

**ORDINANCE NO. 2015 -04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ADOPTING CHAPTER 17.18 (USES) AND AMENDING CHAPTER 17.84 (CONDITIONAL USE PERMIT) 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 17.18 (Uses), as identified in Exhibit "A", is hereby adopted as a chapter of Title 17 (Planning and Land Use Ordinance) of the South Jordan City Municipal Code.

**SECTION 2. Amendment.** Chapter 17.84 (Conditional Use Permit) of the South Jordan City Municipal Code is hereby amended as identified in Exhibit "B".


**SECTION 3. 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 4. Effective Date.** This Ordinance shall become effective immediately upon publication or posting as required by law.

*{Signature page to follow}*

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, UTAH, ON THIS 5 DAY OF May, 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 17.18 (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 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 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)											
Residential	Group Living	Care Facility												
		Dormitory												
		Institutional Living												
		Residential Facility												
	Household	Live-Work												
		Multi-Family												
		Single-Family, Attached												
		Single-Family, Detached												

CATEGORY	USES	ZONES										
		(P=permitted, C=conditional)										
Commercial	Services	Animal Services										
		Business Support										
		Daycare										
		Financial Institutions										
		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										
Retail	Stadium/ Theater/ Auditorium											
	Gas Station											
	General Retail											
	Kiosk, Freestanding											
	Shopping Center/Department Store											
Industrial	Manufacturing and Production	Vehicle Sales & Rental										
		Assembly										
		Fabrication										
		Manufacturing										
	Sales & Service	Mining										
		Commercial Service & Repair										
		Food & Drink Preparation										
		Heavy Equipment Sales & Rental										
		Research & Development										
	Transportation	Storage Yards										
		Wholesale & Warehouse										
		Aircraft Transportation										
		Parking Facility										
	Waste	Passenger Terminal/Station										
Railroad Facilities												
Public	Civic & Community	Refuse										
		Salvage										
		Cemetery										
		Community Services										
	Education	Public Safety										
		Religious Assembly & Worship										
		Elementary/Secondary Education										
	Open Space	University/College										
		Vocational/Professional										
	Utility & Communication	Natural Open Space										
Park Open Space												
Energy Conversion												
Agricultural	Telecommunication Facilities											
	Utility Services											
	Animal Husbandry											
	Horticulture											
		Plant Nursery										
		Public Agricultural Facilities										

## **17.18.030: USE REGULATIONS:**

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

1. 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.

2. 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.

- a. 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.
- b. The Development Services Director shall issue a written decision in writing within thirty (30) days of a request for interpretation.
- c. The Development Services Director shall maintain all written decisions and uniformly apply those decisions.

3. 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, 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:

- a. Where commonly associated with an approved use and in an area designated for parking or storage on an approved site plan.
- b. Where up to two (2) such vehicles or parts thereof are stored completely within an enclosed building or within a six foot (6') obscuring fence enclosure that completely screens view of the vehicles from public streets and neighboring properties.

4. 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:

- a. In conjunction with and required for an active and approved development or construction project.
- b. While loading or unloading said vehicle.
- c. 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.

5. 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.

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

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

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

B. Residential Use Regulations.

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

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

3. Garage or yard sales are not considered home occupations but may not be held more than four (4) calendar days per year. Sales of night crawlers gathered from the subject property, lemonade stands and similar occasional 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.

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.
5. Pets may be allowed as regulated by title 6 (Animals) of this code.
6. Care Facilities that provide mental, emotional behavioral or addiction treatment or care shall be located no closer than one (1) mile to:
  - a. Any other Care Facility that offers mental, emotional, behavioral or addictive treatment or care.
  - b. Any Elementary/Secondary Education use.
7. 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.
8. Residential Facilities shall comply with chapter 5.62 (Residential Facilities) of title 5 (Business Licenses and Regulations).
9. 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 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.
10. Lots or parcels in single-family residential zones shall be occupied by only one Single-Family, Detached or Single-Family, Attached 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.

C. Commercial Use Regulations.

1. 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.

2. 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.

3. No vehicle, boat or trailer, or parts thereof, which 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 which 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. Animal Service and 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.

6. Daycare uses in residential areas, excluding those operating as an approved home occupation business, shall be required to be located on a minimum one acre lot or parcel.

7. Non-depository Financial Institutions shall comply with the following requirements:

- a. Establishments shall be located no closer than one mile from other similar establishments.
- b. The proposed use is limited to short-term title loan and short-term consumer installment loan business.

- c. The following services are specifically prohibited: pawn brokerage services, deposits for personal property, "cash for gold", "cash for precious metals", processing or storage of repossessed vehicles or other repossessed property, and the purchase, exchange or sale of used or secondhand merchandise or personal property.
- d. All business activity, including customer queuing, shall be accommodated inside of the building.

8. All gun ranges shall be a conditional use.

9. Where Outdoor Recreation 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 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.

10. 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.

