



## **MEMORANDUM: SALT LAKE COUNTY ZONING ORDINANCE UPDATE – PHASE ONE**

**TO:** Planning Commissions, Council and Mayor

**FROM:** Curtis Woodward, Greater Salt Lake Municipal Services District

**DATE:** July 29, 2026

### **SUMMARY**

The County's Zoning Ordinance, Title 19 of the Salt Lake County Code, determines the use, development, and subdivision potential of property within the unincorporated county. Salt Lake County's authority to implement land use ordinances is tied to its "Police Power" (or to the essential task of protecting public health, safety, and welfare). Private property rights are balanced with public needs, in order to ensure safe, equitable, and sustainable development.

MSD Planning & Development Services Staff ("PDS") have been working with Salt Lake County Regional Planning and Transportation and Mayor's Office staff on a project to update Title 19 – Zoning of the Salt Lake County Code. Beginning in 2024, revisions were drafted, reviewed, and edited in anticipation of creating a public draft to present to the County Planning Commission and Mountainous Planning District Planning Commission. Because this revision includes a complete reorganization of Title 19, we have divided the overall project into three phases for public hearing, discussion, and input. Materials included in this memorandum represent the first phase of ordinances drafted for Salt Lake County.

Exhibit A includes drafted versions of the following:

- Chapter 19.04 Definitions
- Chapter 19.22: Parks and Open Space Zones
- Chapter 19.23: Mountain Resort Zone
- Chapter 19.24: Forestry Zones
- Chapter 19.26: Agricultural And Foothill Agricultural Zones
- Chapter 19.28: Single-Family Residential Zones
- Chapter 19.30: Medium And High-Density Residential Zones
- Chapter 19.32: Commercial Zones
- Chapter 19.34: Manufacturing Zones
- Chapter 19.35: S-1-G Zone
- Chapter 19.36: Mixed Use Zones

The proposed Zoning Ordinance revisions are intended to accomplish several objectives, including:

- Ensuring compliance with State Legislation.
- Encouraging conformity with adopted General Plans.
- Promoting ease of use for both staff and residents.
- Meeting the unique needs and preserving the character of the community.

### **BACKGROUND ON TITLE 19 UPDATE**

This effort to comprehensively update Title 19 follows on the heels of the overhaul of the Salt Lake County subdivision code. The overhaul of the zoning code implements planning best practices, incorporates West General Plan and Moderate Income Housing Plan principles, updates the code for legislative changes, and addresses problems that have arisen over many years with the current zoning code.

An overhaul of Title 19 – Zoning is long overdue. Very few changes have been made to Title 19 since Salt Lake County changed its form of government at the turn of the century, and much has taken place since then, including a major change of government and service provider for what at that time was the unincorporated county. Please note that as the unincorporated county continues to change over the coming years, regular additional updates are anticipated to keep pace with emerging needs and trends.

The changing population and geographic boundaries of the unincorporated county has been a key consideration in the zoning update work. A fundamental issue that was discussed with the working group (consisting of MSD planning staff and County staff from the District Attorney's office and Regional Planning & Transportation Division) was the changing population and geographic boundaries of the unincorporated county and how that should impact the scope of the zoning code. With the unincorporated islands being annexed by July 2027, the remainder of the unincorporated county primarily consist of the west bench, Oquirrh canyons, and Wasatch canyons (unincorporated areas). The proposed zoning code preserves most of the existing zoning code for the Wasatch canyons. Much of the west bench and Oquirrh canyons are owned by Rio Tinto/Kennecott, and it is likely that some of those areas will be developed in the future. While much of the west bench may annex into cities in the future, property owners may still approach Salt Lake County to develop within the unincorporated county in the meantime. The working group recommends that a robust zoning code is a better approach than a pared down code in light of this possibility. A pared down zoning code could be seen as an invitation to develop in the unincorporated county with little to no regulation. If the County wishes to encourage and support high-quality development in the unincorporated county in the future, it is better to have a robust zoning code in place.

## **EXISTING ZONES PROPOSED FOR REMOVAL**

Staff recommends that several zones be removed from Salt Lake County's Zoning Ordinance. Zones recommended for removal include F-1 Forestry, R-2-10C Residential, MD-1 MD-3 Mixed-Development, ORD Office Research Park and Development, and RCOZ Residential Compatibility Overlay Zone. None of these zones are currently applied in the unincorporated areas of the county.

## **SUMMARY OF CHAPTER CHANGES**

The chapters presented in Exhibit A differ from the existing Zoning Ordinance both in formatting and in substance. Several of the existing ordinance chapters lack important standards that contribute to a high-quality built-environment and protect the public health, safety, and welfare of residents. Major changes drafted for each specific Chapter are highlighted below:

### Chapter 19.04 Definitions

- Over 400 specific uses (many undefined) existed in the previous code. Staff consolidated these to just over two hundred categorized uses, with clear definitions.
- All definitions used in the Zoning Ordinance were moved into a single chapter to reduce redundancy and cut down on text in other sections.

### Chapter 19.22 Parks and Open Space Zones

- A new zone was created that did not exist in previous code – the Parks and Recreation (PR) Zone.
- The PR Zone protects and promotes developed park spaces, with recreation as the primary goal. This zone is intended for Salt Lake County's existing park spaces, which are currently held under a variety of zoning designations often Residential or Agricultural.
- Development standards were added to ensure compatibility with existing development and zone intent. For example, lighting standards for these zones work to prevent light pollution.

### Chapter 19.23 Mountain Resort Zone

- No changes (other than re-numbering) are proposed for this chapter.

### Chapter 19.26 Agricultural Zones

- The agricultural zones were cleaned up for enhanced clarity and an emphasis on single-family development with small-scale agricultural uses.
- Staff recommends removing the A-10 Zone, which is not currently applied in Salt Lake County and is unlikely to be desired in the future.

- Some incompatible uses were removed from this chapter.

#### Chapter 19.28 Single-Family Residential Zones

- Several standards were added to this chapter, including standards for accessory structures, fencing standards, and additional development standards such as lot coverage.
- Incompatible uses such as golf courses and cemeteries were removed from the Single-Family Residential Zones.

#### Chapter 19.30 Medium and High Density Residential Zones

- R-2, R-4, and RM Zones were combined into one chapter. Staff recommends that the RM Zone only apply to existing multi-family developments.
- Incompatible uses were removed from the Medium and High Density Residential Zones, although limited commercial uses were preserved in the ordinance recognizing Salt Lake County's desire for having some commercial services near residential land uses.
- Development standards were added to ensure that any development in these zones is compatible with the surrounding neighborhood.

#### Chapter 19.32 Commercial Zones

- The C-1 Zone has been re-imagined as a smaller-scale commercial zone. The C-2 Zone is now intended primarily for shopping centers with appropriate standards regarding built form. The C-3 Zone is preserved as currently in code.
- Development standards previously missing from ordinance have been added to the drafted chapter, including lot size and frontage, build-to-line, walkway, and architectural standards.

#### Chapter 19.34 Manufacturing Zones

- Staff drafted this chapter to create greater distinctions between the M-1 and M-2 Zones. The M-1 Zone is intended to promote flex industrial uses, including existing uses. The M-2 Zone allows for more industrial uses on the outskirts of communities.
- Development standards were added to ensure that any development in the M-1 or M-2 Zone is compatible with surrounding uses. These development standards address building height, landscaping and screening, lot coverage, parking and loading, and a host of other elements that were not previously regulated.

#### Chapter 19.35 S-1-G Zone

- No changes (other than re-numbering) are proposed for this chapter.

#### Chapter 19.36 Mixed-Use Zone

- Two new mixed-use zones were drafted for Salt Lake County. The Neighborhood Mixed Use (NMU) Zone allows for the vertical and horizontal mixing of residential, commercial, and civic uses at a small, neighborhood scale. The Corridor Mixed Use (CMU) Zone is intended for transportation corridors and allows for a greater intensity of mixed-use to support housing and commercial needs where such uses can be supported by the existing infrastructure.
- Several design standards were included to ensure that any mixed-use development occurs at a compatible scale and in a pattern that encourages a safe and walkable built environment.

### **TIMELINE FOR FUTURE PHASES**

Staff has broken the ordinance update project down into three phases, as discussed in the Assessment and Work Plan (attached). At each phase, draft versions of the specified chapters will be delivered to the Planning Commissions and Council staff for review and feedback. When all of the drafted chapters have been reviewed and comments received, a final draft version of Title 19, with revisions as applicable, will be presented for a recommendation by the Planning Commissions and adoption by the County Council.

### **CONCLUSION**

The planning team has completed the initial draft of Phase 1 Ordinance Chapters (see Exhibit A). These drafted chapters are presented for Planning Commission review and recommendation. The next phase of chapters is expected to be presented to the Commission in September of 2026.

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## Exhibit A

### Title 19 – Phase 1 Chapters

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#### 19.04 Definitions – Staff Summary

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

Most of the current definitions from the current zoning ordinance were brought over, with some revisions, including the following:

- a. More examples of public or quasi-public use added to account for various situations that have arisen over the years. See Section 19.04.070(137) and compare with current SLCO Code sections 19.04.440 & 19.04.445.
- b. Lot of Record definition updated to eliminate archaic references and to clarify and consolidate requirements. See Section 19.04.020(A)(37) and compare with current SLCO Code section 19.72.200.

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c. Entire zoning code's use of "lots" and "parcels" updated to be consistent with State law requirements.

d. Definitions updated throughout this chapter to be consistent with State law. For example, engineering "Standards and Specifications" must now be adopted by the legislative body, which is reflected in that definition. See Section 19.04.020(A)(56).

e. Definitions were added to account for new provisions added throughout the zoning ordinance and associated new terms. One such term is "riding academy," and an issue arising from this term is whether the use should allow horse owners to transport their own horses to the property in which the use is located, which can increase traffic congestion, but using one's own horse is typical for such instruction. The draft language does not limit students from bringing their own horses. See Section 19.04.070(159).

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

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

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

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## Chapter 19.04 DEFINITIONS

### Sections:

#### 19.04.010 – Definitions and Interpretation of Language.

For the purpose of Titles 18 and 19 of this Ordinance, certain words and terms are defined as set out in this Chapter. Words used in the present tense include the future; words in the singular number include the plural and the plural the singular, and words included herein but defined in the building code shall be construed as defined therein.

#### 19.04.020 – General Definitions.

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

1. "Affected Entity" has the same meaning as in the state County Land Use, Development, and Management Act.
2. "Agent" means a person with written authorization to represent a property owner.
3. "Animal Rights" means the keeping of livestock and fowl on lots and parcels containing at least twenty thousand (20,000) square feet. Except where allowed as "Family food Production," or "Residential Keeping of Chickens, Pigeons or Ducks," the keeping of livestock and fowl is generally limited to one animal unit and their seasonal offspring for each ten thousand (10,000) square feet. Household pets are not subject to these limits.
4. "Animal Unit" means any proportionate combination of the following animal types, a single animal unit meaning any of the following types and associated number of specified animals:
  - a. One (1) cow, or one (1) horse, or one (1) pig, or one (1) llama, or one (1) other similar large animal.
  - b. Four (4) adult sheep or feeder lambs, or two (2) alpacas.
  - c. Two (2) goats.
  - d. Ten (10) chickens, or ten (10) ducks, or ten (10) pigeons, or ten (10) similar small fowl, subject to the standards and requirements of this Title, Salt Lake County Animal Services, and Salt Lake County Health Department that ensure that domesticated fowl do not adversely impact the neighborhood surrounding the property on which the domestic fowl are kept. For regulations regarding the keeping of chickens, see Section 19.42.130 of this Title.
  - e. Twelve (12) rabbits, or twelve (12) similar small animals.
  - f. Two (2) large birds such as ostriches, or emus, or peacocks.
  - g. Four (4) turkeys.
  - h. The total animal units located on a given lot, parcel or subject property shall be determined by adding the animal units for each animal type. For the purpose of determining compliance, said definition shall not include the unweaned offspring of any residing animal which is less than six (6) months in age.
5. "Appeal Authority" means the same as "Land Use Hearing Officer."

6. "Arterial Street" means a street, existing or proposed, which serves or is intended to serve as a major traffic way and which is designated on the UDOT Functional Classification Map as a controlled-access highway, limited-access road, major street, parkway or by equivalent terms suitable to identify streets comprising the basic structure of the street plan.
7. "Bench Mark" means a mark affixed to a permanent or semi-permanent object along a line of survey to furnish a datum level.
8. "Boundary Line Agreement" means an agreement to establish the location of a boundary between adjoining properties where the location of the boundary is ambiguous, uncertain, or disputed.
9. "Collector Street" means a street which carries traffic from local streets to the Arterial Street system, including the principal entrance streets from residential development onto an Arterial Street and the primary circulating streets within such a development. A collector street may have prohibited movements and the number and spacing of driveways may be controlled.
10. "Concept Plat / Drawing" means a drawing that shows the overall concept of a proposed development, as further defined in these regulations.
11. "Conditional use" means a land use that has unique characteristics or negative effects that may not be compatible in an area without conditions to mitigate or eliminate the detrimental impacts. A land use listed as a conditional use is a use of land for which a conditional use permit is required pursuant to this title.
12. "Conservation Easement" means an easement that perpetually prohibits further development or use inconsistent with, or harmful to, the enhancement, preservation, and protection of a defined area for the benefit of fish, wildlife, plants, or other similar ecosystems, or preserves such areas predominantly in their natural scenic or open condition; but which may, in the sole discretion of Salt Lake County and subject to the terms of the easement agreement, permit recreational and/or agricultural uses which do not involve significant alteration or development of the restricted area in a manner which is inconsistent with, or harmful to, the preservation and protection of the restricted area.
13. "Council" means the Salt Lake County council, unless otherwise clearly indicated.
14. "County Engineering Division" means the division or personnel hired by or contracted with Salt Lake County to provide engineering services."
15. "County Flood Control Division" means the division or personnel hired by or contracted with Salt Lake County to provide flood control and water quality services.
16. "County Geologist" means the personnel hired by or contracted with Salt Lake County to provide geologic hazard review and geology services.
17. "Culinary Water Authority" means the department, agency, or public entity with the responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.
18. "Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.
19. "Development Code" means Titles 18 and 19 of the County Code.

20. "Development Plan" means a site plan provided when development is being proposed, which clearly indicates both existing conditions and all proposed changes, including grading, landscaping, buildings and structures, paving, curb & gutter, sidewalks, walls, fences, and infrastructure improvements.
21. "Development Review Committee (DRC)" means Planning and Development Services Staff, in consultation with agencies contracted with or employed by Salt Lake County for engineering, health, fire, and surveying reviews and services. Comments from other affected entities, service providers or other reviewing agencies may also be solicited as needed.
22. "Director" means the Greater Salt Lake Municipal Services District Director of Planning and Development Services. Unless provided otherwise, the term includes a designee whom the Director authorizes to act in his or her behalf.
23. "Dwelling" means any building or structure, or portion thereof, intended for residential use.
24. "Dwelling unit" means one or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one family with separate toilets and facilities for cooking and sleeping. Buildings with more than one kitchen or set of cooking facilities are considered to contain more than one dwelling unit unless the additional cooking facilities are clearly accessory to a dwelling unit as determined by the director. Factors for determining whether cooking facilities are accessory to a dwelling unit may include but are not limited to:
  - a. A building design which allows all occupants ready access to all portions of the building including cooking facilities;
  - b. No portion of the building containing cooking facilities can be separated from the remaining rooms to form a separate dwelling unit;
  - c. There is only one electric and/or gas meter for the building.
25. "Easement" means the quantity of land over which a liberty, privilege or advantage in land, existing distinct from the ownership of the land, is granted to the public or some particular person or part of the public.
26. "Facility company" means a company not regulated by the public service commission that provides a service, including but not limited to cable television or telecommunications.
27. "Family" means one of the following groups of individuals, but not more than one group at the same time:
  - a. An individual living alone; or
  - b. Two (2) or more people, all of whom are related to one designated occupant of the dwelling by blood, marriage, adoption, or legal guardianship, foster children of the same, and up to two (2) other unrelated persons who do not pay rent; or
  - c. Up to four (4) unrelated individuals who live and cook together as a single housekeeping unit; or
  - d. Two (2) unrelated individuals and any children of either of them living as a single housekeeping unit.
28. "Fire Authority" means the fire agency(s) that provide(s) fire protection services to the unincorporated areas of Salt Lake County.

29. "Good Cause" means incapacitating illness; death; lack of proper notice; unavailability due to unavoidable, unpreventable, or extenuating emergency or circumstance; if a required act causes an imminent and irreparable injury; or acts of nature adverse to performing required acts.
30. "Graffiti" means inscriptions, drawings, paintings, or other visual defacing of buildings, structures, or natural features, without the consent of the owner thereof, and which is not otherwise authorized and permitted in the Salt Lake County ordinances.
31. "Guest" means a person paying for staying or receiving services at a bed and breakfast, hotel, motel, resort, or similar facility.
32. "Guestroom" means a room that is designed for double occupancy by guests, for sleeping purposes.
33. "Habitable" means used for living, sleeping, cooking, and eating.
34. "Health Department" means the Salt Lake County Health Department.
35. "Land Trust" means a private non-stock, non-profit corporation that has as its purpose the preservation of land.
36. "Land Use Application" means an application required by the zoning or subdivision ordinances, which is filed by a property owner or authorized agent to obtain a land use decision.
37. "Land Use Authority" means the person, board, commission, agency, or other body designated by the Salt Lake County Council to act upon a land use application.
38. "Land Use Decision" means any final administrative decision of the planning commission(s), or final administrative decision of the Director or other official responsible for the enforcement of zoning and subdivision regulations, which is made in response to a land use application.
39. "Land Use Hearing Officer" means the "Appeal Authority" created pursuant to the County Land Use, Development, and Management Act to hear appeals of zoning decisions applying the zoning ordinance and appeals of decisions by the planning commission, as provided throughout Chapter 19.16. The land use hearing officer is also the appeal authority for subdivision appeals, subject to Section 18.08.040 of this Ordinance. The land use hearing officer is also charged with the powers and duties enumerated in Section 19.12.040.C of this Title.
40. "Lot Of Record" means either of the following:
  - a. any lot or parcel that existed, as recorded in the Office of the Salt Lake County Recorder, with a separate property identification number as provided by the Office of the Salt Lake County Recorder and Office of the Salt Lake County Assessor, prior to December 17, 1952,
    - i. Such lot or parcel must have frontage upon a street, or a legally established right-of-way not less than twenty feet wide.
  - b. any lot or parcel that was legally created for the purposes of development pursuant to the applicable zoning and subdivision requirements and the laws of the State of Utah after the date of first Subdivision Ordinance enactment (December 17, 1952).
41. "Local Jurisdiction" means Salt Lake County.
42. "Local Law Enforcement" means the police force that provides police services to the unincorporated county.

