in the display, sale, leasing, or rental of new or used automobiles, light trucks, vans, trailers, recreational vehicles, motorcycles, personal watercraft, utility trailers, all-terrain vehicles, and mobile homes.

**D-E. Industrial.**

**Manufacturing & Production:**

**Assembly** – Establishments engaged in the assembly of goods from previously prepared materials and the production of hand-crafted goods using hand tools and domestic-scale equipment within enclosed structures. Activities do not create noise, odor, dust, vibration, or visual impacts or the potential for health problems on surrounding properties. Activities commonly associated with this use include candle making, ceramics studios, weaving, woodwork, glass work, and leather work.

**Fabrication** – Establishments primarily engaged in the assembly, treatment, production, and packaging of products or parts in an enclosed building, typically in large quantities and predominantly from previously prepared materials. Activities do not include the use or storage of large volumes of flammable, toxic or explosive materials. The potential for noise, odor, dust, vibration or visual impacts and potential health problems is minimal or can be largely mitigated. Activities commonly associated with this use include vehicle assembly, bottling works, machine shops, metalworking, paint shops, and commercial printing and publishing.

**Manufacturing** – Establishments not defined elsewhere primarily engaged in the mechanical or chemical transformation of materials or substances, typically in large quantities, into new products or parts using power driven machines and materials handling equipment. Activities may include the storage and use of large volumes of flammable, toxic or explosive materials needed in the manufacturing process. Significant noise, odor, dust, vibration, or visual impacts and potential health problems are often inherent with the use. Activities and terms commonly associated with this use include raw materials, asphalt, sawmills, cement, feed, fertilizer, paint, petroleum products, soap, and extruding metals.

**Mining** – Facilities and land used in the extraction, quarrying, initial production, and distribution, typically in large quantities, of minerals (solids, liquids, and gases), stone and other materials from its naturally occurring location in the earth, except for the removal of materials from a construction site. Activities commonly associated with this use include petroleum and natural gas wells, mines, sand and rock pits, quarries, and rock crushing.

**Sales and Service:**

**Commercial Service & Repair** – Establishments primarily engaged in providing services to commercial and business establishments, service and repairs items that generally exceed one hundred (100) pounds, or operations that may include minimal noise, vibration, odors, or light impacts. Activities are generally conducted indoors. Activities commonly associated with this use include commercial laundry, equipment rental and leasing, welding, machine shop, printing/publishing, computer software, and music production.

**Food & Drink Preparation** – Establishments primarily engaged in the preparation and production of food items generally for off-site consumption and/or sale by others. Activities commonly associated with this use include catering, wholesale bakery, packaging, and processing.

**Heavy Equipment Sales & Rental** – Establishments primarily engaged in the sale or rental of automobiles, boats, recreational vehicles, and other equipment generally exceeding five hundred (500) pounds. A permanent building is required, however the majority of the product may be stored outside.

**Research & Development** – Establishments primarily engaged in the research, development, testing and production of high-technology electronic, industrial, medical, and scientific products.

**Storage Yards** – Establishments primarily engaged in the exterior depository, stockpiling, or safekeeping of materials, products, vehicles, trailers, and equipment, and may include transportation of stored items and vehicle towing. This use does not include parking facilities intended for short-term parking of operable vehicles.

**Wholesale & Warehouse** – Establishments primarily engaged in storage, distribution, and selling products, supplies and equipment for retailers, contractors, professional businesses, or other wholesalers. Accessory uses commonly include assembly, outside storage, and contractor offices.

## Transportation:

**Aircraft Transportation** – Facilities that provide infrastructure and services for air travel, including all associated activities such as landing pads/strips, aircraft maintenance, aircraft storage, aircraft fueling, vehicle parking, air traffic control, public transportation, safety facilities, cargo operations, retail, and restaurants/concessions.

**Parking Facility** – Private or commercial facilities, including drives, aisles and ramps, of one or more levels intended to provide parking as the principal use of the premises.

**Passenger Terminal/Station** – Facilities primarily engaged in handling, receiving and transferring transit (bus, light rail, commuter rail) passengers, and may include vehicle parking and accommodation for multiple modes of transportation.

**Railroad Facilities** – Non-passenger facilities directly related to rail transportation, such as storage, fueling, maintenance and rail yards, but not including signage and signals.