11. Shopping Center/Department Store use shall have direct access to a major collector or arterial road. Individual uses in a Shopping Center/Department Store shall each comply with the requirements of this code.

#### D. Industrial Use Regulations.

1. 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.

2. 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.

3. No vehicle, boat, or trailer, or parts thereof, which 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.

4. Storage Yards shall be enclosed by a six (6) feet tall obscure fence or wall.

E. Public Use Regulations.

1. 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.

2. 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.

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

4. 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.

F. Agricultural Use Regulations.

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

2. 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.

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

G. 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. 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.
2. 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.
3. 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, outdoor speaker or public address system.
4. 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.
5. Agricultural accessory uses may include, but are not limited to, barns, garages, silos, sheds, stables, paddocks, greenhouses, windmills, wells and water storage facilities.

H. Temporary Use Regulations. Temporary uses are uses that do not exceed sixty (60) days in duration and that do not require permanent structures or improvements which are not already established with an approved permanent use and site plan. 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. All trash will be removed and the property will be restored to a clean condition after the temporary use has been terminated. Temporary uses shall obtain and/or provide the following:

1. A City business license for commercial uses.
2. Building or electrical permit (if necessary).
3. Hours of operation.
4. Salt Lake Valley Health Department approval.

5. Plot plan showing the location of the use, buildings and structures, setbacks, parking, access to public streets and adjacent uses.
6. Mass gathering permit (if necessary).
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 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.
- 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 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 (employees, 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 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 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, Institute of Noise Control Engineering) or a 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, Religious Assembly use, or 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 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 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 uses are 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 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 a residential zone.
2. Indoor gun ranges shall be located no closer than 100' 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.

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.

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	
Residential	Group Living	Care Facility		X	X			X	
		Dormitory	X	X	X			X	300'
		Institutional Living		X	X			X	1 mile
		Residential Facility		X	X			X	
	Household	Live-Work	X	X	X			X	300'
		Multi-Family	X	X				X	300'
		Single-Family, Attached		X				X	
	Single-Family, Detached		X						
Commercial	Services	Animal Services			X	X		X	100'
		Business Support							
		Daycare		X	X				
		Financial Institutions			X			X <sup>1</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'
		Self-storage		X	X				
	Vehicle Repair		X	X	X	X	X	300'	
	Vehicle Services		X	X	X	X	X	300'	
	Recreation & Assembly	Arts & Recreation		X	X				
		Convention/Reception Center	X	X	X			X	100'
		Instruction & Training		X	X				
		Outdoor Recreation	X	X	X	X		X	100'
		Stadium/ Theater/ Auditorium	X	X	X	X <sup>2</sup>		X	100'
Retail	Gas Station	X	X	X		X	X	100'	
	General Retail								
	Kiosk, Freestanding		X	X				100'	
	Shopping Center/Department Store	X	X	X			X		
	Vehicle Sales & Rental							300'	
Industrial	Manufacturing and Production	Assembly			X			100'	
		Fabrication			X	X	X	X	300'
		Manufacturing			X	X	X	X	500'
		Mining			X	X	X	X	500'
	Sales & Service	Commercial Service & Repair		X	X	X	X	X	500'
		Food & Drink Preparation			X	X	X	X	500'
		Heavy Equipment Sales & Rental			X			X	300'
		Research & Development			X	X		X	300'
		Storage Yards			X	X	X	X	300'
		Wholesale & Warehouse			X		X	X	300'
	Transportation	Aircraft Transportation	X	X	X	X	X	X	500'
		Parking Facility	X	X	X			X	300'
		Passenger Terminal/Station	X	X	X	X		X	100'
		Railroad Facilities			X	X	X	X	300'
	Waste	Refuse			X	X	X	X	500'
		Salvage			X	X	X	X	500'

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
Public	Civic & Community	Cemetery						
		Community Services		X	X			
		Public Safety		X	X	X		X
		Religious Assembly & Worship		X	X			
	Education	Elementary/Secondary Education	X	X	X			X
		University/College	X	X	X			X
		Vocational/Professional	X	X	X			X
	Open Space	Natural Open Space						
		Park Open Space						
	Utility & Communication	Energy Conversion			X			
Telecommunication Facilities				X				
Utility Services				X		X	X	1,000 <sup>3</sup>
Agricultural	Animal Husbandry			X				100'
	Horticulture			X				100'
	Plant Nursery			X			X	100'
	Public Agricultural Facilities		X	X	X		X	300'

1. Only applies to Non-Depository Financial Institutions.
2. Only applies to outdoor or open air facilities.
3. See section 17.18.030(E)(4).

### **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. Residential.**

##### **Group Living:**

Care Facility – 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.

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.

## B. 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 – Establishments that are primarily engaged in depository banking and are generally a state or federally chartered bank, credit unions, and saving institutions.
- Non-depository – 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 Care Facility, 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.