43. "Major Local Street" means a street, existing or proposed, which serves or is intended to serve to connect minor local streets with collector streets while also providing direct access to property. A major local street has more continuity for through-traffic than a minor local street.
44. "Major Street" means a collector street or arterial street.
45. "Membrane Covered Frame Structure" means a non-pressurized building wherein the structure is composed of a rigid framework to support a tensioned membrane that provides the weather barrier.
46. "Minor Local Street" means a street, existing or proposed, often of limited continuity, the primary purpose of which is to provide access to property and serve the local needs of a neighborhood. A minor local street carries low volumes of traffic at the lowest speed limits.
47. "Monument" means a permanent survey marker established by the Salt Lake County Surveyor and/or a survey marker set in accordance with the Salt Lake County Surveyor's specifications and referenced to County survey monuments.
48. "Natural Condition" means the topography and vegetation of the area that is unaltered by clearing and grading during construction and protected in perpetuity.
49. "Net developable acreage" is defined as land with all of the following:
- An average slope less than thirty percent.
  - Soils of a suitable depth and type based on soil exploration and percolation tests in accordance with the regulations of the Utah Department of Environmental Quality in order to ensure against adverse impacts on surface and groundwater quality.
  - Minimum distance from any stream corridor as required in this Title.
  - Free from any identified natural hazards such as flood, avalanche, landslide, high water table and similar features. (See Chapter 19.56 (Flood Damage Prevention) and Chapter 19.58 (Natural Hazards).
45. "Noncomplying Structure" or "Nonconforming Structure" means a building or other structure or portion thereof lawfully constructed in compliance with the zoning ordinance existing at the time of construction, which no longer conforms to the height, area, and/or yard regulations in the zone in which it is located due to changes to the zoning ordinance or to the subsequent public acquisition of land for public improvements.
46. "Nonconforming Use" means a use which lawfully occupied a building or land at the time an applicable ordinance codified in this title became effective, which does not conform with the use regulations that now govern the use, and has been maintained continuously since those use regulations were adopted.
47. "Nonconforming Lot" means a legally established lot or parcel that met the applicable area, width and other applicable requirements in effect at the time the lot or parcel was created, but which fails by reason of adoption, revision or amendment of the zoning ordinance, to conform to the present requirements of the zone in which it is located.
48. "Owner" means either a natural person, firm, association, partnership, private corporation, public or quasi-public corporation, or any combination thereof having a majority fee simple interest in real property, or a majority interest through any other form of ownership.

49. "Permitted Use" means any use that is not a conditional use and is allowed in a zoning district and subject to the restrictions applicable to that zoning district.
50. "Planning and Development Services" means the Planning and Development Services Department of the Greater Salt Lake Municipal Services District.
51. "Planning Commission" means the Salt Lake County planning commission or the Mountainous Planning District planning commission.
52. "Provisional Parking" means an area or areas within a parking lot where parking spaces which are shown on the approved parking plan are landscaped rather than paved.
53. "Road" has the same meaning as "street."
54. "Record of Survey Map" means a map of a survey of land prepared in accordance with Utah Code.
55. "Sanitary Sewer Authority" means the department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or onsite wastewater systems.
56. "Standards and Specifications" means the construction and design requirements and standards of Salt Lake County for the construction and installation of public infrastructure and improvements. Such standards and specifications shall be approved by the County Engineer, and approved by Resolution of the County Council in accordance with State law.
57. "Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. "Permanent construction" does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure.
58. "Stream, Ephemeral" means those channels, swales, gullies, or low areas that do not have flow year-round or are not shown on United States Geological Services (U.S.G.S.) topographic maps as perennial streams. These are generally channels that are tributary to perennial streams, other ephemeral streams, terminal low areas, ponds, or lakes. They are typically dry except during periods of snowmelt runoff or intense rainfall. (Contrast with "Stream, Perennial.")
59. "Stream, Perennial" means those streams, excluding ephemeral streams, or ditches and canals constructed for irrigation and drainage purposes, which flow year-round during years of normal rainfall, and that are identified on the appropriate United States Geological Services (U.S.G.S.) topographic maps as perennial streams. (Contrast with "Stream, Ephemeral.")
60. "Street" means a thoroughfare which has been dedicated or abandoned to the public and accepted by proper public authority, or a thoroughfare, not less than twenty-five feet wide, which has been made public by right of use and which affords the principal means of access to abutting property. Street does not include alleys or trails.

61. "Street, Private" means an access way, other than a driveway, similar to and having substantially the same or similar function as a public street, providing access to one or more properties, but held in private ownership.
62. "Street Light" or "Streetlight" means a raised light installed within or adjacent to the street right-of-way, turned on or lit at a certain time every night. Modern lamps may also have light-sensitive photocells to turn them on at dusk and off at sunrise or activate automatically in foul weather.
63. "Structure" means anything constructed or erected which requires location on the ground, or attached to something having a location on the ground.
64. "Structural Alterations" means any change in supporting members of a building or structure, such as bearing walls, columns, beams, or girders.
65. "Subdivision" has the same meaning as in the state County Land Use, Development, and Management Act.
66. "Subdivision Amendment" has the same meaning as in the state County Land, Development, and Management Act.
67. "Subject Property" means the land area, which may consist of one or more lots or parcels, for which an approval is required to comply with this Ordinance or for which a land use application is submitted.
68. "Substantial improvement" means the following, unless defined differently in Chapter 19.74 Floodplain Hazard Regulations:
- a. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure, either:
    - i. Before the improvement or repair is started; or
    - ii. If the structure is damaged and is being restored, before the damage occurred.
  - b. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.
  - c. The term does not, however, include either:
    - i. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or
    - ii. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.
69. "Trails" means a system of public recreational pathways located within the County for use by the public for walking, biking and/or horseback riding as designated.
70. "Utility Company" means a company regulated by the public service commission that provides a service, including but not limited to electricity, telephone, or gas.
71. "Utilities or Improvements" means all types of necessary utilities such as gas lines, culinary and secondary water lines, storm drainage systems, sanitary sewer systems, electrical power, cable, and telephone. The term includes all poles, wires, pipes, and structures as necessary to provide services as well as surface improvements such as sidewalks, curbs, gutters, and streets.

72. "Vehicle" means a self-propelled device used for transporting persons or things, including, but not limited to, automobiles, watercraft, motorcycles, snowmobiles, and recreation vehicles. The term does not include heavy machinery.
73. "Vehicle, Commercial" means any motorized vehicle or trailer used for or intended for business use - including but not limited to the transportation of commercial equipment, merchandise, produce, freight, commodities, passengers, or animals - and which is characterized by any of the following:
- a. Heavy equipment, such as earth movers, backhoes, cranes, forklifts, bulldozers, and the like, which are commonly used for construction, excavation, demolition, or lifting;
  - b. Vehicles used to haul equipment or materials, such as dump trucks, tanker trucks, semi-tractors, semi-trailers, cement trucks, or other similar vehicles;
  - c. Pickup trucks over one ton with a commercial modification, such as a flat bed, a dumping mechanism, mechanical lifts or arms for loading and unloading materials/equipment, aerial buckets or platforms, or other similar feature; or
  - d. Vehicles exceeding Class 5 (two-axle, six tire single unit trucks) in the Federal Highway Administration vehicle category classification.
74. "Vehicle, Recreational" means a vehicle, snowmobile, trailer, camper, or watercraft with or without a motor, designed and constructed for recreational use or as temporary living quarters for travel or vacation purposes. "Recreational vehicle" does not include human or battery powered personal apparatuses, such as bicycles, kick-scooters, or children's toys.
75. "Water Master" means the superintendent or other officer in charge of the distribution of water from an irrigating canal or ditch.

#### **19.04.030 – Site Standard Definitions.**

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

1. "Accessory Equipment" means the portion of the system including equipment sites, transformers, switchgear, pedestals, terminals, meters, buildings (substations), and other similar equipment that is normally installed aboveground in accordance with accepted practices of underground systems.
2. "Active Recreation" means activities of a formal nature and often performed with others, requiring equipment and taking place at prescribed places and sites.
3. "All Weather Surface" means a surface composed of gravel, stone, macadam or other approved pervious material, with sufficient depth and compaction to permit vehicular traffic in extremely inclement weather.
4. "Alley" means a public or private way which affords a secondary means of access to abutting property.
5. "Basement" means any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story.
6. "Base Density" means the original density permitted under the property's zoning category, in dwelling units per acre.

7. "Buildable Area" means a lot, lot of record or portion thereof possessing all of the following physical characteristics:
  - a. The area contains no territory having a slope of thirty percent (30%) or greater;
  - b. The engineering properties of the soil provide adequate structural support for the intended use; and
  - c. The area does not possess any other recognized natural condition that renders it unsafe for building purposes. Such areas may include (if applicable ordinances cannot be met), but not be limited to an identified floodplain or within a recognized inundation zone, mudflow zone or zone of deformation, or lands subject to earth slippage, landslide or rockfall.
8. "Building" means any structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals, or chattels.
9. "Building Alteration" means any act or process that changes the architectural detail, function, or structural design of a building, including but not limited to the erection, construction, reconstruction, or removal of any building.
10. "Building Coverage" means the maximum horizontal area within the outer perimeter of the building walls, dividers, or columns at ground level or above, whichever is the greater area, including, without limitation, the following improvements to the extent they are covered by a building or portion thereof: courts, decks, patios, terraces, balconies, and exterior stairways, but excluding improvements that can be constructed pursuant to section 19.46.090.F.1:
11. "Building Envelope" means the building pad, building footprint, and height restrictions, which define the maximum building area in which all development must occur. The building envelope is the area that remains for placing a structure on a site after building line, setback, side yard, height and bulk regulations are observed.
12. "Building Facade" means the exterior of a building located above ground and generally visible from public points of view.
13. "Building Footprint" means the total area of the foundation of a structure, or the furthest exterior wall or supporting column of the structure. The following improvements to the extent they are covered by a building or portion thereof are part of the Building Footprint: decks, porches, patios, stairways, terraces, and balconies.
14. "Building Height" means the vertical distance above the lowest natural grade at any point on the perimeter of the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to a level midway between the level of the eaves and the highest point of pitched or hipped roofs, or to a level two-thirds of the distance from the level of the eaves to the highest point of gambrel roofs. For purposes of measuring height, the "level of the eaves" means the highest level where the plane of the roof intersects the plane of the outside wall on any side containing an eave. Buildings may be stepped to accommodate the slope of the terrain provided that each step shall be at least twelve feet in horizontal dimension. The height of each stepped building segment shall be measured separately.
15. "Building Street Frontage" means the portion of the building located at the build-to-line or within a specified distance of the build-to-line fronting or adjacent to the street.

16. "Build-to-Line" means the maximum distance a building may be setback from a property line or other designated location. The purpose of a build-to-line is to bring structures adjacent to streets and sidewalks to encourage pedestrian activity.
17. "Cul-de-sac" means a minor street having one open end and being terminated at the other by a vehicular turnaround.
18. "Dedication" means the setting aside of land by an owner for any public use for the enjoyment of the public and owned by a public agency.
19. "Entrance" means the location of ingress to a room, building, parcel or lot; a location of admittance.
20. "Exit" means the location of egress from a room, building, parcel or lot.
21. "Fence" means any tangible barrier, latticework, screen, or wall with the purpose of, or having the effect of, preventing passage or view across the fence line, providing privacy or security, defining a private space, to constrain domestic animals, etc.
22. "Final plat" means a plat map prepared in accordance with the provisions of this ordinance for the purpose of subdividing property. A final plat must be based on an accurate survey, and such survey marked on the ground so that streets, alleys, blocks, lots, and other divisions thereof can be identified.
23. "Frontage" means the uninterrupted linear or curvilinear extent of a lot, abutting on a street, measured along the street right-of-way from the intersection of one side lot line to the intersection of the other side lot line. The measurement of lot frontage shall not include irregularities in the street line and, in the case of a corner lot, shall extend to the point of intersection of the rights-of-way. If a lot has frontage on more than one street, only the frontage on one street may be used to satisfy the minimum lot frontage.
24. "Grade, finished" or "Grade, final" means the topographic elevations where the earth meets the building, upon project completion. Excluded from this definition are window wells serving basement rooms.
25. "Grade, natural" or "Grade, existing" means the topographic elevations representing the surface of the ground prior to grading, filling, or other site alterations for a project. When natural grade is not readily apparent, an approximation of preexisting conditions using grades on adjacent sites, retaining walls, prior survey maps, etc., may be used as a reference for determining natural grade. All such grade approximations shall require the concurrence of the Director.
26. "Green Infrastructure" means the range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspire stormwater and reduce flows to sewer systems or to surface waters.
27. "Green Space" means open space maintained in a natural, undisturbed, or revegetated condition.
28. "Guarantee" means a bond given by the applicant(a) to ensure the proper installation of public and other required infrastructure and improvements.
29. "Intensity" means the concentration of activity, such as a combination of the number of people, cars, visitors, customers, hours of operation, outdoor advertising, etc.; the term also refers to the size of buildings or structures, the most intense being higher, longer and/or wider.

30. "Irrigation Component" means the network of ditches, canals, and associated structures (such as diversion points, weirs, gates, and check structures) that collectively form the irrigation infrastructure.
31. "Lot" means a tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been lawfully recorded in the office of the Salt Lake County Recorder.
32. "Lot, Corner" means a lot or parcel abutting on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed one hundred thirty-five degrees.
33. "Lot, Double Fronting" means a lot or parcel having frontage on two (2) streets that are parallel or nearly so or do not intersect.
34. "Lot, Interior" means a lot or parcel other than a corner lot.
35. "Lot Line Adjustment" means the relocation of the property boundary line in a subdivision between two adjoining lots with the consent of the owners of record.
36. "Lot Line, Front" means:
  - a. On an interior lot, the line separating the lot from the street.
  - b. On a corner lot, the shorter lot line abutting a street.
  - c. On a flag lot or commercial lot, the interior lot line most parallel to and nearest the street from which access is obtained.
37. "Lot Line, Rear" means a boundary line of a lot or parcel that is opposite and most distant from the front lot line. In the case of an irregular-shaped lot or parcel, the rear lot line shall be that lot line that is generally parallel to and at the maximum distance from the front lot line, having a length of at least ten feet (10').
38. "Lot Line, Side" means any lot or parcel boundary line not a front lot line or a rear lot line.
39. "Lot Width" means the distance between the side lot lines measured at the required front yard setback line. For a corner lot, the lot width is the distance between one of the front lot lines and the opposite side yard line at the required front yard setback line.
40. "Low Impact Development" means structural or natural engineered systems located close to the source of storm water that use or mimic natural processes to encourage infiltration, evapotranspiration, or reuse of the storm water.
41. "Main Building" means the building or one of the principal buildings housing a principal use upon a lot or parcel.
42. "Marginal Access Street" means a local street, parallel and adjacent to a minor arterial or minor collector street providing access to abutting properties and protection from arterial or collector streets.
43. "Nuisance Strip" means a strip of land smaller than a lot retained in private ownership for the purpose of controlling access to land dedicated or intended to be dedicated to street or other public use.
44. "Off Street Parking" means a site or a portion of a site, devoted to the off-street parking of vehicles and providing vehicular access to a public or private street. Off Street Parking includes, as permitted by this Ordinance, parking spaces, aisles, access drives, and landscaped areas.

45. "Organic Disposal Site" means a disposal site where settled or precipitated solid matter produced by water and sewage treatment processes is disposed of in compliance with the board of health requirements, using sanitary land-filling techniques, in a manner that does not create a nuisance or health hazard, that protects the environment, and that will not cause a pollution source of water, air, etc.
46. "Open Space" means an area of land or water set aside to be preserved or reserved for use by residents of the development or the public. Open space includes an expanse of lawn, trees, plants, or other natural areas, together with any landscaped area of the site including required yards, setbacks, walkways, and limited common areas. It does not include parking, driveways, or buildings with habitable space for primary uses, but may include buildings for the purpose of providing an amenity. Open space may be distributed throughout the development and need not be in a single large area. Open space may include sensitive areas, such as areas with 30% or greater slope, fault zones, floodplains, high water tables, and wetlands if they have been designed as an integral element of the project. Any additional amenity that is located on the roof of a building shall not be considered open space.
47. "Parcel" means any real property that is not a lot.
48. "Parking Lot" means an open area, other than a street, used for parking of more than four automobiles and available for public use, whether free, for compensation, or as an accommodation for clients or customers.
49. "Parking Space" means space within a building, lot, parcel or parking lot for the parking or storage of one automobile.
50. "Passive Recreation" means activities that involve inactive or less energetic activities, often performed by leisurely walking or conducting small group gatherings that do not require physical activity.
51. "Preliminary Approval" means an approval, with or without recommended alterations, given to a preliminary plat by the planning commission and provides the necessary authority to proceed with the preparation and presentation of the final plat.
52. "Preliminary Plat" means a map or plan of a proposed land division or subdivision. It is a drawing that shows the perimeter boundary, topography, lot layout arrangement, street layout, and other features of a proposed subdivision, as specified for a Preliminary Plat in the Ordinance.
53. "Public Utility Easement" means an area on a recorded plat map or other recorded document that is dedicated to the use and installation of public utility lines, mains, services, and minor facilities.
54. "Setback" means a distance from a curb, property line, or structure within which building is prohibited.
55. "Side Yard, Corner Lot" means a side yard measured from the side lot line that abuts a street.
56. "Side Yard, Interior Lot" means a side yard measured from the side lot line that abuts a side or rear lot line of another lot or parcel.
57. "Story" means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused underfloor space is more than six feet

above grade for more than fifty percent of the total perimeter or is more than twelve feet above grade at any point, such usable or unused underfloor space shall be considered as a story.

58. "Story, First" means the lowest story in a building that qualifies as a story, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than four feet below grade for more than fifty percent of the total perimeter, or not more than eight feet below grade at any point. "Ground floor" means the same as "Story, First" and the terms can be used interchangeably.
59. "Story, Half" means a story with at least two of its opposite sides situated in a sloping roof, the floor area of which does not exceed two-thirds of the floor immediately below it.
60. "Yard" means a space on a lot or parcel, other than a courtyard, unoccupied and unobstructed from the ground upward by buildings or structures, except as provided in this title.
61. "Yard, Front" means a space on the same lot or parcel with a building, between the building and the front lot line, and extending across the full width of the lot or parcel. The "depth" of the front yard is the minimum distance between the front lot line and the building.
62. "Yard, Rear" means a space on the same lot or parcel with a building, between the building and the rear lot line, and extending the full width of the lot or parcel. The "depth" of the rear yard is the minimum distance between the rear lot line and the building.
63. "Yard, Required" means the open space around buildings which is required by the terms of this Ordinance.
64. "Yard, Side" means a space on the same lot or parcel with a building, between the side line of the building and the side lot line, and extending from the front yard to the rear yard. The "width" of the side yard shall be the minimum distance between the side lot line and the side line of the building. See "Side Yard, Interior Lot" and "Side Yard, Corner Lot".

#### **19.04.040 – Telecommunications Definitions.**

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

1. "Amateur Radio Antenna" means a radio antenna that complies with the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952 " or meets the standards related to amateur radio service adopted under 47 C.F.R. Part 97.
2. "Amateur Radio Antenna Support Structure" means a lattice or pole structure which acts as a support to the amateur radio antenna. Typical support structures are triangular or square in cross-section, crank up, or guyed, and are constructed with galvanized steel or aluminum.
3. "Antenna" means a transducer, attached to a support structure, designed to transmit or receive electromagnetic waves.
4. "Distribution system" means the portion of the system located between: (1) the service drop transformer and the distribution substation for electric service, (2) the service drop and the receive site (headend) for cable television, or (3) the service drop and the transmission system for telephone service.
5. "Earth Station" means a communication facility that transmits and/or receives signals to and from orbiting satellite(s).