## Waste:

**Refuse** – Establishments primarily engaged in the collection of refuse for processing or destruction or in the operation of incinerators, waste treatment plants, landfills, or other sites intended for disposal.

**Salvage** – Establishments primarily engaged in processing discarded materials or equipment, such as metal, paper, tires, bottles, vehicles, machinery or glass, for reuse, recycling, selling, separating, dismantling, or preparing for shipment to others.

## ~~E. Public/Civic.~~

### ~~Civic & Community~~

~~**Cemetery** – Land used or dedicated to the interment of human or animal remains, including cremated remains. A cemetery may include, if located within the boundary of the cemetery, a crematorium, mortuary/funeral home, mausoleum, sale facility and maintenance facility.~~

~~**Community Services** – Establishments generally operated by governmental entities or non-profit organizations to provide a service to the public. Activities commonly associated with this use include government administration, library, museum, community center, cultural exhibits, post office, public assistance office and aquarium.~~

~~**Public Safety** – Facilities generally operated by governmental entities for public safety and emergency services, including police and fire, and related administration.~~

~~**Religious Assembly & Worship** – Establishment of an organized religion operated for worship, religious training or study, government or administration of the religious organization, or for promotion of religious activities. Other establishments maintained by religious organizations, such as educational institutions, hospitals, publishing facilities, social services and secondhand stores, are classified according~~

to the primary activity. Terms commonly associated with this use include churches, convents, monasteries, seminaries, religious shrines and temples.

#### Education:

**Elementary/Secondary Education** — Public or private schools furnishing academic courses, typically for kindergarten through grade 12, which comply with compulsory education requirements and may also include technical courses. Schools commonly associated with this use include elementary schools, middle schools, high schools, academies, boarding schools, preparatory schools, special education schools, and vocational high schools.

**University/College** — Institution primarily engaged in post-secondary education by offering instruction in a variety of fields and is authorized to offer academic degrees (associates, bachelors, masters, and doctoral) or certificates. Facilities may be composed of multiple buildings organized on an integrated campus. Buildings may include classrooms, administration, sports facilities, dormitories, research, auditoriums, libraries and faculty offices. Other terms commonly associated with this use include community college, junior college and technical institute.

**Vocational/Professional** — Establishments primarily engaged in specific specialized, technical or occupational education and training, and not otherwise classified as University/College or Elementary/Secondary Education.

#### Open Space:

**Natural Open Space** — Areas of land or water essentially unimproved and reserved for scenic, environmental or preservation purposes, and may include steep slopes, flood plains, hazard areas, unique vegetation, river corridors, wetlands, wildlife habitat and archeological, historical and cultural resources. Parking, trails and access roads may be included as accessory uses.

**Park Open Space** — Areas of land or water developed or reserved for development primarily with vegetative landscaping for the scenic, cultural and recreational use and enjoyment of the public. Active use amenities such as ball fields or courts, trails, open air theater, picnic facilities and playground equipment may be included. Parking and maintenance facilities may also be included as accessory uses.

#### Utility and Communication:

**Energy Conversion** — Facilities and land used or intended to be used for the production of energy from natural forces such as wind, water, sunlight, geothermal heat, or biomass.

**Telecommunication Facilities** — Freestanding buildings, structures and towers primarily intended for transmission or reception of communication signals between and among different points.

**Utility Services** — Facilities engaged in the transmission, distribution or disposal of electricity, gas, sewer, and water. Activities commonly associated with this use

~~include generating plants, substations, storage tanks, towers, treatment plants, pump stations and water wells.~~

F. ~~Agricultural.~~

~~Animal Husbandry—The keeping, grazing, feeding, or breeding of farm animals, and may include the sale of commodities produced. Activities commonly associated with this use include ranches, dairies and farms.~~

~~Horticulture—The cultivation and production of crops, plants, vines and trees, and may include the sale of commodities produced. This use does not include logging and forestry uses. Activities commonly associated with this use include farms, greenhouses, orchards and sod farms.~~

~~Plant Nursery—Establishments primarily engaged in selling trees, shrubs, bulbs, seeds, mulches, fertilizers, and other plants and garden supplies. Activities are often conducted outdoors and items may be grown on-site.~~

~~Public Agricultural Facilities—Agricultural facilities, such as barns, stables, corrals and arenas, for boarding, riding, exhibition and training for commercial and public activities. Activities commonly associated with this use may include horse shows, educational events, agricultural exhibits, training clinics and rodeos.~~