### C. 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 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.

D. 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.

E. 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.

**Exhibit "B"**

Chapter 17.84 (Conditional Uses) of Title 17 (Planning and Land Use Ordinance) of the South  
Jordan City Municipal Code

Chapter 17.84  
**CONDITIONAL USES PERMIT**

- 17.84.010: PURPOSE AND OBJECTIVES**
- 17.84.020: PERMIT REQUIRED**
- 17.84.030: CONCEPT AND SITE PLAN REVIEW**
- 17.84.040: PERMIT APPLICATION FOR PERMIT**
- 17.84.0450: PERMIT APPLICATION REVIEW**
- 17.84.0560: NOTICE AND PUBLIC HEARING**
- 17.84.060: PLANNING COMMISSION REVIEW AND ACTION**
- 17.84.070: CITY COUNCIL REVIEW OR APPEAL**
- 17.84.0870: TIMELY COMMENCEMENT**
- 17.84.0980: COMPLIANCE AND REVOCATION REQUIRED**

**17.84.010: PURPOSE AND OBJECTIVES:**

The purpose of this chapter is to provide for the establishment 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 chapter. ~~Conditional uses are not allowed by right but may be allowed if conditions are applied which, in the judgment of the planning commission, would mitigate possible conflicts or detriments that may arise by introducing a conditional use into a land use zone. Conditional uses are generally considered to be compatible with the permitted uses in individual zones if adequate mitigation can be accomplished. Conditional use permits will allow proper integration of certain uses in the city which may only be suitable in specific locations and which may have potentially detrimental characteristics if not properly designed, located and conditioned. This chapter prescribes the criteria and process for evaluating, establishing and conducting conditional uses in the city. (Ord. 2007-02, 1-16-2007)~~

**17.84.020: PERMIT REQUIRED:**

A conditional use shall not be established or commenced without a conditional use permit ~~for which approval of by the pPlanning eCommission or City Council has been obtained in conformance with the requirements of this chapter and other pertinent laws and ordinances. Unless amended, revoked, or otherwise specified by the pPlanning eCommission or City Council, and subject to the provisions relating to commencement of action, amendment or revocation of a conditional use permit,~~ a conditional use permit shall be of indefinite duration and shall run with the land, except for when the conditional use is a home occupations, temporary or seasonal uses, or has been approved uses proposed in for a leased or rented property, or other uses as specified by the planning commission or city council. ~~The planning commission or city council may place conditions on the approval of a conditional use permit relating to the following or other factors to ensure the public health, safety, welfare, and economic viability, to enforce the land use and development ordinances of the city, and to implement the general plan of the city:~~

General Standards For Approval: An applicant for a conditional use approval shall provide within the application information to clearly demonstrate to the city compliance with the following in addition to any specific requirements of this chapter attached to the conditional use applied for:

~~1. General Welfare Standard: The establishment, maintenance or conducting of the use for which a use permit is sought will not, under the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.~~

~~2. Nuisance Standard: Any use found to be objectionable or incompatible with the character of the city and its environs due to noise, light, traffic, dust, odors or other undesirable characteristics may be prohibited.~~

~~3. General Plan Consistency Standard: To obtain a use permit, the applicant must generally show that the contemplated use is compatible with the city's land use policies in terms of the general plan and land use ordinances, and that such use would be essential or desirable to the public convenience or welfare, and will not impair the integrity and character of the land use zone or be detrimental to the public health, safety, morals or welfare.~~

~~B. General Standards For Adding Conditions To Approvals: After the public hearing, the planning commission shall make a decision whether to grant or deny the proposed conditional use permit. The commission shall record its decision in writing and shall recite the findings upon which the decision is based. The planning commission may approve and/or modify a conditional use or special exception permit application in whole or in part, with conditions, only if all of the following findings are made:~~

~~1. The proposed use is conditionally permitted within the land use ordinance, and would not impair the integrity and character of the intended purpose of the subject land use zone and complies with all of the applicable provisions of this chapter;~~

~~2. The proposed use is consistent with the general plan;~~

~~3. The approval of the conditional use or special exception permit for the proposed use is in compliance with the requirements of state, federal and South Jordan City or other local regulations;~~

~~4. There will be no potential significant negative effects upon environmental quality and natural resources that could not be properly mitigated and monitored;~~

~~5. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses with the general area in which the proposed use is to be located and will not create significant noise, traffic, or other conditions or situation that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare to the city;~~

~~6. The subject site is physically suitable for the type and density/intensity of the use being proposed; and~~

~~7. There are adequate provisions for public access including internal and surrounding traffic flow, water, sanitation, and public utilities, and services to ensure that the proposed use would not be detrimental to public health and safety.~~

~~C. Imposition Of Conditions To The Approval: The planning commission may impose conditions on the requested use which are additional to any conditions which are specifically listed in conjunction with all conditional uses or special exceptions prescribed within this chapter. All conditions imposed shall meet the following criteria:~~