6. "Lattice Tower" means a support structure constructed of vertical metal struts and cross braces forming a triangular or square structure that often tapers from the foundation to the top.
7. "Monopole" means an antenna or series of individual antennas mounted on a single cylindrical pole. Also includes associated equipment. For the purposes of this chapter, if a facility does not fit the definition of a roof or wall mounted facility it shall be considered a monopole facility.
8. "Roof mounted" means an antenna or series of individual antennas mounted on a flat or pitched roof, mechanical room or penthouse of a building or structure. Also includes associated equipment.
9. "Service Drop" means the portion of the system located between the distribution system and wall of the building or structure occupied or intended to be occupied by a customer.
10. "Stealth Design" means the use of alternative support structures to blend or hide the communication equipment with the design, shape, or color of the structure. Examples of stealth design include field lights, clock towers, bell towers, water towers, flagpoles, windmills, monuments, etc.
11. "System" means all poles, towers, wires, lines, cables, conduits, pipes and accessory equipment providing service such as electricity, telephone, telegraph, cable television, gas, water, sewer, steam or petroleum including service drops, distribution system, transmission system, and accessory equipment.
12. "Telecommunication Facilities, Wireless Communication Facilities, and Radio/TV Transmitting Towers" means facilities used for the transmission or reception of electromagnetic or electro-optic information, which is placed on a structure. Telecommunications Sites/Facilities do not include Amateur Radio equipment that complies with the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952" or amateur radio service adopted under 47 C.F.R. Part 97.
13. "Transmission System" means the portion of the system which is used to carry the service from points of generation or switching centers to distribution points such as electrical substations and equipment sites. In the case of electrical service, a transmission system is defined as carrying a voltage of forty-six KV or more.
14. "Wall mounted" means an antenna or series of individual antennas mounted against the vertical wall of a building or structure. Also includes associated equipment.
15. "Wireless Facility" has the same meaning as in the State Small Wireless Facilities Deployment Act.
16. "Wireless Telecommunications Antenna" means the physical device through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received. Antennas used by amateur radio operators are excluded from this definition.
17. "Wireless Telecommunications Equipment Shelter" means the structure in which the electronic receiving and relay equipment for a wireless telecommunications facility is housed.
18. "Wireless Telecommunications Site/Facility" means an unmanned structure that consists of equipment used primarily for the transmission, reception, or transfer of voice or data through

radio wave or wireless transmissions. Such sites typically require the construction of transmission support structures to which antenna equipment is attached.

19. “Wireless Telecommunications Tower” means a facility consisting of the equipment and structures involved in receiving telecommunications or radio signals from a mobile radio communications source and transmitting those signals to a central switching computer that connects the mobile unit with the land-based telephone lines.

#### **19.04.050 – Landscaping Definitions.**

A. Landscaping terminology used in Title 19 is defined as follows:

1. “Active Recreation Area” means an area that is dedicated to active play where turf grass may be used as the playing surface. Examples of active recreation areas include sports fields, play areas, and other similar uses.
2. “Bubbler” means an irrigation head that delivers water to the root zone by “flooding” the planted area, usually measured in gallons per minute. Bubblers exhibit a trickle, umbrella or short stream pattern.
3. “Check Valve” means a device used in sprinkler heads or pipe to prevent water from draining out of the pipe through gravity flow.
4. “Controller” means a device used in irrigation systems to automatically control when and how long sprinklers or drip systems operate.
5. “Drip Emitter” means drip irrigation fittings that deliver water slowly at the root zone of the plant, usually measured in gallons per hour.
6. “Drip Line (of a tree)” means the imaginary circle on the ground directly beneath the outermost edge of a tree’s canopy, where rain drips from the leaves.
7. “Extra-Drought Tolerant Plant” means a plant that can survive without irrigation throughout the year once established, although supplemental water may be desirable during drought periods for improved appearance and disease resistance.
8. “Grading Plan” means a plan that shows all finish grades, spot elevations, drainage as necessary, and existing and new contours with the developed landscaped area.
9. “Ground Cover” means material planted in such a way as to form a continuous cover over the ground that can be maintained at a height not more than twelve (12) inches.
10. “Hardscape” means elements of the landscape typically constructed from nonliving materials, which include but are not limited to patios, decks and paths, but does not include driveways and sidewalks.
11. “Irrigation Contractor” means a person who has been certified by the Irrigation Association (IA) to install irrigation systems.
12. “Irrigation Designer” means a person who has been certified by the Irrigation Association to prepare irrigation system designs, and/or a landscape architect.

13. "Irrigation Plan" means a plan that is shown at the same scale as the planting plan, and shows the components of the irrigation system with water meter size, backflow prevention, precipitation rates, flow rate and operating pressure for each irrigation circuit, and identification of all irrigation equipment.
14. "Landscape Architect" means a person who holds a professional license to practice landscape architecture in the state of Utah, which may include licensed landscape architects, licensed architects, licensed land surveyors, and licensed engineers who can under State law professionally stamp plans that fall under the practice of landscape architecture (including commercial landscape and irrigation plans).
15. "Landscape Designer" means a person who may or may not hold professional certificates for landscape design/architecture and cannot legally create commercial landscape plans. Landscape Designers generally focus on residential design and horticultural needs of home landscapes.
16. "Landscape Plan Package" means the preparation of a graphic and written criteria, specifications, and detailed plans to arrange and modify the effects of natural features such as plantings, ground and water forms, circulation, walks and other features to comply with the provisions of this ordinance.
17. "Landscape Zone" means a portion of the landscaped area having plants with similar water needs, areas with similar microclimate (i.e., slope, exposure, wind, etc.) and soil conditions, and areas that will be similarly irrigated. A landscape zone can be served by one irrigation valve, or a set of valves with the same schedule.
18. "Landscaping" means any combination of living plants, such as trees, shrubs, vines, ground covers, annuals, perennials, ornamental grass, or seeding; natural features such as rock, stone, or bark chips; and structural features, including but not limited to, fountains, reflecting pools, outdoor art work, screen walls, fences or benches.
19. "Localscapes®" means a locally adaptable and environmentally sustainable urban landscape style that requires less irrigation than traditional Utah landscapes (see [www.Localscapes.com](http://www.Localscapes.com)).
20. "Mulch" means any material such as rock, bark, wood chips or other materials left loose and applied to the soil.
21. "Park Strip" means a typically narrow landscaped area located between the back-of-curb and sidewalk.
22. "Planting Plan" means a plan that clearly and accurately identifies the type, size, and locations for new and existing trees, shrubs, planting beds, ground covers, turf areas, driveways, sidewalks, hardscape features, and fences.
23. "Pop-up Spray Head" means a sprinkler head that sprays water through a nozzle in a fixed pattern with no rotation.
24. "Precipitation Rate" means the depth of water applied to a given area, usually measured in inches per hour.

25. "Pressure Regulating Valve" means a valve installed in an irrigation mainline that reduces a higher supply pressure at the inlet down to a regulated lower pressure at the outlet.
26. "Pressure Compensating" means a drip irrigation system that compensates for fluctuating water pressure by only allowing a fixed volume of water through drip emitters.
27. "Rain Shut-Off Capabilities" means the ability of a device wired to the automatic controller to shut off the irrigation system when it rains.
28. "Reference Evapotranspiration" or "ET<sub>o</sub>" means a standard measurement of environmental parameters which affect the water use of plants. ETO is expressed in inches per day, month or year and is an estimate of the evapotranspiration of a large field of four to seven-inch tall, cool season grass that is well watered.
29. "Rotor Spray Head" means a sprinkler head that distributes water through a nozzle by the rotation of a gear or mechanical rotor.
30. "Runoff" means irrigation water that is not absorbed by the soil or landscape area to which it is applied, and which flows onto other areas.
31. "Soils Report" means A report by a soils laboratory indicating soil type(s), soil depth, uniformity, composition, bulk density, infiltration rates, and pH for the top soil and subsoil for a given site. The soils report also includes recommendations for soil amendments.
32. "Spray Sprinkler" means an irrigation head that sprays water through a nozzle.
33. "Stream Sprinkler" means an irrigation head that projects water through a gear rotor in single or multiple streams.
34. "Turf" means a surface layer of earth containing mowed grass with its roots.
35. "Water-Conserving Plant" means a plant that can generally survive with available rainfall once established although supplemental irrigation may be needed or desirable during spring and summer months.
36. "Weeds" means vegetation growing upon any real property within the unincorporated county which will attain such a growth as to become a fire hazard when dry. Weeds include, but shall not necessarily be limited to dry grasses, stubble, brush, tumbleweeds and clippings which endanger the public health and safety by creating a fire hazard, insect or rodent harborage, or any other nuisance.

#### **19.04.060 – Sign Definitions.**

A. Sign terminology used in Title 19 is defined as follows:

1. "Address Sign" means a sign that designates the street number and/or street name for identification purposes.
2. "Animated sign" means a sign which induces motion or rotation of any part by mechanical, or artificial means, or subdued color changes.

3. "Awning" means a shelter extending from the exterior wall of a building and composed of nonrigid materials, including cloth, plastic, or other nonrigid materials, except for the supporting framework.
4. "Awning Sign" means any sign painted on, attached to, or supported by an awning.
5. "Balloon Sign" means a sign that is an air-inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or a structure, and equipped with a portable blower motor that provides a constant flow of air into the device.
6. "Banner" means a temporary sign composed of cloth, canvas, plastic, fabric or similar lightweight, non-rigid material supported along the top edge or all four corners with cord, rope, cable, or a similar method, or that may be supported by all four corners using stakes in the ground. Banners do not include flags.
7. "Billboard" means a freestanding ground sign located on industrial, commercial, or residential property if the sign is designed or intended to direct attention to a business, product, or service that is not sold, offered, or existing on the property where the sign is located (as defined in the County Land Use, Development, and Management Act).
8. "Blade Sign" means the same as "Projecting Sign".
9. "Canopy" means a freestanding, permanent roof-like shelter, other than an awning, that may be either freestanding or attached to an adjacent building or structure.
10. "Canopy Sign" means a permanent sign attached to or constructed on a canopy.
11. "Drive-Thru Facility Sign" means a freestanding sign that is located along the path or aisle utilized for a drive-thru facility.
12. "Driveway Sign" means a small permanent sign located near driveway access points and/or at the intersection of internal access drives.
13. "Electronic Message Center" means a sign designed so that the characters, letters, or illustrations can be changed or rearranged automatically on a lamp bank or through mechanical means (e.g., electronic or digital signs).
14. "Flag" means any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff and anchored along only one edge or supported or anchored at only two corners. Flags do not include banners.
15. "Holiday Decorations" means signs or displays including lighting which are a non-permanent installations timed around national, state, and local holidays, religious or cultural holidays, or other holiday seasons.
16. "Graffiti" means markings, visible to the public, that have been placed upon any property without the consent of a responsible party through the use of paint, ink, chalk, dye or any other substance or instrument capable of marking property.
17. "Illegal Sign" means a sign that is not permitted or allowed to be established in a zone, does not meet the requirements of the zoning ordinance, and/or has not received nonconforming status. Any sign not specifically listed as a permitted or conditional use in a particular zone is prohibited in that zone.
18. "Incidental Sign" means signs that are often attached to doors, windows, gas pumps, or other structures that are small in nature and typically intended to be read by a user up close, rather than from a distance by pedestrians or drivers.

19. "Light Pole Banner" means a temporary banner or sign that is designed to be attached to a permanent light pole or other pole structure, and where the temporary sign element can be changed without modifying the permanent structure.
20. "Limited Duration Sign" means a non-permanent sign associated with a specific event or activity that is displayed on private property for more than 30 days, but not intended to be displayed for an indefinite period.
21. "Marquee Sign" means a permanent, roof-like canopy with an integral sign that extends from part or all of a building face that may or may not project over a public right-of-way.
22. "Monument Sign" means a sign permanently affixed to the ground at its base, supported entirely by a base structure that is flush to the ground, and not mounted on a pole.
23. "Mural" means a large picture/image (including but not limited to painted art) which is painted, constructed, or affixed directly onto a vertical building wall, which may or may not contain text, logos, and/ or symbols.
24. "Off-Premises Sign" means a sign that is not located on the building or property of the business it advertises. The most common example of an off-premises sign is a billboard.
25. "Permanent Sign" means a sign attached or affixed to a building, structure, or the ground in a manner that enables the sign to resist environmental loads, such as wind, and precludes ready removal or movement of the sign and whose intended use appears to be indefinite.
26. "Pole Sign" means a freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground and not supported by a building or a base structure.
27. "Portable Sign" means a sign designed to be transported or moved and not permanently attached to the ground, a building, or other structure.
28. "Projecting Sign" means a double-sided sign, excluding canopy and awning signs, mounted on a building such that the faces of the sign are perpendicular to the building and normal flow of traffic. It may also be referred to as a blade sign.
29. "Roof Sign" means any sign erected upon a roof, parapet, or roof-mounted equipment structure and extending above a roof, parapet, or roof-mounted equipment structure of a building or structure.
30. "Scintillating" means light flashes, light sparkling, light starbursts, light twinkling, light pulsating or any other image transition effect or animation in which an image instantly and repeatedly changes for the purpose of attracting attention.
31. "Sidewalk Sign" means a moveable sign not secured or attached to the ground or surface upon which it is located that is supported by its own frame. A common form of sidewalk sign may be referred to as a sandwich board sign that has the cross-sectional shape of the letter A. Sidewalk signs may also be in a form that has a cross-sectional shape of an upside-down letter T.
32. "Sign" means any words, letters, parts of letters, figures, numerals, phrases, sentences, emblems, devices, trade names, or trademarks, by which anything is made known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business, a commodity, an event, a gathering, or product, which are visible from any public way. "Sign" also includes the sign structure supports, lighting system, and any attachments, ornaments, or other features intended to draw the attention of observers.

33. “Sign Alteration” means a change or rearrangement in the structural part or design of a sign whether by extending on a side, by increasing in sign area or sign height, or by relocating or changing position.
34. “Sign Area” means the area of a sign that is used for display purposes, excluding the minimum frame and supports. In computing sign area, only one side of a back-to-back or double-faced sign shall be computed when signs are parallel or diverge from a common edge by an angle of not more than ten degrees. For signs that do not have a frame or a separate background, the sign area shall be computed on the basis of the least rectangle, triangle, or circle large enough to frame the display. Sign areas in the shape of a sphere, prism, cylinder, cone, pyramid, square, or other such shape shall be computed as one-half of the total surface area.
35. “Sign Copy” means the words logos, symbols, or message displayed on a sign.
36. “Sign Face” means an exterior display surface of a sign including non-structural trim exclusive of the supporting structure.
37. “Sign Height” means the vertical distance above the natural grade at any point on the perimeter of the sign to the highest point of the sign structure.
38. “Sign Maintenance” means the upkeep of signs in a safe, presentable and good condition, including the replacement of defective parts, repainting, cleaning, and other acts required for the maintenance of a sign.
39. “Sign Setback” means the minimum distance that any portion of a sign or sign structure shall be from any street property line.
40. “Sign Structure” means anything constructed or erected supporting a sign which requires location on or below the ground or attached to something having a location on or below the ground.
41. “Snipe Sign” means a temporary sign illegally tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, or other objects.
42. “Temporary Sign” means a type of non-permanent, sign that is located on private property that can be displayed for no more than 30 consecutive days at one time.
43. “Temporary Yard Sign” means any temporary sign placed in the ground.
44. “Vehicle Sign” means a sign or advertising device attached to or located on a vehicle or trailer parked on a public right-of-way, public property, or parking area with access by the general public so as to be visible from a public right-of-way for the basic purpose of directing people to a business or activity.
45. “Wall Sign” means a building-mounted sign that is either painted on, attached to, or displayed on a wall in a manner parallel to the wall surface.
46. “Window Sign” means any sign viewable through and/or affixed in any manner to a window or exterior glass door such that it is intended to be viewable from the exterior (beyond the sidewalk immediately adjacent to the window), including signs located inside a building but visible primarily from the outside of the building. Customary displays of merchandise behind a store window are not considered signs.

#### **19.04.070 – Use Definitions.**

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

1. “Accessory Structure” means a detached subordinate building or structure the appropriate use of which is subordinate and customarily incidental to the main building or to the main use of the land and which is located on the same lot or parcel with the main building or use. Accessory

Structures include detached garages or carports, garden or storage sheds, children's playhouses, and detached accessory dwelling units, but do not involve the conduct of a business.

2. "Accessory Dwelling Unit, Attached" means a habitable living unit attached to a primary single-family dwelling and contained on one lot or lot of record for the purpose of being used as a long-term rental of 30 consecutive days or longer. An "Accessory Dwelling Unit, Attached" may include an addition to the footprint of the primary dwelling.
3. "Accessory Dwelling Unit, Detached" means a habitable living unit detached from a primary single-family dwelling and contained on one lot or lot of record for the purpose of being used as a long-term rental of 30 consecutive days or longer.
4. "Accessory Dwelling Unit, Internal" means an accessory dwelling unit created:
  - a. Within a primary dwelling;
  - b. Within the footprint of the primary dwelling at the time the internal accessory dwelling unit (IADU) was created; and
  - c. For the purpose of being used as a long-term rental of 30 consecutive days or longer.
5. "Accessory Outside Storage" means the accessory storage of any goods, wares, merchandise, commodities, or any other item outside of a completely enclosed building for a continuous period longer than twenty-four (24) hours. The area used for outdoor storage shall not constitute more than fifteen percent (15%) of the lot or parcel area. Outdoor storage shall be screened from public view as set forth in 19.50.120.C. e. The presence of hazardous materials, junk, or debris not usually appurtenant to permitted on-site uses is prohibited. "Outdoor storage" as defined herein does not include construction yards, storage yards, or other storage uses where the storage of items outside of an enclosed building is a primary characteristic of the use. Contrast with the definition of "storage yard."
6. "Accessory Use" means a use customarily incidental, subordinate, and related to the existing primary use and located on the same lot or parcel or in the same building as the primary use.
7. "Agricultural Building" means a structure that is primarily associated with and necessary to support agricultural use as defined in the State Farmland Assessment Act, but shall not be used for human occupancy.
8. "Agricultural Products Processing" means the processing, cleaning, sorting, grading, packaging, or milling of non-animal agricultural products, intended for human or animal consumption or use.
9. "Agricultural Sales" means the retail or wholesale sale of agricultural or horticultural products grown or raised on site and not produced or purchased from another location for resale. This use does not include the commercial slaughtering, processing, packaging, or sale of meat, poultry and dairy, concentrated animal feeding operation, or similar uses.
10. "Agriculture" means the tilling of the soil, the raising and harvesting of crops, horticulture, and gardening, but not including the keeping or raising of domestic animals or fowl, except household pets, and not including any agricultural industry or business such as fruit-packing plants, fur farms, animal hospitals or similar uses.
11. "Agritourism" means a commercial enterprise linking agricultural production and/or processing with tourism in order to attract visitors onto a farm, ranch, or other agricultural business for the purposes of entertaining and/or educating the visitors and generating income for the farm, ranch, or business owner. This excludes guest ranches and other forms of overnight accommodation.

12. “Airport/Heliport” means an area used for the landing and takeoff of commercial, private, or military fixed-wing aircraft and helicopters, and buildings, structures, or other facilities associated with these activities, including taxiways, aircraft storage and tie-down areas, hangars, servicing, and passenger and freight terminals.
13. “Animal Control or Rescue Facility” means a location with buildings, structures, and holding facilities necessary to provide temporary housing and food for animals (primarily pets or companion animals) from abusive homes or homeless situations, rehabilitation for the same (if the animal has health or behavior problems), or treatment if the animal requires veterinary care. This may include publicly licensed facilities to detain and/or dispose of stray dogs, cats, and other animals.
14. “Animal Feeding Operation” or “AFO” means a facility that confines, feeds, and maintains domestic livestock in either an open or enclosed lot or space for a total of 45 days or more in any 12-month period. The area(s) where the livestock are confined does not sustain crops, vegetation, forage growth, or post-harvest residues in the normal growing season. An AFO may also be a Concentrated Animal Feeding Operation (“CAFO” See CAFO). An AFO may be subject to the requirements of the Utah Pollutant Discharge Elimination System (UPDES).
15. “Animal Hospital or Clinic” means facilities for the diagnosis, treatment and hospitalization of domesticated animals in indoor holding facilities but does not include any outdoor holding or boarding facilities.
16. “Animal Hospital or Clinic with Outdoor Holding Facilities” means facilities for the diagnosis, treatment, hospitalization, and boarding of animals (including large animals) that may include indoor and/or outdoor holding and boarding facilities.
17. “Apiary” means the assembly of one or more colonies of bees at a single location. For regulations regarding the keeping of bees, see Section 19.42.070 of this Title.
18. “Assembly Use” means a business where finished parts are assembled to develop a final product. These uses include computer and electronic assembly and similar uses, but do not include vehicle or manufacturing uses.
19. “Assisted Living Facility” means either a Type I Assisted Living Facility as defined in the State Health Care Facility Licensing and Inspection Act; or a Type II Assisted Living Facility, which is a residential facility with a home-like setting that provides an array of coordinated supportive personal and health care services available 24 hours per day to residents who have been assessed under Department rule to need any of these services.
20. “Athletic Club” means an indoor establishment that provides for aerobic exercises, weightlifting, bodybuilding, running, exercise equipment, game courts, swimming facilities, saunas, spas, showers, and lockers.
21. “Bank” means the same as “Financial Institution.”
22. “Bar” means a commercial establishment open to the general public which sells and serves intoxicating beverages for consumption on the premises, subject to the Utah Alcoholic Beverage Control Act.
23. “Bed and Breakfast” means a dwelling in which two (2) or more rooms are rented out by the day, offering overnight lodging to travelers, and where one or more meals are provided by the host family, the price of which is included in the room rate.

24. "Breweries and Distilleries in association with a Restaurant" means a business which conducts the retail sale of beer or liquor which is brewed or distilled on the premises in compliance with applicable state and federal laws. Such establishments may also include restaurants as an accessory use.
25. "Breweries and Distilleries, Industrial" means an industrial use that brews ales, beers, meads, and/or similar beverages on site. Industrial breweries and distilleries are engaged predominantly in manufacturing and do not include a bar or restaurant. Industrial breweries and distilleries may include incidental retail sales when permitted by the Department of Alcoholic Beverage Control.
26. "Boardinghouse" means a building with not more than five guestrooms, where, for compensation, meals are provided for at least five but not more than fifteen persons.
27. "Campground" means a public area designated by a public agency for camping, or a private area licensed by the local governing body for camping, which meets all local regulations, including but not limited to regulations of the Salt Lake County Health Department. This may include accessory facilities such as kitchens, pavilions, playgrounds, or storage for recreation equipment.
28. "Camping" means the use of any tent, trailer, lean-to, teepee, recreational vehicle, or similar non-permanent structure or vehicle for temporary living quarters (no more than ten consecutive days) for recreation, education, or vacation purposes.
29. "Canopy" means a roofed structure supported by a building and/or supports extending to the ground directly underneath the canopy and providing a protective shield for service-station pump islands and walkways.
30. "Car and Light Truck Wash" means a facility with machine or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of automobiles and light trucks. A car and truck wash may be able to accommodate more than one vehicle at a time.
31. "Carport" means a private garage not completely enclosed by walls or doors. For the purpose of this title, a carport shall be subject to all of the regulations prescribed for a private garage.
32. "Cemetery" means land used or dedicated to the burial of the dead, including crematoriums, mausoleums, necessary sales, and maintenance facilities.
33. "Check Cashing" means cashing a check for consideration or extending a deferred deposit loan and shall include any other similar types of businesses licensed by the State pursuant to the Check Cashing Registration Act. Check cashing does not include the activities of depository institutions or persons who cash a check in a transaction that is incidental to the retail sale of goods or services for consideration that does not exceed the greater of one percent of the amount of the check or three dollars. A check cashing business does not include "cash for gold", "cash for precious metals", or the processing or storage of repossessed vehicles or other repossessed property.
34. "Child Care" means the provision, day or night, of supplemental parental care, instruction, and supervision for a non-related child or children, on a regular basis, and for less than twenty-four hours a day. The term does not include babysitting services of a casual, non-recurring nature, or in the child's own home or cooperative, or reciprocal child care by a group of parents in their respective domiciles.
35. "Child Care Center" means a facility, operated by a person qualified and licensed by the State of Utah, which provides children with daycare and/or preschool instruction for less than twenty-four (24) hours per day as a commercial business, complying with all applicable state standards and

licensing, and having regularly scheduled ongoing enrollment for direct or indirect compensation. Commercial Daycare Facilities excludes the following:

- a. Kindergartens, nursery schools, or other daytime programs operated by public or private elementary or secondary schools or institutions of higher learning;
  - b. Facilities operated in connection with a fitness center, shopping center, or other activity where children are cared for temporarily while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and readily available; or
  - c. Special activities, programs, or day camps, including athletics, crafts instruction, and similar activities, which are conducted on a periodic basis by civic, charitable, private, or governmental organizations.
36. "Child Care, Licensed Family" means the provision of childcare for sixteen or fewer children, including the provider's children, who are under the age of thirteen, in the home where the caregiver resides, in the absence of a child's parents, for four (4) or more hours but less than twenty-four (24) hours, on a regularly scheduled, ongoing basis. A "Child Care, Licensed Family" is subject to licensing by the Utah Department of Health and Human Services.
37. "Child Care, Residential" means the provision of childcare for eight or fewer children, including the provider's children, who are under the age of thirteen, in the home where the caregiver resides, in the absence of a child's parents, for less than twenty-four (24) hours on a regularly scheduled ongoing basis. A "Child Care, Residential" is subject to licensing by the Utah Department of Health and Human Services.
38. "Church," "Synagogue," "Mosque," "Temple," "Cathedral," or "Other Religious Buildings" means a building, together with accessory buildings and uses, where persons regularly assemble for religious purposes and related social events, which is maintained and controlled by a religious body organized to sustain religious ceremonies and purposes.
39. "Club" means a building used, occupied, and operated by an organized association of persons for social, fraternal, religious, or patriotic purposes, whose activities are confined to the members and their guests, but shall not include any organization, group, or association, of which the principal activity is to render a service usually and ordinarily carried on as a business. A club may also be a bar, subject to the Utah Alcoholic Beverage Control Act.
40. "Cluster Subdivision" means a subdivision in which the lot sizes are reduced below those normally required in the zoning district in which the development is located, in return for the provision of permanent open space.
41. "Commercial Plant Nursery" means a business where young plants or trees are raised for sale.
42. "Commercial Recreation" means recreational facilities operated as a business and open to the general public for a fee, such as golf driving ranges and baseball batting ranges.
43. "Community Garden" means the production of a harvestable product, which is planted, grown, and cultivated in the soil by an identifiable group of community members. Includes products grown and managed by a community or neighborhood organization for local consumption or sale.
44. "Concentrated Animal Feeding Operation" or "CAFO" and "Animal Feeding Operation" or "AFO" have the same meanings as in the State Large Concentrated Animal Feeding Operations Act.
45. "Contractor's Office" means a facility providing building construction and maintenance services, including carpentry, plumbing, roofing, electrical, air conditioning, and heating, within a fully

enclosed building, and may include the open storage of associated building materials, equipment, or vehicles.

46. "Contractor's Storage Yard" means the same as "Storage Yard".
47. "Corral" means a space, other than a building, less than one acre in area or less than one hundred feet in width, used for the confinement of animals.
48. "Correctional Facility" has the same meaning as in the State Criminal Code.
49. "Courtyard" means an occupied space on a lot, other than a yard, designed to be surrounded on at least three sides by one or more buildings.
50. "Crematorium" means a building that contains cremation chambers and a holding facility for human or pet remains, and which may receive remains from funeral establishments.
51. "Dairy" means a commercial establishment for the manufacture or processing of products made from milk.
52. "Disability" means a physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment. "Disability" does not include current illegal use of, or addiction to, any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802.
53. "Drive-Thru and Drive-Up Facilities" means an establishment designed or operated to provide service to patrons remaining in vehicles. May include other forms of service, such as conventional seating.
54. "Duplex" means the same as "Dwelling, Two Family."
55. "Dwelling, Manufactured Home" has the same meaning as in the state Factory Built Housing and Modular Units Administration Act.
56. "Dwelling, Mobile Home" has the same meaning as in the state Factory Built Housing and Modular Units Administration Act.
57. "Dwelling, Modular Unit" has the same meaning as in the state Factory Built Housing and Modular Units Administration Act.
58. "Dwelling, Multiple Family" means a building containing five (5) or more residential dwelling units.
59. "Dwelling, Single-Family" means a building containing one (1) residential dwelling unit.
60. "Dwelling, Single-Family Attached" A residential structure designed to house a single-family unit from the lowest level to roof, with a private outside entrance, but sharing a common wall adjoining dwelling units.
61. "Dwelling, Three-Family" or "3-plex" and "Dwelling, Four-Family" or "4-plex" means a building containing three (3) or four (4) residential dwelling units, each unit designed to be occupied by one (1) family.
62. "Dwelling, Two Family" means a building containing two (2) residential dwelling units.
63. "Dwelling group" means a group of two or more dwellings located on a lot or parcel of land in one ownership and having any yard or court in common.
64. "Educational Facility" means:

- a. a private school, charter school, higher education, or school district's building at which pupils assemble to receive instruction in a program for any combination of grades from preschool through higher education, including programs for children with disabilities. Educational facility includes public and private schools designed for educational activities with a curriculum for technical or vocational training, pre-kindergarten, kindergarten, elementary, secondary, or higher education and recognized as an educational institution by the State of Utah Board of Education, the State of Utah Board of Higher Education, or the State Board of Regents;
- b. a structure or facility:
  - i. located on the same property as a building described in Subsection (a); and
  - ii. used in support of the use of that building; or
- c. a building to provide office and related space to a private school, charter school, higher education, or school district's administrative personnel.

"Educational facility" does not include:

- d. land or a structure, including land or a structure for inventory storage, equipment storage, food processing or preparing, vehicle storage or maintenance, or similar use that is not located on the same property as a building described in Subsection (a) and not used in support of the purposes of a building described in Subsection (a); or
  - e. a therapeutic school.
65. "Educational Facility with Residential Accommodation" means an educational facility with living accommodations for students or staff, such as universities, colleges, boarding schools, and seminaries.
66. "Family food production" means the keeping of not more than two cows, two sheep, two goats, twenty rabbits, fifty chickens, fifty pheasants, ten ducks, ten turkeys, ten geese, and twenty pigeons; provided that not more than three of the above-listed kinds of animals and fowl are permitted at any one time on any lot or lot of record in zones where family food production may be a permitted or conditional use.
67. "Farm Products" means fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese and other dairy products), and fish that are produced by a person engaged in farming operations.
68. "Farmers' Market" means an outdoor market open to the public, operated by a governmental agency, a nonprofit corporation, or one or more Producers, at which (a) at least seventy-five percent (75%) of the products sold are Farm Products and (b) at least seventy-five percent (75%) of the vendors regularly participating during the market's hours of operation are Producers, or family members or employees of Producers.
69. "Financial Institution" means a trust company, savings bank, industrial bank, savings and loan association, building and loan association, commercial bank, credit union, federal association, investment company, or other business association that is chartered under federal or state law, which solicits, receives, or accepts money or its equivalent on deposit and loans money as a regular business. "Financial institution" does not include "check cashing", "pawn shop" or other similar use.

70. "Financial Institution, Nondepository" means an establishment that is primarily engaged in short term lending, such as title loan, check cashing, deferred deposit loan, or similar type of business.
71. "Fireworks Stand" means a type of temporary use that sells fireworks as defined and regulated under the state Fire Prevention and Fireworks Act.
72. "Food Cart" has the same meaning as in the state Food Truck Licensing and Regulation Act.
73. "Food Truck" has the same meaning as in the state Food Truck Licensing and Regulation Act.
74. "Freight Service" means an establishment primarily engaged in undertaking the transportation or transferring of goods, merchandise, materials, and commodities of any kind for compensation, and which may in turn make use of other transportation establishments in effecting delivery.
75. "Garage, Private" means a detached accessory building or portion of a main building designed for the parking or temporary storage of automobiles of the occupants of the premises.
76. "Gardening for Personal Use" An accessory use that includes the production of fruits, vegetables, spices, and other food plants for personal use. Gardening for personal use may include a greenhouse or plant nursery subject to accessory structure regulations.
77. "Guest house" means a separate dwelling structure located on a lot or lot of record with one or more main dwelling structures and used for housing guests or servants, and not rented, leased or sold separate from the rental, lease or sale of the main dwelling.
78. "Guest Ranch" means a vacation resort offering activities (such as horseback riding) typical of western ranches; may be associated with a working ranch.
79. "Home Occupation" means any use or activity conducted entirely within a residential dwelling or a legal accessory building or structure that is clearly incidental and secondary to the existing residential use, does not change the character of the residence or neighborhood, does not display any stock, and complies with the applicable business license requirements.
80. "Home Preschool" means a preschool program complying with all State standards and licensing for non-family members in an occupied dwelling unit, by residents of that dwelling unit, in which lessons are provided for each session of instruction.
81. "Hospital" means a facility licensed by the Utah Department of Health, providing health services primarily for human inpatient or medical or surgical care for the sick or injured, and including the related facilities such as laboratories, outpatient departments, training facilities, central service facilities, and staff offices that are integral parts of the facilities.
82. "Hotel" means an establishment providing, for a fee, sleeping accommodations and customary lodging services, including maid service, the furnishing and upkeep of furniture and bed linens, and telephone and desk service. A central kitchen, dining room, accessory shops and services catering to the general public can be provided. Additional services, such as restaurants, meeting rooms, conference space and recreational facilities are allowed as accessory and subordinate uses.
83. "Household Pet" means animals or fowl customarily permitted in the house and kept for company or pleasure, including dogs, cats, canaries, and similar pets.
84. "Industrial Flex Space" means a one-story building containing a mixture of warehouse, retail, office, and/or light industrial uses, with at least 25% of the net floor area dedicated to office space.

85. “Institutional Use” means a facility that provides a public service and is operated by a federal, state, or local government, public or private utility, public or private school or college, church, public agency, or tax-exempt organization.
86. “Junk” means any worn out or discarded materials including but not necessarily limited to scrap metal, inoperable motor vehicles and parts, construction material, household wastes, including garbage and discarded appliances, and yard debris.
87. “Junkyard” means the same as “Salvage Yard.”
88. “Kennel, Commercial” means a shelter or place where over three dogs or cats are bred, boarded, or trained for monetary gain.
89. “Kennel, Private” means a shelter for or a place where over three and no more than five dogs and cats are bred, boarded, or trained for no monetary gain.
90. “Laboratory, Medical or Dental” means an establishment providing biological, dental, medical, or optometric laboratory and testing services.
91. “Laboratory, Research and Development” means facilities for the investigation of natural, physical, or social sciences that may include engineering and product development.
92. “Laundry Cleaning, Automatic Self-Help” means an establishment where one or more machines or devices are offered for public use to provide self-service dry-cleaning and/or clothes laundering facilities.
93. “Laundry Cleaning, Drop Off” means an establishment where patrons may drop off items for dry-cleaning or laundering—which may occur on or off-site.
94. “Liquor and/or Wine Store” means a facility owned or leased by the state of Utah and operated by a state employee, which sells packaged liquor or wine.
95. “Machine Shop” means a shop where lathes, presses, grinders, shapers, and/or other wood or metal working machines are used, which includes blacksmith, tinsmith, welding, sheet metal plumbing, heating, electrical repair, and overhaul shops.
96. “Major Seasonal Sale” or “Major Seasonal Use” means a type of temporary use occupying more than 800 square feet that is either: a) offering goods or services not offered by another year-round business on the property, or, b) is the only business on the property for the duration the use is occurring, or c) is located in a designated park.
97. “Manufacturing, Heavy” means the manufacture or compounding process of raw materials. These activities or processes would necessitate the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. These activities may involve outdoor operations as part of their manufacturing process.
98. “Manufacturing, Light” means an establishment primarily engaged in the production, fabrication, processing, or assembly of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building, parcel or lot where such activities take place and are located entirely within a building. Such uses include research and development facilities and testing laboratories. These uses do not include refineries, rock crushers, incinerators, and similar uses.

99. “Meat or Poultry Processing Facility” means a building where live animals are killed and processed; and/or a building where meat, poultry, or eggs are cooked, smoked, or otherwise processed or packed but does not include a butcher shop.
100. “Medical, Urgent Care, and Dental Clinic” means the same as “Office, Medical”
101. “Micromobility Support Infrastructure” means infrastructure, such as docking stations, signage, or other small-scale infrastructure, needed to support licensed micromobility systems. Micromobility shall mean small, light-weight, and low-speed (less than 30mph) motorized vehicles that may be part of a shared-use program.
102. “Mining (Subsurface)” means mining by digging or constructing access tunnels, adits, ramps, or shafts and excavating directly from the natural mineral deposits exposed therefrom.
103. “Mining (Surface)” means mining by removing the overburden lying above the natural deposits and excavating directly from the natural deposits exposed therefrom, or by excavating directly from deposits lying exposed in their natural state and shall include dredge operations conducted in or on natural or artificially created waterways.
104. “Minor Seasonal Sale” and “Minor Seasonal Use” means a type of temporary use offering goods, services, or activities not offered year-round by another business on the property, and the total area of the use takes up eight-hundred (800) square feet or less.
105. “Minor Ski Resort Improvements” means construction activities associated with the ongoing operation and maintenance of previously approved facilities, ski runs, ski trails, ski lifts, and related resort appurtenances, equipment, recreational access corridors, pedestrian or non-motorized trails, non-snow related activities, and accessory uses, or vehicular maintenance roads constructed or used in connection with the construction, operation, or maintenance of a resort. Minor ski resort improvements also include the construction, operation and maintenance of Remote Avalanche Control Devices.
106. “Mobile Home” means the same as Mobile Home Dwelling.
107. “Mobile Home Park” means an area or tract of land used to accommodate two (2) or more mobile homes intended to be occupied as residences connected to required utility systems.
108. “Mobile Store” means a business that is carried out entirely from a motor vehicle or mechanism that is designed to be or is mobile such as hand pushcarts and self-propelled kiosks, whereby the entire inventory offered for sale is carried and contained in the motor vehicle or mechanism at the time the stock is offered for sale and delivered to the purchaser. This use excludes food trucks or food carts, as defined in this chapter.
109. “Model Home/Temporary Sales Offices” means a dwelling unit, unoccupied for residential purposes, temporarily used for display purposes as an example of dwelling units available or to be available for sale or rental in a particular subdivision or other approved residential development. Model Home may also include sales or rental offices for dwellings within the development.
110. “Mortuary or Funeral Home” means an establishment providing services such as preparing the human dead for burial, arranging and managing funerals, and necessary sales associated therewith. Funeral establishments may include funeral chapels, limited caretaker facilities, and limited cremation facilities that do not accept remains from other funeral establishments. “Mortuary or Funeral Home” does not include crematoriums as a primary use, cemeteries, columbariums, and mausoleums.