~~1. The condition is within the police powers of South Jordan City;~~

~~2. The condition must substantially further a legitimate public purpose;~~

~~3. The condition must further the same public purpose for which it was imposed;~~

~~4. The property owner may not be required to carry a disproportionate load in furthering the public purpose; and~~

~~5. Dedications of land and other contributions as conditions of approval must be "reasonably related" to the use of the property for which the conditional use or special exception permit is requested. There must also be a "rough proportionality" between the extent of the condition and the particular demand or impact of the project. In addition, a performance bond cannot be required for the installation of public improvements that are not reasonably related to the property use.~~

~~6. The conditions which are imposed on a conditional use permit must be expressly attached to the permit and cannot be implied. For example, if a conditional use permit contains language that restricts a building's height to twenty five feet (25') and requires the developer to submit and obtain planning commission approval of a landscaping plan, among other things, the permit itself does not imply a height limitation on trees within the development.~~

~~7. Mitigating conditions that may be imposed include, but are not limited to, the following areas:~~

~~a. Landscaping.~~

~~b. Access, loading and parking.~~

~~c. Architecture and signs.~~

~~d. Drainage and utilities.~~

~~e. Sanitation.~~

~~f. Fencing and screening.~~

~~g. Setbacks.~~

~~h. Natural hazards.~~

~~i. Public safety.~~

~~j. Environmental impacts.~~

k. — Hours and methods of operation.

l. — Dust, fumes, smoke, odor.

m. — Noise, vibrations.

n. — Chemicals, toxins, pathogens, gases.

o. — Heat, light, radiation.

D. — Denial Of A Permit: The following findings or others may, in the judgment of the planning commission, be cause for denial of a conditional use permit application:

1. — The proposed use is unlawful.

2. — The proposed use would negatively affect property values, the quality of life or the welfare of citizens and property owners in the community.

3. — The proposed use would create or pose a nuisance, conflict or hazard relating to noise, vibration, light, electrical or electronic interference, traffic, odor, fumes, dust, explosion, flooding, contamination or other negative effect to the adjoining properties or the community in general.

4. — The proposed use is found to be incompatible or architecturally inconsistent with neighboring uses.

5. — Conditions of approval could not reasonably mitigate the negative impacts of the proposed use.

6. — The proposed use is not economically viable, or the proposed use would negatively affect the economic viability of the neighboring properties or the city in general. (Ord. 2007-02, 1-16-2007)

**17.84.030: CONCEPT AND SITE PLAN REVIEW:**

A conditional use permit application may only be approved in conjunction with a site plan as described in chapter 16.24 of this code and as outlined below:

A. — A site plan application shall be prepared and submitted with the conditional use permit application for new developments for which conditional use approval is required according to requirements of this chapter.

B. — A conditional use permit application may be considered by the planning commission without a site plan under one or more of the following conditions:

1. — The use is temporary.

2. — The use requires no building or permanent site improvements or alterations.

To determine if a use is appropriate for a particular location before a site plan application, if necessary, is prepared.

~~A conditional use may not be initiated, established, constructed or conducted without site plan approval as required in this chapter. A conditional use may not be commenced until all required improvements are completed and all conditions are satisfied. (Ord. 2007-02, 11-6-2007)~~

**17.84.0340: PERMIT APPLICATION FOR PERMIT:**

~~Application for a conditional use permit shall be submitted to the Development Services Department and shall include The following shall be submitted when application is made for a conditional use permit:~~

A. 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;

~~A. a fee as specified in the current consolidated fee schedule; and owner's or agent's affidavit.~~

B.

~~B. a description of the proposed use;~~

C.

D. Mailing labels and postage for owners of the subject property and property owners within three hundred (300) feet (300') of the subject property; and

~~Salt Lake County plat of subject property and adjacent properties within three hundred feet (300').~~

~~C. a site plan, if required, according pursuant to chapter 16.24 (Site Plan Review) of this code, unless the proposed conditional use (Ord. 2007-02, 1-16-2007) is temporary and/or does not require building or permanent site improvements or alterations.~~

E.

**17.84.0450: PERMIT APPLICATION REVIEW:**

A. 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 chapter, the General Plan, and this code.

B. 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.

C. 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.

**17.84.050: NOTICE AND PUBLIC HEARING**

~~Once~~ After the a complete and accurate conditional use permit application has been submitted to and reviewed by the Development Services Department, the request will be scheduled on the planning commission agenda. The pPlanning eCommission shall will 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 Notice) of this title.

~~and after hearing public comment approve, approve with conditions or deny the conditional use permit application or postpone action. Any person aggrieved by the decision of the planning commission may appeal the decision to the city council but no later than fourteen (14) days from the planning commission decision. (Ord. 2007-02, 1-16-2007)~~

**17.84.060: PLANNING COMMISSION REVIEW AND ACTION**

A. 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.

B. 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.

**17.84.0760: CITY COUNCIL REVIEW OR APPEAL:**

A. The City or any person aggrieved by a final decision, determination, or requirement decision of the pPlanning eCommission regarding the approval, approval with conditions, or denial of a conditional use permit application that is may appealed the Planning Commission's final action to the eCity eCouncil pursuant to 16.04.370 (Appeals) of this code.