111. "Motel" means the same as "Hotel."
112. "Mountain Resort" means the same as "Ski Resort."
113. "Nursing Home, Convalescent Care Center" means a health care facility, other than a general acute or specialty hospital, constructed, licensed, and operated to provide patient living accommodations, 24-hour staff availability, and at least two of the following patient services: (a) a selection of patient care services, under the direction and supervision of a registered nurse, ranging from continuous medical, skilled nursing, psychological, or other professional therapies to intermittent health-related or paraprofessional personal care services; (b) a structured, supportive social living environment based on a professionally designed and supervised treatment plan, oriented to the individual's habilitation or rehabilitation needs; or (c) a supervised living environment that provides support, training, or assistance with individual activities of daily living.
114. "Office, General" means a building or portion thereof offering executive, administrative, professional, or clerical services, with limited client visits and limited traffic generated by employees and/or clients.
115. "Office, Intensive" means a business offering executive, administrative, professional, or clerical services, with a high level of client interaction and traffic generated; and/or a business that employs five (5) or more persons per one thousand (1,000) square feet of net leasable office space.
116. "Office, Medical" means a building used by physicians, dentists, and similar personnel for the treatment and examination of patients solely on an outpatient basis.
117. "Outdoor Dining" means an area of designated size used as a seating area with tables and chairs for the contiguous restaurant. The term does not include a mobile food trailer or mobile food truck parked on public property.
118. "Outdoor Recreation, Large Scale" and "Outdoor Entertainment Locations" means areas or facilities that offer recreation or entertainment outside and require more than one (1) acre of land and are expected to create a larger impact. Such uses include shooting ranges, go-carts, motor vehicle, bicycle, and/or motorbike tracks, golf courses, zoological parks and botanical gardens, amphitheaters, outdoor stages and concert venues, or similar activities that may create noise, dust, light, or other similar impacts to adjoining and surrounding uses.
119. "Outdoor Recreation, Small Scale" means areas or facilities that are not more than one (1) acre in size, and which offer non-motorized recreational opportunities scaled to serve the local community, and which do not include uses listed as "outdoor recreation, large scale."
120. "Outdoor Sales Event" means a type of temporary use wherein a business with a business license temporarily sells products on a portion of outside space associated with a building already located on the property.
121. "Outdoor Storage" means the same as "Accessory Outside Storage"
122. "Package Agency" means a retail liquor location operated under a contractual agreement with the Utah Department of Alcoholic Beverage Services, by a person other than the State, who is authorized by the state to sell package liquor for consumption off the premises of the agency.
123. "Park and Ride" means an area or structure intended to accommodate parked vehicles for the general public, where commuters park their vehicles and continue to travel to another

destination via public transit, carpool, vanpool, or bicycle. The parking lot may be shared with other uses or stand-alone.

124. "Pawn Shop" means any person, firm, corporation, or business that loans money on deposit of personal property; or deals in the purchase, exchange, or possession of personal property on condition of selling the same back again to the pledgor or depositor; or loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property.
125. "Personal Care Services" means an establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barbershops, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tanning and nail salons, permanent makeup facilities, tattoo and body piercing establishments, and weight loss centers.
126. "Personal Instruction Services" means an establishment engaged in the provision of informational, instructional, personal improvement, and similar services of a professional nature or by a nonprofit organization. Typical uses include art and music schools, driving instruction, computer instruction, gymnastic or dance studios, handicraft or hobby instruction, and martial arts training.
127. "Planned Unit Development" means an Integrated design for the development of residential, commercial, or industrial uses, or limited combinations of such uses, in which certain regulations of the district in which the development is situated may be adjusted in accordance with chapter 19.18, to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed requirements.
128. "Post Office" means a facility that contains service windows for mailing packages and letters, post office boxes, offices, vehicle storage areas, and sorting and distribution facilities for mail.
129. "Private Nonprofit Locker Club" means a social club, recreational, athletic, or kindred association incorporated under the provisions of the Utah Nonprofit Corporation and Cooperation Act, which maintains or intends to maintain premises upon which liquor is or will be stored, consumed, or sold.
130. "Private Nonprofit Recreational Grounds And Facilities" means nonprofit recreational grounds and facilities operated by an association incorporated under the provisions of the Utah Nonprofit Corporation and Cooperation Act or a corporate sole.
131. "Private Residential Tennis Court/Sports Court" means a recreation court requiring a base surface with a gross square footage of four hundred square feet or more, permitted as an accessory use to and on the same lot or lot of record as a single-family residential dwelling.
132. "Private Swimming Pool" means any structure or container holding water to a depth of eighteen inches (18") or greater and having either a diameter or diagonal measurement of ten feet (10') or greater, permitted as an accessory use to and on the same lot or lot of record as a single-family residential dwelling.
133. "Producer" means a person or entity that raises or produces Farm Products on land that the person or entity farms and owns, rents, or leases.
134. "Protective Housing" means a facility operated, licensed, or contracted by a governmental entity, or operated by a charitable, nonprofit organization, where, for no

compensation, temporary, protective housing is provided to: (1) Abused or neglected children awaiting placement in foster care; (2) Pregnant or parenting teens; (3) Victims of sexual abuse; or (4) Victims of domestic abuse.

135. "Public Parks" means parks that are maintained by a public agency.
136. "Public Service Training Facility" means an establishment for training state and local law enforcement, fire safety, national guard, transit personnel, or other public service personnel, including but not limited to dining and overnight accommodations, classrooms, indoor shooting ranges, auto test tracks, fire suppression simulations, and accessory facilities related thereto.
137. "Public or Quasi Public Use" means a use operated exclusively by a government agency, contract provider for a government agency, or by a private, nonprofit educational, religious, recreational, charitable or philanthropic institution, such use having the purpose of primarily serving the public health, safety, or general welfare, and including uses such as public and private schools, parks, playgrounds, "recreational facilities," public, government and administrative offices, fire stations, police stations, public assistance facilities, and facilities that are part of the local service delivery system for public utilities. "Public use" does not include public utility production, storage, and treatment facilities such as power plants, refineries, natural gas processing and storage plants, water treatment plants, or sewage treatment facilities.
138. "Public Utility, Major" means structures that house operations for public utilities including, but not limited to, power generation plants, electrical switching stations, primary substations, refuse collection and disposal facilities, water and wastewater treatment facilities, and similar facilities.
139. "Public Utility, Minor" means local utility structures that are necessary for a specific development or service including, but not limited to, water and sewer mains and service lines, electrical and fiberoptic lines, water tanks, well houses, pump buildings, lift stations, power substations and transformers, poles and lines.
140. "Public Utility" has the same meaning as in the Public Utilities Title of the Utah Code.
141. "Rail Transit Mixed-Use" means a use that allows rail-oriented development that combines different land uses within a single development, tract of land, building, or structure. Its purpose is to encourage development that is high quality, human-scale, and pedestrian-friendly, while creating a variety of complementary and integrated uses, including but not limited to, residential, office, manufacturing, retail, public, or entertainment in a compact, walkable, urban form.
142. "Reception Hall, Reception Center" means a room or building for the purpose of hosting a party, banquet, wedding, or other reception or social event. Such halls are often found within pubs, clubs, hotels, or restaurants.
143. "Recreation Facility, Commercial" means a centrally or otherwise appropriately located place designed and equipped for the conduct of sports, informal recreation and/or leisure-time activities operated as a business on private or public property and open to the public for a fee.
144. "Recreation Facility, Private" means a centrally or otherwise appropriately located place designed and equipped for the conduct of sports, informal recreation and/or leisure-time activities operated on private property and not open to the public, including recreation facilities owned by a homeowners' or property owners' association for private use.

145. "Recreation Facility, Public" means a centrally or otherwise appropriately located place designed and equipped for the conduct of sports, informal recreation and/or leisure-time activities operated by a public agency and open to the public with or without a fee.
146. "Recycling Processing Facility" means a building or enclosed space for the collection and preparation of recyclable materials for efficient shipment or to an end user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, shredding, mechanical sorting, cleaning, and re-manufacturing.
147. "Rehabilitation/Treatment Facilities" means a facility licensed by or contracted by the State of Utah to provide temporary occupancy and supervision of adults or juveniles in order to provide rehabilitation, treatment, or counseling services. Without limitation, such services may include rehabilitation, treatment, counseling, or assessment and evaluation services related to delinquent behavior, alcohol and drug abuse, sex offenders, sexual abuse, or mental health. Associated education services may also be provided to juvenile occupants. The term does not include residential facilities for the elderly or persons with disabilities.
148. "Resource Recycling Collection Point" means a portable structure, enclosed bin, trailer, or reverse vending machine where recyclable material (aluminum cans, glass, paper, etc.) is exchanged for money or deposited as a donation.
149. "Reiki" means a business devoted primarily to Reiki healing, or any other system that has elements of the following. The practitioner, trained to access and serve as a channel for a sacred life force, places his or her hands on or just above the client's body in order to activate healing energy within receptive points on the body. The practitioner's hands move progressively with a passive touch through various positions on the body, remaining in each position for a period of time. As a harmonic flow of energy is strengthened, within the client and practitioner, healing occurs through the return of physical, mental, and spiritual balance. For purposes of this title, a Reiki business shall not include Reiki healing, or similar system, which are performed in a hospital or medical clinic.
150. "Residential Facility for Elderly Persons" means a dwelling unit owned by a resident thereof or an immediate family member of a resident, or for which the title has been placed in trust for a resident, and is voluntarily occupied on a twenty-four (24) hour per day basis by eight (8) or fewer elderly persons in a family-type arrangement. A "residential facility for elderly persons" does not include any facility: (1) Operated as a business, provided that such facility shall not be considered to be operated as a business solely because a fee is charged for food or for actual and necessary costs of operation and maintenance of the facility; (2) Where persons are placed: (a) For alcoholism or drug abuse treatment; or (b) As part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility; (3) that is: a health facility as defined by the Utah Health Facility Administrator Act, or (4) that is a residential facility for persons with a disability.
151. "Residential Facility for Persons with a Disability" means a residence: (1) In which more than one person with a disability resides and (a) Which is licensed or certified by the Department of Human Services under the Utah Human Services Code; or (b) Which is licensed or certified by the Department of Health under the Utah Health Care Facility Licensing and Inspection Act.
152. "Residential Keeping of Chickens, Pigeons or Ducks" means the keeping of a small number of domesticated hens, pigeons and/or ducks on a lot or lot of record with a single-family dwelling for personal use only, subject to the standards and requirements of this Title, Salt Lake County

Animal Services, and Salt Lake County Health Department that ensure that domesticated hens, pigeons and ducks do not adversely impact the neighborhood surrounding the property on which the domestic fowl are kept.

153. “Resort” means a place offering amenities for recreation and relaxation in addition to lodging and meals to transient vacationers, and may involve multiple, compatible uses of the land, such as open space, agriculture, and lodging.
154. “Restaurant, Fast Food” means a building or facility that sells food and beverages primarily over a counter, rather than by waitress or waiter; packages its food in wrappers, boxes, or cartons regardless if the food is consumed on or off the restaurant premises; and typically provides a drive through/drive-up facility.
155. “Restaurant, Sit-Down with or Without Alcohol” means a building or facility for the preparation, retail sale, and on-site consumption of food and non-alcoholic and/or alcoholic beverages.
156. “Retail and Service Commercial” means a business primarily engaged in the sale or rental of goods, merchandise, or services directly to the consumer. These uses do not include outdoor storage; sexually oriented businesses; retail tobacco specialty stores; check cashing; pawn shops; or vehicle or large equipment rental, sales, repair, or assembly. Uses include department, grocery, variety and drug stores; art galleries; bakeries; jewelry stores; florists; auto parts stores; business and social services; and similar uses. These uses may include twenty-four-hour uses and drive-up windows subject to this title.
157. “Retail Shops or Galleries where Primary Product is Produced On-Site” means establishments (not exceeding 5,000 Sq.Ft.) engaged in the selling of goods where the primary product is produced on-site. This definition is limited to small-scale uses but can include bakeries, confectionaries, nut shops, frame shops, restored furniture, cardmaking shops, jewelry-making stores, photo galleries, art galleries, and pottery studios. This definition also includes ‘painting with a twist’, ‘paint nite’, paint-your-own-ceramics businesses, and similar uses. A room or building for the display or sale of works of art, including space for the artist to create displayed work is also included in the definition.
158. “Retail Tobacco Specialty Business” has the same meaning as in the Utah Health Code.
159. “Riding Academy” means a business dedicated to horse riding instruction, where the instruction is confined to the property on which the horses are housed.
160. “Salvage Yard” means a place where scrap, waste, discarded, or salvaged materials is brought, sold, exchanged, baled, packed, disassembled, handled, or stored. The term includes auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for storage of salvage, house wrecking, and structural steel materials and equipment; but not including such uses that are conducted entirely within a completely enclosed building. The term does not include pawnshops; establishments for the sale, purchase or storage of used furniture, household equipment, or used cars in operable condition; or salvaged materials incidental to manufacturing operations conducted on the premises.
161. “School, Charter” means (i) an operating charter school; (ii) a charter school applicant that has its application approved by a charter school authorizer in accordance with Utah Code, Title 53G, Chapter 5, Part 3, Charter School Authorization; or (iii) an entity that is working on behalf of

a charter school or approved charter applicant to develop or construct a charter school building. School, Charter does not include a therapeutic school.

162. "Self-Service Fuel Station" means a location where flammable or combustible liquids or gases are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles. Such establishment may offer the retail sale of convenience items. "Self-Service Fuel Station" specifically excludes and does not allow any servicing, repair or maintenance of motor vehicles, trailers, and associated mechanical equipment, including engine, brake, muffler, or tire. "Self Service Fuel Station" may be combined with "Vehicle and Equipment Repair, Minor" when the applicable zone allows both uses. The term does not include "Truck Stop and Service Facilities."
163. "Self-Service Storage Facilities, Enclosed" means structures, commonly referred to as storage units, containing separate, enclosed, individual, and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time. Such facilities are to be used for dead storage only. The following activities are prohibited within any enclosed self-service storage facility: (1) Commercial, wholesale, retail, miscellaneous, or garage sales; (2) The servicing, repair, or fabrication of motor vehicles, boats, trailers, small engine equipment, or similar equipment; (3) The operation of power tools, spray painting equipment, compressors, welding equipment, kilns, or similar equipment; (4) The establishment of a transfer business; (5) Any use that is a nuisance, as defined in the Utah Judicial Code.
164. "Self-Service Storage Facilities, Outdoor" means the use of any lot, portion of a lot, or parcel for outside storage of operative automobiles, trucks, recreational vehicles, boats, or trailers), which contains separate, individual, and private storage spaces of varying sizes that are leased or rented on individual leases for varying periods of time. The following activities are prohibited within any self-storage outside storage facility: (1) Commercial, wholesale, retail, miscellaneous, or garage sales; (2) The servicing, repair, or fabrication of motor vehicles, boats, trailers, small engine equipment, or similar equipment; (3) The establishment of a transfer business; (4) Junkyard or impound yard; (5) Any use that is a nuisance, as defined in the Utah Judicial Code.
165. "Sexually Oriented Business or Activity" has the same meaning as in the Sexually Oriented Businesses and Employee Licensing chapter of the Salt Lake County Code.
166. "Shared Mobility Device" means bicycles and motor-assisted scooters operated by a shared mobility device system.
167. "Shared Mobility Device System" means any transportation service that involves the commercial use of shared mobility devices by users, either concurrently or sequentially after one another.
168. "Shopping Center" means a group of three or more commercial establishments that are planned, developed, and managed as a unit with common areas for off-street parking and landscaping provided on the properties.
169. "Short-Term Rental" means a residential unit or any portion of a residential unit that the owner of record of the residential unit leases or rents for occupancy for fewer than 30 consecutive day periods of time.
170. "Sidewalk Displays and Sidewalk Cafes" means an accessory use that allows for the spillover of seating and/or sales displays onto the sidewalk in front of an existing business, subject to limitations prescribed by the owner of the sidewalk or in applicable law. "Sidewalk Café" means

a restaurant with tables on the sidewalk in front or on the side of the premises. "Sidewalk Display" means the outdoor display of merchandise for sale by a business use.

171. "Mountain resort" or "Ski resort" means:

A. Any publicly or privately developed recreational use permitted by relevant local, state, and federal authorities, for snow-related activities, accessory year-round or non-snow related activities, and associated facilities and improvements.

B. Such uses, activities, and facilities may be conducted on a commercial or membership basis, whether solely on privately-owned property or on privately-owned lots or parcels interspersed with public land under a special use permit from the U.S. Forest Service or other public agency, primarily for the use of persons who do not reside on the same lot or parcel as that on which the recreational use is located.

1.Snow related activities include but are not limited to: downhill skiing, cross-country skiing, snowboarding, snow shoeing, snowmobiling, or other snow related activities.

2.Accessory year-round and non-snow related activities include but are not limited to: alpine recreational activities; cultural events, weddings, receptions, and festivals; and conference events.

3.Associated facilities and improvements include, but are not limited to: lodging, including hotel; food, including restaurant liquor and beer sales and both indoor and outdoor seating; retail sales; retail shops or galleries where the primary product is produced on site; accessory offices and support services; recreational and fitness facilities; parking accommodations; and other uses of a similar nature specifically authorized in conjunction with the operation of a year-round resort.

172. "Solar Energy System, Accessory" means a roof-mounted, wall mounted, or ground mounted panel, the primary purpose of which is to provide for the collection, inversion, storage, and distribution of solar energy for electricity generation, space heating, space cooling, or water heating of a building(s) located on the same property.

173. "Solar Energy System, Commercial" means a solar array meant for commercial production of energy.

174. "Solar Evaporation Pond for the Processing of Salt" means the recovery of minerals in solution through natural evaporation and subsequent harvesting.

175. "Storage – Hazardous Materials" means the storage of any item or chemical which is a health or physical hazard, or can cause harm to people, plants, or animals when released by spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment.

176. "Storage Yard" means the location of goods, wares, merchandise, commodities, equipment, materials, or any other item outside of a completely enclosed building for a continuous period longer than twenty-four (24) hours when such storage is a primary characteristic of a permitted or conditional use or constitutes more than fifteen percent (15%) of the subject property. The presence of hazardous materials, junk, junk cars, or debris not usually appurtenant to permitted or conditional on-site uses is prohibited. Storage yards shall be screened from public view as set forth in 19.50.120.C. For the purposes of this title, construction yards, lumber yards, and like uses are considered to be storage yards as regulated herein. Contrast with the definition of "accessory outdoor storage".

177. "Sportsman's Kennel" means a kennel for the keeping of three to five dogs that has a valid permit from the department of animal services and is located on a lot or lot of record of at least one acre.
178. "Stable, Private" means a detached accessory building for the keeping of horses owned by the occupants of the premises, and not kept for remuneration, hire, or sale.
179. "Stable, Public" means a stable other than a private stable.
180. "Swap Meets And Flea Markets" means a market operating for the sale or exchange of merchandise at retail by many sellers within a drive-in theater or enclosed building. This does not include garage sales.
181. "Tavern" means the same as "Bar."
182. "Temporary Construction Office" means a temporary building or structure used as a construction office for a project located on the same site during the site's construction. A temporary construction office must be removed from the property prior to the final certificate of occupancy being issued on the building or project.
183. "Temporary Sale, Farm Products" means a type of temporary use that is less than six hundred square feet, and at least seventy five percent (75%) of the products sold are farm products or value-added farm products.
184. "Temporary Use" means any use that does not continue more than one hundred twenty (120) days out of the year.
185. "Temporary Use, Weekly or Weekly Temporary Use" means any use that occurs not more than two days a week and not more than one hundred twenty (120) days out of the year.
186. "Temporary Use, Inside" means a use inside a permanent building for a maximum period of one hundred and twenty (120) days.
187. "Theatres and Concert Halls (Indoor)" means buildings that contain screens, stages, or other platforms around which patrons gather to experience film, theater, and other performances. Concessions may be allowed as an accessory use. Such uses include concert halls, play theaters, cinemas, comedy clubs, operas, and orchestra and symphony halls, but do not include outdoor theaters and concert venues.
188. "Therapeutic School" has the same meaning as in the Utah Human Services Code.
189. "Tiny Home" means a dwelling less than 400 square feet in size, not including loft space, that meets building code requirements and is on a permanent foundation. A tiny home is either a single-family dwelling or an accessory dwelling unit. A tiny home used as the primary residential use on a lot or parcel is a single-family dwelling for the purposes of this ordinance. A tiny home used as an accessory dwelling is subject to the same restrictions as any other accessory dwelling unit.
190. "Towing Services and Impound Lots" means the temporary storage of vehicles that have been towed, carried, hauled, or pushed from public to private property for impoundment in a public or private impound yard.
191. "Transitional Housing" means a building or facility owned, operated, or contracted by a governmental entity or a charitable, nonprofit organization that provide free temporary housing to homeless persons for at least thirty (30) days while they obtain work, job skills, or otherwise

take steps to stabilize their circumstances. Transitional Housing Facilities do not include homeless shelters, dwelling units provided to a family for more than 30 days as part of a transitional housing program, or residential facilities for elderly persons or persons with disabilities.

192. "Transmission Line/Right of Way (Major)" means an electric power, gas, or petroleum transmission facility, together with the required right-of-way, designed to provide for the location of transmission lines or facilities to operate at voltages of at least 140,000 volts (140 kV), or having pipelines at least eight (8) inches in diameter.
193. "Transmission Line/Right of Way (Minor)" means an electric power, gas, or petroleum transmission facility, together with the required right-of-way, designed to provide for the location of transmission lines or facilities to operate at voltages less than 140,000 volts (140 kV), or having pipelines less than eight (8) inches in diameter, which has been found by the County to conform to the General Plan.
194. "Truck Stop and Service Facilities" means facilities intended to provide services to the trucking industry, including but not limited to dispensing of fuel, servicing, repair, automated washes, and overnight parking. The facilities may also include overnight accommodations, showers, or restaurant facilities primarily for the use of truck crews. Such establishment may offer the retail sale of convenience items to the general public.
195. "Twin Home" means the same as "Dwelling, Two Family."
196. "Value-added Farm Products" means any product processed by a Producer from a Farm Product.
197. "Vertical Indoor Agriculture" means growing crops in vertically stacked layers indoors, often incorporating controlled-environment agricultural techniques and soilless farming techniques such as hydroponics, aquaponics, or aeroponics.
198. "Vehicle Assembly" means a business where finished vehicle-related parts are put together to develop a final product.
199. "Vehicle and Equipment Repair, Commercial and Industrial" means the repair and service of commercial vehicles and trailers with a payload capacity of more than eight thousand five hundred (8,500) pounds as well as industrial or other heavy equipment. Typical uses include semi-trailer truck repair, and the repair of bulldozers, graders, dump trucks, cement mixers, and similar heavy industrial and construction equipment.
200. "Vehicle and Equipment Repair, Major" means an establishment primarily engaged in the major repair of motor vehicles or equipment. Typical uses include major auto repair such as the removal and/or rebuilding of engines and transmissions, repair of the internal components, repair or removal of differentials or axles, body work and paint. "Vehicle and Equipment Repair, Major" may also include uses that are often accessory to businesses engaged in the repair of vehicles such as offices, part sales, storage of merchandise, and vehicle storage when such vehicle storage is screened in accordance with applicable standards. "Vehicle and Equipment Repair, Major" does not include: repair and service of commercial vehicles and trailers with a payload capacity of more than eight thousand five hundred (8,500) pounds, repair and service of industrial or other heavy equipment, vehicle assembly, manufacturing use, auto dismantling or wrecking, salvage yard, junkyard, or similar uses.
201. "Vehicle and Equipment Repair, Minor" means an establishment providing motor vehicle repair or maintenance services and conducted entirely within completely enclosed buildings and

may include the retail sale of fuels, lubricants, and other supplies for motor vehicles. Typical uses include businesses engaged in the following activities: electronic tune-ups, brake repairs (including drum turning), air conditioning repairs, auto detailing, generator and starter repairs, muffler and other minor underbody repair, frontend alignments, battery recharging, lubrication, and other similar repairs. Vehicle and Equipment Repair (Minor) also includes sales, repair and installation of minor parts and accessories such as tires, batteries, windshield wipers, hoses, windows, etc. Vehicle and Equipment Repair (Minor) does not include paint and body shops, or other activities associated with Vehicle and Equipment Repair (Major), auto dismantling or wrecking, salvage yards, junkyards, and similar uses.

202. "Vehicle Rental" means a business primarily engaged in the rental of vehicles.
203. "Vehicle Sales and Service" means the use of any building, land area, or other premises for the display and sale or lease of more than three (3) new or used vehicles, and including outside storage of inventory, indoor vehicle part and accessory sales, any warranty repair work, and other repair service conducted as an accessory use. "Vehicle Sales and Service" includes the sale or lease of new or used boats, cars, light trucks, motorcycles, off-road vehicles, camp trailers, recreational vehicles, motor homes, and utility or box trailers in the Federal Highways Administration Vehicle Category Classification of 1 through 5. "Vehicle Sales and Service" does not include the sale or lease commercial vehicles and semi-trailer trucks in the Federal Highways Administration Vehicle Category Classification of 6 or higher and semi-trailers, or utility or box trailers with a payload capacity of over three thousand (3,000) pounds
204. "Vehicle Sales and Service, Commercial Vehicles and Trailers" means the sale or lease of commercial vehicles and semi-trailer trucks in the Federal Highways Administration Vehicle Category Classification of 6 or higher and semi-trailers, or utility or box trailers with a payload capacity of over three thousand (3,000) pounds. "Vehicle Sales and Service, Commercial Vehicles and Trailers" includes outside storage of inventory, indoor vehicle part and accessory sales, any warranty repair work, and other repair services conducted as an accessory use.
205. "Vehicle Sales, Small Dealership" means a business specializing in the sale of a limited number of new and/or used vehicles, with no more than three (3) vehicles displayed outside at any one time and with no more than a total of eight (8) vehicles stored on-site at any given time and licensed as required by the State of Utah. A small dealership may be permitted as an accessory use to a related business on the same property and under the same ownership.
206. "Vested Critical Infrastructure Materials Operations" has the same meaning as in the state County Land Use, Development, and Management Act.
207. "Warehouse and Distribution Facilities" means buildings used primarily for the inside storage and distribution of goods and materials, which include land and buildings used as a relay station for the transfer of goods from one vehicle or party to another, and the parking and storage of tractor and/or other trailer units.
208. "Water Pumping Plant and Reservoir" means a natural or artificial water storage basin with a pumping station to distribute potable or irrigation water.
209. "Water Treatment Facility" means the facility or facilities within the water supply system which can alter the physical, chemical, or bacteriological quality of the water.
210. "Wind Energy System, Accessory" means a wind energy system that is accessory to the main use and is designed to power only the site on which it is constructed.

211. "Wind Energy System, Commercial" means a wind energy system consisting of one or more wind turbines for commercial generation.

#### **19.04.080 – FCOZ Definitions.**

- A. Terms used in the Foothills and Canyons Overlay Zone, Chapter 19.62, are defined as follows:
1. "Alteration." Any change or rearrangement in the supporting members of an existing structure, such as bearing walls, columns, beams, girders, or interior partitions, or any change in the dimensions or configurations of the roof or exterior walls.
  2. "Building site." A space of ground occupied or to be occupied by a building or group of buildings.
  3. "Caliper." A standard for trunk measurement of nursery stock, determined by measuring the diameter of the trunk six inches above the ground for up to and including five-inch caliper size, and twelve inches above the ground for larger trees.
  4. "Clustering." A development or subdivision design technique that concentrates buildings or lots on a part of the site to allow the remaining land to be used for recreation, common open space, and/or preservation of environmentally sensitive areas.
  5. "Driveway." A private area used for ingress and egress of vehicles, which allows access from a street or road to a building, structure, or parking spaces.
  6. "Engineering geologist." A geologist who, through education, training and experience, is able to conduct field investigations and interpret geologic conditions to assure that geologic factors affecting engineered works are recognized, adequately interpreted, and presented for use in engineering practice and for the protection of the public.
  7. "Expansion." An increase in the size of an existing structure or use, including physical size of the property, building, parking, and other improvements.
  8. "Geotechnical engineer." A professional engineer licensed in the state of Utah, whose education, training, and experience is in the field of geotechnical engineering.
  9. "Grading." Any change of existing surface conditions by excavating, placing of any soils or rocks, or stripping of vegetation.
  10. "Landscape architect." A person who is licensed to practice landscape architecture by the state of Utah.
  11. "Limits of disturbance." The area(s) in which construction and development activity are to be contained, including development and construction of the principal building, accessory structures, recreation areas, utilities, services, driveways, septic tank drain fields and related system requirements, storm drainage, and other similar services or improvements. The following need not be included in limits of disturbance:
    - a. Up to ten feet of paved or unpaved shoulders for driveways
    - b. Areas consisting of natural ponds, streams, trees, and other vegetation where no grading work is done.
  12. "Minor ski resort improvements." Construction activities associated with the ongoing operation and maintenance of previously approved facilities, ski runs, ski trails, ski lifts and related resort appurtenances, equipment, recreational access corridors, pedestrian or non-motorized trails, non-snow related activities and accessory uses, or vehicular maintenance roads constructed or used in connection with the construction, operation, or maintenance of a resort. Minor ski

resort improvements also include the construction, operation and maintenance of Remote Avalanche Control Devices.

13. "Mountain resort or Ski resort."

- a. Any publicly or privately developed recreational use permitted by relevant local, state, and federal authorities, for snow-related activities, accessory year-round or non-snow related activities, and associated facilities and improvements.
- b. Such uses, activities, and facilities may be conducted on a commercial or membership basis, whether solely on privately-owned property or on privately-owned lots or parcels interspersed with public land under a special use permit from the U.S. Forest Service or other public agency, primarily for the use of persons who do not reside on the same lot or parcel as that on which the recreational use is located.
  - i. Snow related activities include but are not limited to: downhill skiing, cross-country skiing, snowboarding, snow shoeing, snowmobiling, or other snow related activities.
  - ii. Accessory year-round and non-snow related activities include but are not limited to: alpine recreational activities; cultural events and festivals; and conference events.
  - iii. Associated facilities and improvements include, but are not limited to: lodging; food, retail, and support services; recreational and fitness facilities; parking accommodations; and other uses of a similar nature specifically authorized in conjunction with the operation of a year-round resort.

14. "Natural open space." Land in a predominantly open and undeveloped condition that is suitable for any of the following: natural areas; wildlife and native plant habitat; important wetlands or watershed lands; stream corridors; passive, low-impact activities; little or no land disturbance; or trails for non-motorized activities.

15. "Open Space." Any area of a lot or parcel that is completely free and unobstructed from any man-made structure or parking areas.

16. "Ordinary high water mark."

- a. The line on the bank to which the high water of a stream ordinarily rises annually in seasons, as indicated by changes in the characteristics of soil, vegetation, or other appropriate means, taking into consideration the characteristics of the surrounding areas.
- b. Where the ordinary high water mark cannot be found, the top of the channel bank shall be substituted.
- c. In braided channels, the ordinary high water mark shall be measured to include the entire stream feature.

17. "Overlay zone." A zoning district that encompasses one or more underlying zones and that imposes additional or alternative requirements to that required by the underlying zone.

18. "Qualified professional." A professionally trained person with the requisite academic degree, experience, and professional certification or license in the field(s) relating to the subject matter being studied or analyzed.

19. "Retaining wall." A wall designed and constructed to resist the lateral displacement and erosion of soils or other materials.
20. "Ridgeline protection area." An area consisting of a prominent ridgeline that is highly visible from public right-of-ways or trails, and that includes the crest of any such designated prominent hill or slope, plus the land located within one hundred feet horizontally (map distance) on either side of the crest.
21. "Significant trees." Live trees of six-inch caliper or greater, groves of five or more smaller live trees, or clumps of live oak or maple covering an area of fifty square feet to the drip line perimeter.
22. "Site plan." An accurately scaled plan that illustrates the existing conditions on a subject property, lot or parcel and the details of a proposed development, including but not limited to: topography; vegetation; drainage; flood plains; wetlands; waterways; landscaping and open space; walkways; means of ingress and egress; circulation; utility easements and services; structures and buildings; lighting; berms, buffers and screening devices; development on adjacent property; and any other information that may be required to make an informed decision.
23. "Slope." The level of inclination from the horizontal, determined by dividing, in fifty-foot intervals, the average horizontal run of the slope into the average vertical rise of the same slope and converting the resulting figure into a percentage value.
24. "Stream corridor." The corridor defined by a perennial stream's ordinary high water mark.
25. "Substantial economic hardship." A denial of all reasonable economic use of a property.
26. "Trails." A type of natural open space that is a system of public recreational pathways located within the unincorporated county for use by the public for walking, biking, and/or horseback riding as designated.
27. "Undevelopable" means strict application of this title prevents the minimum development necessary to establish a permitted or conditional use in the underlying zone on the property.
28. "Vegetation." Living plant material, including but not limited to trees, shrubs, flowers, grass, herbs, and ground cover.
29. "Waiver." Permission to depart from the requirements of an Ordinance with respect to the application of a specific regulation.

#### **19.04.090 - Mountain Resort Zone Definitions**

A. Mountain Resort Zone terms used in Title 19 are defined as follows:

1. "Conservation activity" means a process to restore, enhance, protect, and sustain the quality and quantity of ecosystems and natural resources.
2. "Driveway" means a private area used for ingress and egress of vehicles, which allows access from a street or road to a building, structure, or parking spaces.
3. "Grading" means any change of existing surface conditions by excavating, placing of any soils or rocks, or stripping of vegetation.
4. "Limits of disturbance" means the area(s) in which construction and development activity are to be contained, including development and construction of the principal building, accessory structures, recreation areas, utilities, services, driveways, septic tank drain fields and related system requirements, storm drainage, and other similar services or improvements. However, up

to ten feet of paved or unpaved shoulders for driveways are not included in the limits of disturbance.

5. "Minor ski resort improvements" means construction activities associated with the ongoing operation and maintenance of previously approved facilities, ski runs, ski trails, ski lifts and related resort appurtenances, equipment, recreational access corridors, pedestrian or non-motorized trails, non-snow related activities and accessory uses, or vehicular maintenance roads constructed or used in connection with the construction, operation, or maintenance of a resort. Minor ski resort improvements also include the construction, operation and maintenance of Remote Avalanche Control Devices.
6. "Mountain bike terrain park" means an area containing fixed trails, artificial features and obstacles made primarily of natural materials such as earth, wood, and stone that is designed to create a biking experience interdependent with the attributes of a mountainous setting, but excluding facilities built solely for a temporary event requiring a mass gathering permit. Paved surfaces may be allowed in limited areas as needed for erosion control and rider safety. Mountain bike terrain parks shall comply with FCOZ requirements for grading and retaining walls.
7. "Mountain resort" or "Ski resort" means:
  - a. Any publicly or privately developed recreational use permitted by relevant local, state, and federal authorities, for snow-related activities, accessory year-round or non-snow related activities, and associated facilities and improvements.
  - b. Such uses, activities, and facilities may be conducted on a commercial or membership basis, whether solely on privately-owned property or on privately-owned lots or parcels interspersed with public land under a special use permit from the U.S. Forest Service or other public agency, primarily for the use of persons who do not reside on the same lot or parcel as that on which the recreational use is located.
  - c. Snow related activities include but are not limited to: downhill skiing, cross-country skiing, snowboarding, snow shoeing, snowmobiling, or other snow related activities.
  - d. Accessory year-round and non-snow related activities include but are not limited to: alpine recreational activities; natural resource based recreational facilities; cultural events and festivals; and conference events.
  - e. Associated facilities and improvements include, but are not limited to: lodging; food, retail, and support services; recreational and fitness facilities; parking accommodations; and other uses of a similar nature specifically authorized in conjunction with the operation of a year-round resort.
8. "Natural resource based recreational activities and associated facilities" means activities and facilities that encourage outdoor recreation and enjoyment of nature that, to the extent practicable, harmonize with the natural environment; including uses such as zip lines, mountain bike trails, disc golf courses, and ropes courses; but excluding tennis courts, water slides and water parks, swimming pools, golf courses, and amusement parks.
9. "Open Space" means any area of a lot or parcel that is completely free and unobstructed from any man-made structure or parking areas.
10. "Parking area" means an unenclosed area, parcel or lot other than a street used or designed for parking.
11. "Parking structure" means a fully enclosed structure designed and intended for parking.
12. "Passenger tramway" means a mechanical device to transport passengers and cargo by means of chairs or enclosed compartments attached to a cable or to rails, including each of the devices described in Section 72.11.102 of the Utah Code Annotated, as amended. Includes ski tows and ski lifts.

13. "Resort support, commercial" means a use that is clearly incidental to, and customarily found in connection with, the principal building or use, and that is operated and maintained for the benefit and convenience of the owners, occupants, employees, customers, or visitors to the principal use or building.
14. "Site plan" means an accurately scaled plan that illustrates the existing conditions on a land parcel and the details of a proposed development, including but not limited to: topography; vegetation; drainage; flood plains; wetlands; waterways; landscaping and open space; walkways; means of ingress and egress; circulation; utility easements and services; structures and buildings; lighting; berms, buffers and screening devices; development on adjacent property; and any other information that may be required to make an informed decision.
15. "Slope" means the level of inclination from the horizontal, determined by dividing, in fifty foot intervals, the average horizontal run of the slope into the average vertical rise of the same slope and converting the resulting figure into a percentage value.
16. "Trails" means a type of natural open space that is a system of public recreational pathways located within the unincorporated county for use by the public for purposes as designated.
17. "Vegetation" means living plant material, including but not limited to trees, shrubs, flowers, grass, herbs, and ground cover.

## **19.22 Parks and Open Space Zone – Staff Summary**

### **Purposes:**

1. Create a new zone that adequately preserves and enhances parks and open spaces.
2. Establish standards for lighting, landscaping, and other elements that enhance park and open space areas.

### **Applicability:**

The PR Zone is intended to be applied to existing park areas, especially those that have been enhanced through paved trails and other recreational amenities.

### **Justification:**

The Salt Lake County West General Plan contains the following goals: “Conserve critical lands, water, and open space,” (pg. 9) “Preserve and conserve critical lands in the Oquirrh and Traverse Mountains,” (pg. 12) “Plan and develop a robust park system for current and future generations,” (pg. 15) and “Review and update County ordinances to further implement the plan.”

### **Resources Utilized:**

- Vineyard Zoning Ordinance
- Salt Lake City Zoning Ordinance
- South Jordan Zoning Ordinance
- Portland Zoning Ordinance

### **Changes to Note:**

This chapter is entirely new. There are no changes to note. Parks and open spaces previously have been held under different zoning designations that did not necessarily protect them from development.

### **Considerations:**

Based on input from the County Parks and Recreation Department, a maximum size standard of 1.5 acres for parking lots was included in these zones. This parking area is sufficient to serve popular trailheads for County parks and open space areas, including those that allow equestrian use. See Section 19.22.070(B)(1). The Parks zone also prescribes fencing and lighting standards consistent with parks and recreation uses. See Section 19.22.080 and .090.