A.B. The City Council may be reviewed by the city council shall review the Planning Commission's final action as follows:

4.—The eCity eCouncil may, after reviewing the record of the pPlanning eCommission's final action decision, summarily affirm the decision of the pPlanning eCommission's final action, or review the appealed conditional use application on a de novo basis.

1.

2. ~~In the event~~Where the City Council decides to review the conditional use permit application de novo, the ~~City Council~~ shall follow the same procedure and ~~evaluate the conditional use permit application as set forth in this chapter and:-~~

a. 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

b. 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.

~~a. The city council may approve, approve with conditions, or deny the conditional use application. (Ord. 2007-02, 1-16-2007)~~

**17.84.0870: TIMELY COMMENCEMENT:**

A. 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 section 17.84.030 of this chapter, 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 ~~be demonstrated by obtaining a current building permit, including paying all application and impact fees, and by~~  
~~by commencing construction.~~

~~For the purpose of this chapter, "commencing construction" shall mean completion of the foundation for at least one (1) principal building.~~

~~If an approved site plan is not required, substantial compliance shall include obtaining construction is not required to comply with the conditional use permit, a business license shall be obtained to satisfy this requirement.~~

~~A conditional use and required improvements for said use must be commenced within one year from the date of approval. If a building permit or business license is not obtained, if impact fees are not paid and if the foundation of a main building is not installed within one year of the date of approval of the conditional use permit application, the conditional use permit shall be null and void. (Ord. 2007-02, 1-16-2007)~~

B. If a conditional use permit is to expire pursuant to part (A) 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.

1. Failure to request the extension in a timely manner shall cause a conditional use permit to automatically expire without further notice.

2. The original conditional use permit shall remain valid until the request for extension is acted upon by the Planning Commission.

3. Once a conditional use permit has expired, the permittee must obtain approval of a new permit prior to any reinstatement of the use.

4. Only one extension may be granted.

A.C. 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.

**17.84.0980: COMPLIANCE AND REVOCATION REQUIRED:**

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

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

2. observance of all requirements of this title relating to maintenance of improvements and conduct of the use or business as approved; and

3. compliance with all applicable local, state, and federal laws. ~~completion of all plan improvements as stipulated in the accompanying site plan. The conditional use permit will be conducted in conformance with approved plans and conditions. Application to amend a conditional use permit may be requested by following the application procedures in this chapter.~~

B. 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 (A) of this section.

A. 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, if requested by the property owner or if it is shown that one or more of the following conditions exist:

B. The use is conducted prior to completion of all required improvements and conditions.

C. The use is established or conducted contrary to any of the approved plans or conditions.

D. The use is conducted contrary to local, state or federal laws.

E.C. The use is creating a nuisance or hazard. (Ord. 2007-02, 1-16-2007)

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 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 City Planner/Development Services Director according to section 17.18.030(A)(2). Regardless of whether a 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)											
Residential	Group Living	Care Facility											
		Dormitory											
		Institutional Living											
		Residential Facility											
	Household	Live-Work											
		Multi-Family											
		Single-Family, Attached											
	Single-Family, Detached												

CATEGORY	USES	ZONES										
		(P=permitted, C=conditional)										
Commercial	Services	Animal Services										
		Business Support										
		Daycare										
		Financial Institutions										
		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										
Retail	Stadium/Theater/Auditorium											
	Gas Station											
	General Retail											
	Kiosk, Freestanding											
	Shopping Center/Department Store											
Industrial	Manufacturing and Production	Vehicle Sales & Rental										
		Assembly										
		Fabrication										
		Manufacturing										
	Sales & Service	Mining										
		Commercial Service & Repair										
		Food & Drink Preparation										
		Heavy Equipment Sales & Rental										
		Research & Development										
		Storage Yards										
	Transportation	Wholesale & Warehouse										
		Aircraft Transportation										
		Parking Facility										
	Waste	Passenger Terminal/Station										
		Railroad Facilities										
Refuse												
Salvage												
Public	Civic & Community	Cemetary										
		Community Services										
		Public Safety										
	Education	Religious Assembly & Worship										
		Elementary/Secondary Education										
		University/College										
	Open Space	Vocational/Professional										
		Natural Open Space										
	Utility & Communication	Park Open Space										
		Energy Conversion										
Telecommunication Facilities												
Utility Services												
Agricultural	Animal Husbandry											
	Horticulture											
	Plant Nursery											
	Public Agricultural Facilities											

### 17.18.030: USE REGULATIONS:

#### A. General Use Regulations.

1. 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.

2. The City Planner 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 City Planner is unable to interpret the provision in question, a zone text amendment may be processed in order to clarify the zoning regulations.