## Chapter 19.22: Parks and Open Space Zones

### Sections:

#### 19.22.010 – Purpose of Provisions.

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

#### 19.22.020 – Establishment of Parks and Open Space Zones.

To anticipate and respond to the changing needs of the county and implement greenway, natural resource preservation, and health and recreation concepts included in the adopted General Plan, the county establishes the following Zones:

- A. Parks and Recreation Zone (PR): The PR Zone is intended for improved parks, recreational areas, and other public and private open spaces which can accommodate human use and visitation. Encouraged uses in this Zone include public parks, multi-use trails, ball fields, special uses such as mobile food carts and festivals, and landscaping and equipment sheds.
- B. Natural Open Space Zone (OS): The OS Zone is intended for preserving natural areas of the county, including sensitive lands, critical habitats, wildlife corridors, viewsheds, and stream corridors. Limited, unimproved recreational uses may be allowed in the OS Zone when negative impacts of recreation and visitation can be mitigated.

#### 19.22.030 – Schedule of Permitted Uses.

- A. Schedule of Permitted Uses. The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.
- B. Procedure for Multiple Uses (Combination of Uses). If a development proposal involves a combination of uses other than accessory uses as identified in Table 19.22.030, the more restrictive provisions of this Title shall apply. For example, if a portion of a development is subject to Conditional Use “C” approval and the other portion is subject only to Permitted Use (“P”) review, the entire development shall be reviewed and approved by the Conditional Use process.
- C. Abbreviations. The abbreviations used in the schedule mean:
  - 1. P = Permitted Use. Permitted uses are allowed in the zone but may be subject to additional restrictions and approval processes as provided in this Title.

2. C = Conditional Use. Conditional uses are allowed only if special provisions or conditions are approved to mitigate the detrimental impacts of the use because of the unique characteristics or potential impacts on the county, surrounding neighbors, or adjacent uses, incompatibility in some areas of the zone, or compatibility. The Planning Commission is the land use authority for uses with this designation.
3. X = Prohibited Use. Any use designated "X" is prohibited in this zone. Any use not specifically identified in Table 19.22.030 is also prohibited in this zone unless the applicant obtains an administrative determination to the contrary pursuant to the Land Use Processes and Procedures section of this Ordinance.

| <b>Table 19.22.030: Schedule of Uses for PR and OS Zones.</b>                                                                                                                                   |           |           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|
| <b>Use Categories</b>                                                                                                                                                                           | <b>PR</b> | <b>OS</b> |
| <b><u>AGRICULTURAL:</u></b>                                                                                                                                                                     |           |           |
| Agricultural Building                                                                                                                                                                           | P         | X         |
| Agriculture                                                                                                                                                                                     | P         | X         |
| Agritourism                                                                                                                                                                                     | C         | X         |
| Apiary                                                                                                                                                                                          | C         | X         |
| <b><u>RESIDENTIAL USES:</u></b>                                                                                                                                                                 |           |           |
| No residential uses are permitted in these zones.                                                                                                                                               |           |           |
| <b><u>RETAIL AND SERVICES:</u></b>                                                                                                                                                              |           |           |
| Child Care                                                                                                                                                                                      | P         | X         |
| <b><u>FOOD AND DRINK:</u></b>                                                                                                                                                                   |           |           |
| Food Truck / Mobile Restaurant / Food Cart                                                                                                                                                      | P         | X         |
| <b><u>RECREATIONAL:</u></b>                                                                                                                                                                     |           |           |
| Campground                                                                                                                                                                                      | C         | X         |
| Commercial Recreation                                                                                                                                                                           | P         | X         |
| Multi-use Trail, Paved                                                                                                                                                                          | P         | X         |
| Multi-use Trail, Unpaved                                                                                                                                                                        | P         | P         |
| Open Space                                                                                                                                                                                      | P         | P         |
| Private, Non-Profit Recreational Grounds and Facilities                                                                                                                                         | P         | X         |
| Recreation Facility - Private, Public, or Commercial                                                                                                                                            | P         | X         |
| Stable, Public                                                                                                                                                                                  | C         | X         |
| Trailhead Infrastructure, Large Scale: paved or unpaved parking area no larger than 1.5 acres, wayfinding and interpretive signage, trash receptacles, wooden trail signage, other improvements | P         | P         |
| <b><u>INDUSTRIAL:</u></b>                                                                                                                                                                       |           |           |
| No industrial uses are permitted in these zones.                                                                                                                                                |           |           |
| <b><u>INSTITUTIONAL USES:</u></b>                                                                                                                                                               |           |           |
| Church, Synagogue, Mosque, Temple, Cathedral, or Other Religious Buildings                                                                                                                      | P         | X         |
| Cemetery                                                                                                                                                                                        | P         | X         |

|                                      |   |   |
|--------------------------------------|---|---|
| Community Garden                     | P | X |
| Micromobility Support Infrastructure | P | X |
| Public Parks                         | P | X |
| Public Use                           | P | X |
| Solar Energy System, Accessory       | P | X |
| Wind Energy System, Accessory        | P | X |
| <b>SPECIALTY:</b>                    |   |   |
| Park and Ride                        | P | X |
| <b>ACCESSORY USES:</b>               |   |   |
| Sidewalk Displays and Cafes          | P | X |

#### 19.22.050 – Development Standards.

A. Development in the PR or OS Zones shall comply with the development standards of Table 19.22.050 and all other applicable standards in this Title.

| <b>Table 19.22.050: Development Standards for PR and OS Zones.</b> |                                                                                                                         |           |
|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>Standard</b>                                                    | <b>PR</b>                                                                                                               | <b>OS</b> |
| Minimum Lot Size (in square feet)                                  | NA                                                                                                                      | NA        |
| Minimum Frontage (in feet)                                         | Any parcel in the Parks and Recreation Zone shall have a minimum frontage of 30' on a public street.                    | NA        |
| Minimum Lot Width (in feet)                                        | NA                                                                                                                      | NA        |
| Maximum Building Height (in feet) <sup>B</sup>                     | For lot areas of 5 acres or greater, the maximum is 45'.<br><br>For lot areas smaller than 5 acres, the maximum is 35'. | 15        |
| Minimum Floor Area Ratio                                           | NA                                                                                                                      | NA        |
| Maximum Building Lot Coverage                                      | 30%                                                                                                                     | NA        |

B. In the PR Zone, equipment necessary for the operation of a recreation facility are permitted with heights up to eighty feet (80') when consistent with recreational industry best practices.

#### 19.22.060 – Required Yards and Setbacks.

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

| <b>Table 19.22.060: Yards and Setbacks for PR and OS Zones.</b> |                            |                            |
|-----------------------------------------------------------------|----------------------------|----------------------------|
| <b>Standard</b>                                                 | <b>PR</b>                  | <b>OS</b>                  |
| Front Yard Setback (in feet)                                    | Minimum: 20<br>Maximum: NA | Minimum: 20<br>Maximum: NA |
| Side Yard Setback – Interior Lots (in feet)                     | Minimum: 20                | Minimum: 20                |

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

#### **19.22.070 – Parking Requirements.**

In addition to the requirements in 19.48, the following shall apply:

A. In the PR Zone:

1. Landscaped Strips: All parking areas for a commercial, institutional, or other public use that are adjacent to a public street shall have a landscaped strip of at least ten feet (10') placed between the sidewalk and the parking area. This strip shall contain drought-resistant vegetation, and at least one native or drought-friendly tree shall be placed every fifty feet (50').
2. Pedestrian Access: Any parking lot with an area greater than twenty-thousand square feet (20,000 sq. ft.) shall provide dedicated ADA-compliant walkways, at least six feet (6') wide, for pedestrians navigating from their vehicles to a building or park entrance. At a minimum, walkways shall be placed through the center of the parking area and in front of the building(s) to serve as pedestrian access to the area. Walkways shall be landscaped with trees at least every fifty feet (50'). Walkways shall be easily accessed from designated ADA parking stalls.

B. In the OS Zone and PR Zone:

1. Size Limitation: A parking area may not exceed one and one-half acres (1.5 acres).
2. Surfacing: Parking areas may be paved or have low-impact permeable surfacing materials, such as dirt or crushed gravel. The applicant shall demonstrate proper grading and drainage to dispose of excess surface water accumulated within the area and shall provide for the long-term maintenance of the parking area.
3. Seasonality: Parking areas shall be closed during winter months if snow removal and maintenance is unable to be provided within twenty-four hours (24 hr) after a major snow event.

#### **19.22.080 – Landscaping and Screening Standards.**

A. All landscaping and screening standards found in Chapter 19.50 shall apply in the PR Zone. In addition, the following fencing standards shall apply:

1. Fencing: Fencing is allowed in the PR Zone, subject to the following standards:
  - a. Height: Fences may be up to six feet (6') tall at the property line. Fences taller than six feet (6') must be set back from the property line an additional foot for each foot of fence over six feet (6').

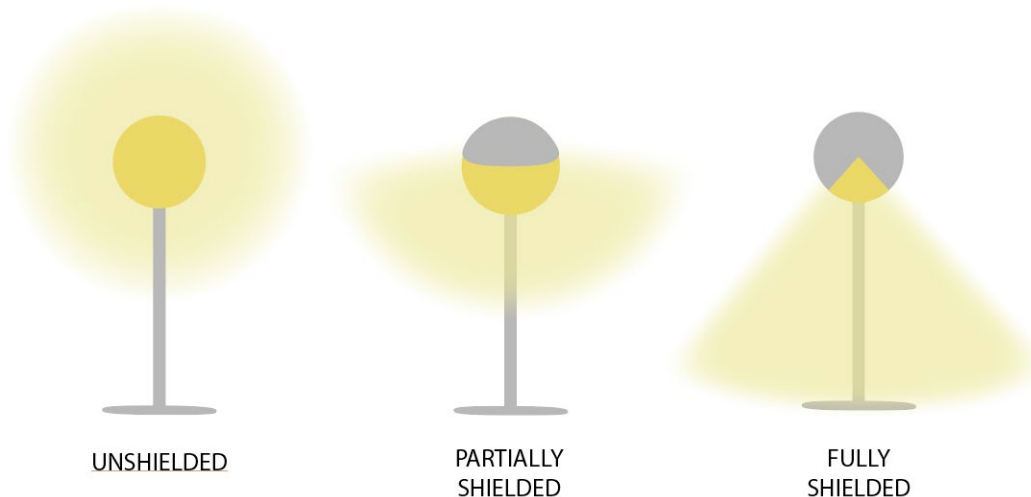
- b. Materials: Chain link fencing is prohibited except where necessary to provide a perimeter or safety backing for recreational fields, as determined by the Director or Designee.
- B. The intent of the OS Zone is to preserve critical habitats and natural spaces within the county. Any landscaping efforts shall be consistent with standards in the Foothills and Canyons Overlay Zone. Because the landscape and screening standards of Chapter 19.50 are designed for an urban environment, they do not apply to this Zone.

#### **19.22.090 – Lighting Standards.**

All uses and developments in the PR and OS Zones must comply with the following lighting standards, in addition to any other applicable standards in this Title:

- A. Lighting shall be located, installed, and operated to minimize adverse impact on the natural environment, including avoiding lighting in critical habitat areas or where it may pose traffic safety problems. Restrictions on locations and hours of operation may be imposed to mitigate these impacts.
- B. All lighting shall be fully shielded and directed downward to eliminate glare, prevent light trespass onto neighboring properties, and protect views of the night sky.
- C. Lights necessary for the operation of outdoor recreation facilities may be permitted up to eighty feet (80') in height for the PR Zone and sixty feet (60') in height for the OS Zone, provided they are set back from any residential use at least fifty feet (50'). Such lighting that does not meet this setback can be up to eighteen feet (18') in height. Such lights shall be directed in a manner that minimizes light trespass onto adjacent properties.

**Figure 19.22.110 – Types of Lighting.**



#### **19.22.100 – General Information.**

It is the responsibility of the applicant to comply with all other standards of Title 19 and all other county ordinances, including:

- A. 19.46: Site Development Standards

- B. 19.48: Off Street Parking Requirements
- C. 19.52: Signs

DRAFT

### **19.23 Mountain Resort Zone – Staff Summary**

**Purposes:**

This is an existing zone in the County Code and is intended to provide a base zone for mountain resorts. It provides for both recreation and village districts within this base zone.

**Changes to Note:**

No changes (other than renumbering) are proposed for this chapter.

**Consideration:**

Only one mountain resort remains in unincorporated Salt Lake County, and they have not opted to apply to rezone their property as MRZ.

## **Chapter 19.23: Mountain Resort Zone**

### **Sections:**

#### **19.23.010 Purpose statement.**

The purpose of the mountain resort zone (MRZ) is to provide a base zone that is suited for a mountain resort's year-round recreation function and provides for the residential and commercial needs of visitors and residents of the resort. It is intended to maintain the environmental, watershed, and aesthetic protections of the foothills and canyons overlay zone (FCOZ), with appropriate flexibility to accomplish a resort's year-round recreational functions. It is intended to encourage higher density mixed-use village centers that reduce sprawl in the canyons and are compatible with the natural and scenic resources of the canyons.

#### **19.23.020 Minimum requirements.**

- A. Minimum Area. The minimum area requirement for a mountain resort zone shall be one thousand contiguous acres located within the county mountainous planning district and be identified as one of the ski resorts or mountain resorts as adopted in the county general plan. The resort area may be made up of multiple property owners making application under one contiguous and cohesive plan. At least one of the owners must be a mountain resort. Lands under contract or agreement with a local, state, or federal agency may satisfy the contiguous requirement and the minimum area requirement, although land owned by the federal government is not subject to the requirements of this chapter. The resort area shall be primarily for the use of persons who do not reside on the same lot or parcel as that on which the recreational use is located.
- B. Required Recreation and Village Districts within the MRZ. To qualify for an MRZ, the applicant shall designate both a recreation and village district for its property. The proposed boundaries of the MRZ-recreation and MRZ-village districts shall be shown on the area plan (See Section 19.23.050).

#### **19.23.030 MRZ-recreation district.**

- A. Permitted Uses. Permitted uses in the MRZ-recreation district are as follows:
  - 1. Accessory buildings and uses customarily incidental to permitted use;
  - 2. Class B Beer outlet;
  - 3. Class C Beer outlet;
  - 4. Conservation activity;
  - 5. Trail and trailhead improvement;
  - 6. Employee and maintenance parking area with four or fewer spaces;
  - 7. Temporary construction improvement;
  - 8. Minor ski or mountain resort improvements;
  - 9. Mountain resorts, including the following:
    - a. Recreational outdoor and trail lighting;
    - b. Passenger ski or tramway station and ski base/terminal facility;
    - c. Ski tow rope, ski lift, ski tram, ski run;
    - d. Outdoor event, outdoor music;
    - e. Resort support, commercial;
    - f. Ropes course;
    - g. Mountain bike trails;

- h. Frisbee golf course.
- i. Yurts, subject to the requirements of section 19.42.360

B. Conditional Uses. Conditional uses in the MRZ-recreation district are as follows:

- 1. Accessory buildings and uses customarily incidental to conditional use;
- 2. Employee and maintenance parking area or structure with five or more spaces;
- 3. Food and beverage businesses, including alcoholic beverage licenses;
- 4. Mountain Bike Terrain Parks;
- 5. Recreation equipment including swing sets, slides, jungle gyms, sand boxes, picnic tables and volleyball nets, but excluding baseball backstops, basketball standards, soccer goals, and tennis courts;
- 6. Ski bridge;
- 7. Natural resource based recreational activities and associated facilities, provided that:
  - a. The planning commission determines as part of a conditional use application all of the following:
    - i. The facility or activity does not change the primary purpose of the mountain resort to other than snow sports;
    - b. The facility or activity encourages outdoor recreation and enjoyment of nature;
    - c. To the extent practicable, the facility or activity is located within the portions of the ski area that are developed or that will be developed pursuant to the area plan;
    - d. The facility or activity is consistent with the zoning established in the area plan;
    - e. To the extent practicable, the facility or activity harmonizes with the natural environment of the site in which it is located by:
      - i. Being visually consistent with or subordinate to the mountain resort's existing facilities, vegetation and landscape; and
      - ii. Not requiring significant modifications to topography to facilitate construction or operations, and;
    - f. The facility or activity does not require extensive new support facilities, such as parking lots, restaurants, and lifts.
  - 2. In determining if a proposed use qualifies as a natural resource based recreational facility or activity, the planning commission shall also consider the following additional factors:
    - g. The degree to which visitors are able to engage with the natural setting;
    - h. The similarity of the facility or activity to other permitted and conditional uses in the MRZ recreation district; and,
    - i. The extent that a visitor's experience is interdependent with attributes common to the natural setting.

C. FCOZ Exceptions.

- 1. The following uses in the MRZ-recreation district are exempt from all requirements of Section 19.62.060 (Slope Protection and Development on Ridgelines), subject to reasonable conditions that may be imposed under subsection 2 below.
  - a. Accessory buildings and uses customarily incidental to the permitted uses in this subsection C.1;
  - b. Conservation activity;
  - c. Trail/trailhead improvement;
  - d. Passenger ski or tramway station, ski base/terminal facility, and ski bridge;
  - e. Ski tow rope, ski lift, ski tramway, run;

- f. Ropes course;
  - g. Mountain bike terrain park and trails;
  - h. Frisbee golf course;
  - i. Minor ski or mountain resort improvements;
  - j. Natural resource based recreational facilities.
2. For the above uses, the director (for permitted uses) and the planning commission (for conditional uses) shall, as necessary, impose reasonable conditions to accomplish any or all of the following:
- a. Preserve area views;
  - b. Reduce adverse impacts on existing trees and vegetation;
  - c. Reduce overall degree of disturbance to steep slopes over thirty percent;
  - d. Protect wildlife habitat;
  - e. Protect stream corridors, wetlands, rock outcrops & other sensitive environmental features in vicinity of proposed improvements;
  - f. Discourage unintended trespass onto adjoining land.
- D. Lot and Site Requirements. All structures must be no less than twenty-five feet from the boundary line of the lot, district, or public right-of-way. However, fences, walls, stairs, paths, trails, sidewalks, patios, driveways, accessory structures, approved parking areas, and screened mechanical and utility equipment are allowed as exceptions in the front, side, and rear yards.
- E. Building Height. No structure may be erected to a height greater than thirty feet from existing grade. This is the district height.
1. Building Height Exceptions. To allow for a pitched roof and to provide usable space within the structure, the following height exceptions shall apply:
- a. A gable, hip, or similar pitched roof may extend up to five feet above the district height, if the roof pitch is four to twelve or greater.
  - b. An antenna, chimney, flue, vent, or similar structure may extend up to five feet above the highest point of the building to comply with International Building Code (IBC) requirements.
2. Other Height Exceptions. Subject to director approval for permitted uses and planning commission approval for conditional uses in accordance with applicable standards, the following structures may exceed the standard district height limit:
- a. Ski lift towers and tramway towers. Submittal of a computer-generated visual simulation showing all structures is required.
  - b. Public or quasi-public uses.
  - c. Telecommunication facilities.
- F. Tree Replacement. Any application for a new or expanded ski run that includes the removal of significant trees shall be accompanied by a forestry study prepared by a certified forester that includes mitigation measures to protect the overall health of the forest in harmony with the purpose and intent of Section 19.62.110 of the foothills and canyons overlay zone. Conditions of approval may be imposed to mitigate the impacts of the removal of significant trees in accordance with applicable standards.