- a. 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.
- b. The City Planner shall issue a written decision in writing within thirty (30) days of a request for interpretation.
- c. The City Planner shall maintain all written decisions and uniformly apply those decisions.

3. 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, 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:

- a. Where commonly associated with an approved use and in an area designated for parking or storage on an approved site plan.
- b. Where up to two (2) such vehicles or parts thereof are stored completely within an enclosed building or within a six foot (6') obscuring fence enclosure that completely screens view of the vehicles from public streets and neighboring properties.

4. 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:

- a. In conjunction with and required for an active and approved development or construction project.
- b. While loading or unloading said vehicle.
- c. 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.

5. 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.

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

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

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

B. Residential Use Regulations.

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

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

3. Garage or yard sales are not considered home occupations but may not be held more than four (4) calendar days per year. Sales of night crawlers gathered from the subject property, lemonade stands and similar occasional 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.

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.

5. Pets may be allowed as regulated by title 6 (Animals) of this code.

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

- a. Any other Care Facility that offers mental, emotional, behavioral or addictive treatment or care.
- b. Any Elementary/Secondary Education use.

6.7 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.

7.8 Residential Facilities shall comply with chapter 5.62 (Residential Facilities) of title 5 (Business Licenses and Regulations).

8.9 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 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.

9.10 Lots or parcels in single-family residential zones shall be occupied by only one Single-Family, Detached or Single-Family, Attached 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.

The property line of an Institutional Living use shall be located no closer than five hundred (500) feet from the property line of a residential zone or existing dwelling unit.

Institutional Facilities not intended for student housing and exceeding ten (10) beds shall be located no closer than one (1) mile from any school.

C. Commercial Use Regulations.

1. 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.
2. 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.
3. No vehicle, boat or trailer, or parts thereof, which 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 which 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. Animal Service and 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.
6. Daycare uses in residential areas, **excluding those operating as an approved home occupation business**, shall be required to be located on a minimum one acre lot or parcel.
7. Non-depository Financial Institutions shall **comply with the following requirements:**
  - a. **Establishments shall** be located no closer than one mile from other similar ~~businesses~~ establishments.
  - b. **The proposed use is limited to short-term title loan and short-term consumer installment loan business.**

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

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

7.8 All gun ranges shall be a conditional use.

8.9. Where Outdoor Recreation 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 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.

9.10 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.

~~10. When located within one hundred (100) feet of the property line of a residential zone or an existing detached single-family dwelling unit, the following restrictions shall apply:~~

~~a. Allowed commercial uses shall not occupy a space which exceeds ten thousand (10,000) square feet or a building that exceeds thirty-five (35) feet in height.~~

~~b. Except for associated parking, landscaping, and passive open space, the following uses and activities, and similar accessory uses, shall be prohibited: Animal Services, Hospital, Light Service & Repair, Lodging, Mortuary or Funeral Home, Restaurant, Vehicle Repair, Vehicle Services, Outdoor Recreation, Gas Stations, Vehicle Sales and Rental, gun ranges, drive-through facilities, storage yards, waste receptacles, and outdoor activities (seating, serving, entertainment, display, storage, etc.) are prohibited.~~

11. Shopping Center/Department Store use shall have direct access to a major collector or arterial road. Individual uses in a Shopping Center/Department Store shall each comply with the requirements of this code.

~~12. All gun ranges shall be a conditional use. Outdoor gun ranges shall be located no closer than one thousand five hundred (1,500) feet from any 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.~~

~~13. Where Outdoor Recreation 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 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. Public address and music systems shall be designed and operated as to not be discernable at the property line of any lot or parcel containing a single family home.~~

~~Animal Service and non-residential 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 and only operated between 7:00 a.m. and 7:00 p.m.~~

#### D. Industrial Use Regulations.

1. 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.~~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 be conducted up to four (4) one-week periods per year.~~

2. 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 a public rights of way, and shall allow for pedestrian walkways that are a minimum width of six (6) feet to remain unobstructed.

3. No vehicle, boat, or trailer, or parts thereof, which 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.

4. Storage Yards shall be enclosed by a six (6) feet tall obscure fence or wall.

~~5.—~~

~~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.~~

~~6. When located within three hundred (300) feet of the property line of a residential zone or an existing detached single family dwelling unit, the following restrictions shall apply:~~

- ~~a. Allowed industrial uses shall not occupy a space which exceeds ten thousand (10,000) square feet or a building that exceeds thirty-five (35) feet in height.~~
- ~~b. Except for associated parking, landscaping, and passive open space, the following uses and activities, and similar accessory uses, shall be prohibited when located within three hundred (300) feet of the property line of a residential zone or existing dwelling unit. Commercial Service & Repair, Manufacturing, Mining, Salvage, Refuse, and Storage Yards.~~

E. Public Use Regulations.

1. 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.

2. 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.

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

4. 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.

F. Agricultural Use Regulations.

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

2. 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.
3. There shall be no open storage of trash, debris, used materials or commercial goods or wrecked or neglected materials, equipment or vehicles.

G. 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. 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.
2. 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.
3. 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, outdoor speaker or public address system.
4. 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.
5. Agricultural accessory uses may include, but are not limited to, barns, garages, silos, sheds, stables, paddocks, greenhouses, windmills, wells and water storage facilities.

H. Temporary Use Regulations. Temporary uses are uses that do not exceed sixty (60) days in duration and that do not require permanent structures or improvements which are not already established with an approved permanent use and site plan. 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. All trash will be removed and the property will be restored to a clean condition after the temporary use has been terminated. Temporary uses shall obtain and/or provide the following:

1. A City business license for commercial uses.

2. Building or electrical permit (if necessary).
3. Hours of operation.
4. Salt Lake Valley Health Department approval.
5. Plot plan showing the location of the use, buildings and structures, setbacks, parking, access to public streets and adjacent uses.
6. Mass gathering permit (if necessary).
7. Property owner's authorization.

**17.18.0450: 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 may be required to address potential for negative impacts (e.g. traffic, sound, hazardous waste, light, vibration, odor, glare, etc.), generated by an allowed use, on surrounding properties and on the public health, safety, and welfare. Whereas the same measures and others Additional measures may be required of conditional uses, according to section 17.18.0540 (Conditional Uses). Impact Control Measures generally apply to permitted uses where the context or scale of a proposed project increases the likelihood for potential negative impacts, and more information is required to ensure that the site design, building design, or operation of a use mitigate those impacts. 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 which meet any of the following criteria shall provide a traffic study:

A.

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

1-2. Project may generate more than one hundred (100) trips in a peak hour or one thousand (1000) total daily trips.

2-3. New construction project that exceeds ten (10) acres.

~~3. New construction project that includes commercial, industrial, or public uses within three hundred (300) feet of a residential zone or proposing direct access to a residential street.~~

~~4. Initial establishment of the following uses: Shopping Center/Department Store, Parking Facility, Passenger Terminal/Station, and University/College.~~

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)).

~~4.2. New construction projects proposing the use of a drive-through, car wash, or vehicle bay.~~

~~2.3. Projects that require a traffic study per section 17.18.040(A).~~

~~3.4. Projects that include proposed private streets in residential areas.~~

~~4. Initial establishment of the following uses: Live-Work, Multi-Family, Daycare, Hospital, Stadium/Theater/Auditorium, and Instruction & Training.~~

C. Operations Plan. The purpose of 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 (employees, 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 which meet any of the following criteria shall provide an Operations Plan:

~~1. Projects that require a Circulation and Access Plan.~~

~~2. All commercial, industrial, public, and agricultural uses with a building, activity, or function, other than passive open space, located within one hundred (100) feet of the property line of a residential zone or an existing dwelling unit.~~

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

3-2. 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.

~~4. Initial establishment of industrial uses located within a non-industrial zone or less than one hundred (100) feet from a non-industrial zone.~~

D. Sound Study. The purpose of 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, Institute of Noise Control Engineering) or a consultant with demonstrated experience and capacity as determined by the Development Services Director~~licensed acoustical engineer, recognized by the Development Services Director as having the experience and competency to complete such a study, according to accepted professional practices.~~ 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 ~~one~~three hundred (300) feet of a property line of a residential zone, an existing dwelling unit, Religious Assembly uses, or Elementary, Secondary Education uses:

a. ~~Animal Services~~Outdoor animal activities associated with non-residential uses, including kennels, runs and corrals.

~~b. Vehicle Services~~

~~c. Assembly (industrial)~~

~~d. Drive-through facilities~~

~~e. Car washes~~facilities

d. Non-residential outdoor accessory uses

~~f. —~~

~~2. The following uses shall require a sound study when located within three hundred (300) feet of a property line of a single-family residential zone, an existing Residential, Household uses, Religious Assembly uses, or Elementary, Secondary Education uses:~~

~~Vehicle Repair~~

~~Outdoor Recreation~~

~~All industrial Uses (other than Assembly)~~

~~Public Safety~~

~~Public Agricultural Facilities~~

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 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:

4. Industrial uses, except for Assembly

2-1. Gas Station Uses Identified in the Required Impact Control Measures Table (17.18.040(H)).

3-2. Accessory uses that involve significant quantities of hazardous materials

F. Additional Notice. The purpose of the additional notice 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 uses are 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 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 a residential zone.

2. Indoor gun ranges shall be located no closer than 100' 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.

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.

F. ~~Additional Notice. The purpose of the additional notice 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 shall provide notice to all properties within six hundred (600) feet of the subject site. The Additional Notice requirement shall apply to the following uses and projects:~~

1. ~~Initial establishment of the following uses: Institutional Living, Hospital, Shopping Center/Department Store, and all industrial uses, except for Assembly.~~

2.

3. ~~Initial establishment of a Multi-Family use when located less than six hundred (600) feet from the property line of a residential zone.~~

New construction projects that exceed ten (10) acres:

G.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	
Residential	Group Living	Care Facility		X	X				
		Dormitory	X	X	X			X	300'
		Institutional Living		X	X			X	1 mile
		Residential Facility		X	X				
	Household	Live-Work	X	X	X			X	100'
		Multi-Family	X	X				X	100'
		Single-Family, Attached		X				X	
	Single-Family, Detached		X						
Commercial	Services	Animal Services			X	X		X	100'
		Business Support							
		Daycare		X	X				
		Financial Institutions			X			X <sup>1</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'
		Self-storage		X	X				
	Vehicle Repair		X	X	X	X	X	300'	
	Vehicle Services		X	X	X	X	X	100'	
	Recreation & Assembly	Arts & Recreation		X	X				
		Convention/Reception Center	X	X	X			X	100'
		Instruction & Training		X	X				
		Outdoor Recreation	X	X	X	X		X	100'
		Stadium/ Theater/ Auditorium	X	X	X	X <sup>2</sup>		X	100'
	Retail	Gas Station	X	X	X		X	X	100'
		General Retail							
		Kiosk, Freestanding		X	X				100'
		Shopping Center/Department Store	X	X	X			X	
		Vehicle Sales & Rental							300'
	Industrial	Manufacturing and Production	Assembly			X			100'
Fabrication					X	X	X	X	300'
Manufacturing					X	X	X	X	500'
Mining					X	X	X	X	500'
Sales & Service		Commercial Service & Repair		X	X	X	X	X	500'
		Food & Drink Preparation			X	X	X	X	500'
		Heavy Equipment Sales & Rental			X			X	300'
		Research & Development			X	X		X	300'
		Storage Yards			X	X	X	X	300'
		Wholesale & Warehouse			X		X	X	300'
Transportation		Aircraft Transportation	X	X	X	X	X	X	500'
		Parking Facility	X	X	X			X	300'
		Passenger Terminal/Station	X	X	X	X		X	100'
		Railroad Facilities			X	X	X	X	300'
Waste		Refuse			X	X	X	X	500'
		Salvage			X	X	X	X	500'

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
Public	Civic & Community	Cemetary						
		Community Services		X	X			
		Public Safety		X	X	X		X
		Religious Assembly & Worship		X	X			
	Education	Elementary/Secondary Education	X	X	X			X
		University/College	X	X	X			X
		Vocational/Professional	X	X	X			X
	Open Space	Natural Open Space						
		Park Open Space						
	Utility & Communication	Energy Conversion			X			100'
Telecommunication Facilities				X				
Utility Services				X		X	1,000' <sup>1</sup>	
Agricultural	Animal Husbandry			X			100'	
	Horticulture			X			100'	
	Plant Nursery			X		X	100'	
	Public Agricultural Facilities		X	X	X		300'	

1. Only applies to Non-Depository Financial Institutions.
2. Only applies to outdoor or open air facilities.
3. See section 17.18.030(E)(4).

H.I.

#### **17.18.0540: 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 be demonstrated by obtaining a current building permit, including paying all application and impact fees, and by commencing construction.**~~

~~1.—For the purpose of this section, "commencing construction" shall mean completion of the foundation offer at least one (1) principal building.~~

~~1.—If **an approved site plan is not required, substantial compliance shall include construction is not required to comply with the conditional use permit, obtaining a business license shall be obtained to satisfy this requirement.**~~

1.

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 (I)(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. Residential.

Group Living:

Care Facility – An establishment offering ~~voluntary residents prolonged care for~~ medical, geriatric, mental, emotional, ~~behavioral or addiction-rehabilitative care treatment~~ and services ~~with a typical length of stay, if not permanent, exceeding one week.~~ 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 ~~to a group of people~~ for the following purposes: ~~correctional, secured supervision, or otherwise secured facilities, dormitories, or emergency, protective or temporary shelters.~~ Individual living areas are typically not complete dwelling units. Terms commonly associated with this use may include jail, prison, ~~student living,~~ 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.

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.

B. 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 – Establishments that are primarily engaged in depository banking and are generally a state or federally chartered bank, credit unions, and saving institutions.
- Non-depository – Establishments that are primarily engaged in short-term lending, such as title loans, check cashing, or other 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 Care Facility, 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.

### C. 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 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.

D. 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 ~~specialized~~ instruction in a variety of fields and is authorized to offer academic ~~or technical~~ 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 offering~~ specialized, ~~or technical or occupational~~ education and training, and ~~that are~~ not otherwise ~~classified as a U~~university/~~C~~college or, ~~E~~elementary/~~S~~secondary Education, ~~in an occupational pursuit, commerce, language, or other similar activity.~~

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 may be included if subordinate to the total landscaped area, and may include~~ 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.

E. 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.