#### **19.23.040 MRZ-village district.**

- A. Permitted Uses. Permitted uses in the MRZ-village district are as follows:
- 1. Accessory buildings and uses customarily incidental to permitted use;
  - 2. Bed and breakfast homestay;
  - 3. Bed and breakfast inn;

4. Boardinghouse;
5. Class B beer outlet;
6. Class C beer outlet;
7. Day care/preschool center;
8. Dwellings, one-, two-, three-, four-family;
9. Home day care/preschool for six or fewer children;
10. Living quarters for persons employed on the premises of any principal use;
11. Lodginghouse;
12. Minor ski or mountain resort improvements;
13. Mountain resorts, including the following:
  - a. Recreational outdoor and trail lighting;
  - b. Passenger ski and tramway station and ski base facility;
  - c. Ski tow rope, ski lift, ski tram, ski run;
  - d. Skateboard park;
  - e. Outdoor event, outdoor music;
  - f. Resort support, commercial;
  - g. Ropes course;
  - h. Mountain bike trails;
  - i. Frisbee golf course;
14. Office incidental to main use;
15. Package agency;
16. Parking area or structure with ten or fewer spaces;
17. Public and quasi-public use structure;
18. Residential facility for elderly persons;
19. Residential facility for persons with a disability;
20. Restaurant, excluding drive-through;
21. Restaurant liquor license;
22. Retail goods establishment;
23. Short-term dwelling rental;
24. State store;
25. Trail and trailhead improvement;
26. Temporary construction improvement.
27. Yurts, subject to the requirements of section 19.42.360

**B. Conditional Uses.** Conditional uses in the MRZ-village district are as follows:

1. Accessory buildings and uses customarily incidental to conditional use;
2. Dwelling group;
3. Dwellings, multiple-family;
4. Hotel/resort hotel;
5. Motel;
6. Mountain Bike Terrain Parks;
7. Recreation equipment including swing sets, slides, jungle gyms, sand boxes, picnic tables, tennis courts, volleyball nets, basketball standards, baseball backstops and soccer goals;
8. Parking area or structure with eleven or more spaces;
9. Natural resource based recreational activities and associated facilities, provided that:
  - a. The planning commission considers as part of a conditional use application all of the following:

- i. The facility or activity does not change the primary purpose of the mountain resort to other than snow sports;
  - ii. The facility or activity encourages outdoor recreation and enjoyment of nature;
  - iii. To the extent practicable, the facility or activity is located within the portions of the ski area that are developed or that will be developed pursuant to the area plan;
  - iv. The facility or activity is consistent with the zoning established in the area plan;
  - v. To the extent practicable, the facility or activity harmonizes with the natural environment of the site in which it is located by:
    - a. Being visually consistent with or subordinate to the mountain resort's existing facilities, vegetation and landscape; and
    - b. Not requiring significant modifications to topography to facilitate construction or operations, and;
    - vi. The facility or activity does not require extensive new support facilities, such as parking lots, restaurants, and lifts.
  - b. In determining if a proposed use qualifies as a natural resource based recreational facility or activity, the planning commission shall also consider the following additional factors:
    - i. The degree to which visitors are able to engage with the natural setting;
    - ii. The similarity of the facility or activity to other permitted and conditional uses in the MRZ recreation district; and
    - iii. The extent that a visitor's experience is interdependent with attributes common to the natural setting.
- 10. Skating rink;
- 11. Ski bridge;
- 12. Swimming pool.
- C. Height. Height limits in the MRZ village district shall be determined by the county council in the area plan, subject to the following limitations. In no case shall the height of single-family dwellings exceed thirty feet. For uses in the MRZ village district that are also listed in the MRZ recreation district, the height shall be in accordance with 19.23.030.E. The height of any other use in the MRZ village district shall be no greater than one hundred feet; the county council may consider the criteria in Section 19.23.050.E in making this determination.
- D. Density (Dwelling Units per Acre). Density limits in the MRZ village district shall be determined by the county council in the area plan, and shall be conditioned on water, sewer, and utility availability for the density proposed in the area plan. However, the maximum density for residential dwelling units shall be twenty dwelling units or forty guestrooms per net developable acre.
- E. Calculating Density. Density calculations are based on gross density. Gross density is defined as the total (or gross) area of the parcel in question divided by the number of units.
- F. Lot Area, Lot Width, and Setbacks.
  - 1. Minimum lot area.
    - a. Single-family residential: Six thousand square feet.
    - b. All other uses, unless lot area otherwise specified in this chapter: No minimum lot area.
  - 2. Minimum lot width.
    - a. Single-family residential: Sixty feet.
    - b. All other uses, unless lot width otherwise specified in this chapter: No minimum lot width.
  - 3. Setbacks.
    - a. Front yard:
      - i. Single-, two-, three-, and four-family dwelling: Twenty feet.
      - ii. Accessory building related to the above: Twenty feet.
      - iii. All other uses, unless front yard setback otherwise specified in this chapter: Zero feet.

- b. Side yard:
    - i. Single-, two-, three-, and four-family dwelling: Eight feet, with a total of two required side yards of not less than eighteen feet.
    - ii. Accessory building related to the above: Eight feet, except three feet when located at least ten feet from the rear of the dwelling.
    - iii. All other uses, unless side yard setback otherwise specified in this chapter: Zero feet.
  - c. Rear yard:
    - i. Single-, two-, three-, and four-family dwelling: Twenty feet.
    - ii. Accessory building related to the above: Three feet, except eight feet where accessory building rears on side yard of a lot that lies adjacent to a corner lot.
    - iii. All other uses, unless rear yard setback otherwise specified in this chapter: Zero feet.
  - d. Exceptions. An applicant may locate a structure closer to the property line than specified by the above setbacks if applicant can demonstrate to the land use authority that the structure will not place additional burden on neighboring properties by addressing the following factors: snow load, drainage, access, fire protection, and building code.
- G. FCOZ Exceptions.
1. The following uses in the MRZ-village district are exempt from all requirements of Section 19.62.060 (Slope Protection and Development on Ridgelines), subject to reasonable conditions that may be imposed under subsection 2. below.
    - a. Conservation activity;
    - b. Trail/trailhead improvement;
    - c. Passenger ski and tramway station, ski base/terminal facility, and bridge;
    - d. Ski tow rope, ski lift, ski tramway, ski run;
      - i. Grading for these uses is exempt from Section 19.62.070 (Grading Standards), subject to the director's authority to impose conditions pursuant to subsection F.2 of this section.
    - e. Ropes course;
    - f. Mountain bike terrain park and trails;
    - g. Frisbee golf course;
    - h. Minor ski or mountain resort improvements;
    - i. Natural resource based recreational activities and associated facilities.
  2. For the above uses, the director (for permitted uses) and the planning commission (for conditional uses) shall, as necessary, impose reasonable conditions to accomplish any or all of the following:
    - a. Preserve area views;
    - b. Reduce adverse impacts on existing trees and vegetation;
    - c. Reduce overall degree of disturbance to steep slopes over thirty percent;
    - d. Protect wildlife habitat;
    - e. Protect stream corridors, wetlands, rock outcrops and other sensitive environmental features in vicinity of proposed improvements.
  3. Development of other permitted or conditional uses on slopes between thirty-one through forty percent, may be accepted as suitable if adequate mitigation techniques in accordance with applicable standards are proposed by the applicant or required by the director in conjunction with submittal by the applicant of the information outlined in subsections a—f. below. The director may consult with others to assist in determining compliance with the submittal requirements below and in requiring specific designs and mitigation techniques in accordance with applicable standards. The director may require these specific designs and mitigation techniques, together with implementation timelines, to be defined and documented within the development agreement required by Section 19.23.060.

- a. A soils report stamped by a person licensed as a professional engineer in the State of Utah ("professional engineer");
- b. A grading plan stamped by a professional engineer, which complies with I.C.C. standards, with a maximum finished grade of two to one (horizontal:vertical) unless otherwise approved by the director with surface stabilization, and provided that no grading exceeds a one-to-one ratio;
- c. If a retaining wall(s) is used, a retaining wall submittal that includes the following:
  - i. Section detail for each type of wall proposed;
  - ii. Calculated factor of safety for overturning and sliding;
  - iii. Design parameters such as  $\phi$ ,  $\gamma$ ,  $c$ , etc.;
  - iv. Any necessary design assumptions such as unique drainage conditions, load surcharge, utility impact, etc.;
  - v. Height, batter, adjacent slopes, bench widths, etc.;
  - vi. Comprehensive design calculations, wall profiles, and additional sections;
  - vii. Documentation of compliance with the International Building Code.
- d. A slope stability analysis that has been reviewed and approved by the county's contracted geologist, the review fee to be paid by applicant;
- e. Excavation stabilization plans prepared by a professional engineer, which includes the following:
  - i. Extent of the excavation;
  - ii. Cross section(s) of the excavation cut;
  - iii. Spot elevations of the top and bottom of cuts;
  - iv. Location of construction fences;
  - v. Site-specific construction drawings of excavation stabilization measures;
  - vi. Necessary erosion control measures;
  - vii. Location and depth of utilities located within twelve feet of the proposed system; and
  - viii. How service lines will be accommodated with the proposed system.
- 4. To the extent that FCOZ does not allow development of streets, roads, alleys, or driveways on slopes between thirty-one through forty percent, the director may accept these as suitable under the requirements in subsection F.3. of this section.

#### **19.23.050 MRZ area plan.**

- A. Purpose. The purpose of an area plan is:
  - 1. To acknowledge vested rights that a mountain resort already has in a previously approved master plan,
  - 2. To establish boundaries of the MRZ-recreation and MRZ-village districts,
  - 3. To establish height and density limits for the MRZ-village district,
  - 4. To establish water, sewer, and utility availability for the proposed density, and
  - 5. To map the location of current improvements and possible future projects.
- B. Application. An application for approval of an area plan shall be filed in conjunction with an application to rezone the property in the area plan to a mountain resort zone. The application shall be made on a form provided by the director and shall include a legal description of the property, a list of names and mailing addresses of all adjacent property owners and written consent of owners of all property to be included in the area plan, or their agents or authorized representatives. The application shall be accompanied by submittal requirements outlined in subsection D.2 of this

section and an area plan as outlined in subsection C of this section. Notification of the application shall be provided to the U.S. Forest Service at least thirty days prior to the first planning commission hearing.

- C. Contents of Proposed Area Plan. The proposed area plan shall be comprised of materials submitted in accordance with subsection D.2 of this section. The area plan shall contain at minimum the following information:
  - 1. A map that contains the following basic information:
    - a. The proposed boundaries for the MRZ-recreation and MRZ-village districts.
    - b. Topography and natural water features (including wetlands) of the property within the area plan, including all adjoining areas owned or leased by the mountain resort as part of the resort.
    - c. Current improvements within the proposed MRZ-village and MRZ-recreation districts, including buildings (and their uses), parking structures/lots, roads, etc.
    - d. Proposed building pads, housing areas, and parking areas/structures.
    - e. Proposed traffic circulation plans.
    - f. Current, and if applicable, proposed mass transit stops or centers.
  - 2. A list of the proposed permitted and conditional uses for the MRZ-village and MRZ-recreation districts, which complies with the MRZ zone.
  - 3. Proposed total number of dwelling units and guestrooms for the MRZ-village district, which complies with the MRZ zone or previously approved master plan.
  - 4. Heights of existing buildings and proposed height limits of future buildings.
  - 5. Water agreement with Salt Lake City, or service area as applicable, certifying water availability for the proposed number of dwelling units and guestrooms for the MRZ-village district.
  - 6. Approval of the proposed number of dwelling units and guestrooms for the MRZ-village district by the county health department, or service area as applicable, after verification of water availability and sufficient sewer capacity; alternatively, approval from the county health department for a previously approved master plan for the same number of dwelling units and guestrooms is adequate.
  - 7. "Will provide" letters from power and natural gas suppliers, certifying availability of those utilities for the proposed number of dwelling units and guestrooms for the MRZ-village district, or such a letter for a previously approved master plan for the same number of dwelling units and guestrooms.
- D. Area Plan Review Procedures.
  - 1. Pre-application conference. Prior to submittal of a formal application for an area plan and associated MRZ rezone, the applicant shall hold a pre-application conference with the director or director's designee. The purpose of this meeting shall be to discuss the goals of the proposed area plan and associated MRZ rezone, the relationship of the proposal to applicable elements of any applicable master plan or general plan, and the review procedure that will be followed for the application.
  - 2. Submittal requirements. The director shall establish the submittal requirements for an approved area plan application. Certain submittal requirements may be waived or modified by the director or the planning commission if it is demonstrated by the applicant that the information and materials required are not relevant to the proposed area plan. A complete list of the submittal requirements shall be maintained by the director and filed in the county office of township services.
  - 3. Planning commission recommendation. The planning commission shall review the proposed area plan and associated MRZ rezone request at a regularly scheduled meeting. A report of the planning staff's findings and recommendations shall be presented at a public hearing before the

planning commission. The planning commission shall make a recommendation to the county council whether the proposed rezone and associated area plan should be approved. The planning commission may consider the criteria in subsection E below when making its recommendation.

4. County council final review. The final review of a proposed area plan and associated MRZ rezone shall be by the county council at either a regularly scheduled meeting or a special meeting. Prior to this meeting, and at the discretion of the director, a work session at a regularly scheduled public meeting may be held with the applicant, staff, and the county council to discuss the area plan and associated MRZ rezone. A report of the planning staff's findings and recommendations, together with those of the planning commission, shall be presented at a public hearing before the county council. In making its determination whether to approve the area plan and associated MRZ rezone, the county council may consider the criteria in subsection E below. The county council may modify any element of the proposed area plan, so long as vested rights under a previously approved master plan are not modified, and subject to water agreements between the applicant and Salt Lake City, or service area as applicable.
- E. Area plan and MRZ rezone criteria. The following criteria may be considered in evaluating the merits of a proposed area plan and associated MRZ rezone.
  1. Compatibility. Compatibility and sensitivity to the immediate environment, neighborhood, and adjacent properties.
  2. Relationship. Uses, activity, and density, which provide a compatible, efficient, and workable relationship with surrounding uses and activity.
  3. General plan. Conformity with the applicable general plan.
  4. Protection of the natural setting. Uses, activity, and density that are consistent with protecting the natural setting in which the property is located, based on the current environmental data available to Salt Lake County.
  5. Other criteria. Other criteria deemed appropriate to ensure that the purposes of Section 19.23.010 are met.
- F. Previously Approved Master Planned Resort. In the event that a previously approved master planned resort makes application to rezone its property to a mountain resort zone, it shall submit an area plan in accordance with this section. However, in doing so, it shall retain all vested rights in a previously approved master plan.
- G. Plan Amendments. A previously approved MRZ area plan may be amended subject to the review procedures in Subsection 19.23.050D. to propose changes to any information contained in Subsections 19.23.050C.1. through 4. above, including to change the boundaries of the MRZ-village and the MRZ-recreation districts or to add land that has been acquired by the resort through land trade involving properties within big or little cottonwood canyons.

#### **19.23.060 MRZ-Village Development Plan.**

- A. Purpose. The purpose of an MRZ-village development plan is to provide for an integrated master plan for the village or phases thereof, which outlines the details of projects to be built in areas such as parking; pedestrian, bicycle, and transit facilities; building scale, design, architecture, and materials; public infrastructure and utilities; access and circulation; landscaping; lighting; common areas; phasing of projects; natural hazards; grading and drainage; etc.
- B. Process. A development plan shall be in the form of a development agreement. If the development plan contains any deviations from FCOZ design standards in Section 19.62.170, the applicant shall

identify those deviations in the development plan, and only the county council has the authority to approve such deviations after the planning commission makes a recommendation for the deviations and after the commission determines to approve or approve with modification the development agreement in accordance with subsection C below; in such case, the county council only approves the deviations from FCOZ design standards. Notification of the application shall be provided to the U.S. Forest Service thirty days prior to the first planning commission hearing. The mayor shall sign the approved development plan.

1. Consolidation of processes. A development plan for the entire village, or phases thereof, may be presented to the planning commission as part of an application to rezone and submittal of an area plan. A development plan may also be submitted in conjunction with a conditional use application.
  2. Staff review. Planning staff shall review the proposed development plan and identify deviations from FCOZ design standards in Section 19.62.170, in addition to those identified by the applicant, so that applicant can decide whether to retain those deviations and seek county council approval for the same.
  3. MRZ Standards for adjusting FCOZ design standards. The standards outlined in subsection C of this section for obtaining adjustments to the FCOZ design standards shall be in addition to those outlined in Subsection 19.62.170.B, i.e., adjustments shall also be consistent with the purposes of FCOZ as stated in Section 19.62.010.
  4. No additional conditional use permit approval required. Once a development plan is approved, the applicant need not obtain separate conditional use permits when each component of that plan is developed, unless sufficient plans necessary to obtain conditional use approval were not submitted with the development plan application.
- C. Factors for Approval of A Development Plan. The planning commission shall consider the following factors, as it deems applicable, when determining whether to deny, approve, or approve with modifications a proposed development plan.
1. Compliance with the general plan. Does the proposed development comply with the applicable general plan?
  2. Compatibility. Is the development plan compatible with the context and visual character of the area? In considering this factor, the following criteria may be used:
    - a. Does the development plan respond to the site's natural characteristics and physical constraints such as steep slopes, vegetation, waterways, and any natural or man-made hazards and allow development to blend in with or enhance said features?
    - b. Does the project preserve important geologic features, mature vegetation, and structures or features of the site that have historic, cultural, visual, or ecological importance or contribute to the identity of the community?
    - c. Are buildings oriented to public right of way and sited to reflect the neighborhood context? Are buildings and access ways arranged to allow effective emergency, maintenance, and service vehicle access?
    - d. Are the proposed building materials compatible with those typically seen in the immediate vicinity?
    - e. In assessing the impacts of the proposed development plan, has consideration been given to the current environmental data available to Salt Lake County?
  2. Building scale. Is the proposed scale/mass of buildings within the proposed project compatible with or enhance the cohesiveness or distinctive identity of the neighborhood and surrounding development patterns, including the scale and massing of nearby historical or cultural resources?

3. Pedestrian, bicycle and transit facilities. Does the proposed development improve pedestrian, bicycle, and transit facilities? Are these facilities and improvements prioritized over vehicular facilities and improvements? Are specific designs, mitigation techniques, and implementation timelines defined as part of the development plan?
  4. Public infrastructure and facilities. Are public infrastructure and facilities upgrades necessary to serve the project? If so, improvements shall be at the sole costs of the developer. The county may require specific designs, mitigation techniques, and implementation timelines within the development agreement.
  5. Access and circulation. Does the proposed development provide adequate access and circulation? Are traffic congestion mitigation techniques included as part of the development plan?
  6. Site grading and snow removal. Do buildings and site grading provide simple, at-grade entrances and minimize extensive grade-changes along building exteriors? Is adequate snow storage accommodated?
  7. Parking. Have the following issues been addressed?
    - a. The probable number of cars to be operated by those using the proposed development and the nature of the proposed uses;
    - b. The availability of public transit and other transportation facilities, including those for pedestrian access;
    - c. The commitment to utilize automobile disincentive techniques in the proposed development; and
    - d. The potential for joint use of common parking.
- D. Development Plan Application Contents. The contents of the application for a development plan shall include the items listed below. Staff may recommend, and the planning commission may require, that any of these items be incorporated into a development agreement. The director may waive any of these items if the applicant demonstrates that the information and materials required are not relevant to the proposed development plan.
1. A completed application on a form provided by the director, a legal description of the property subject to the development plan, and a list of names and mailing addresses of all adjacent property owners.
  2. A description and depiction of the proposed development, including limits of disturbance and compliance with other FCOZ requirements, land uses, densities, natural features (including proximity of project improvements to wetlands or perennial streams), traffic and pedestrian circulation, parking, open space areas, landscaping, lighting improvements, and provision of services, such as water, sewer, gas, and electric. Issues resolved in the area plan stage may not be reconsidered at the development plan stage. Also, a statement of the objectives to be achieved by the development plan.
  3. An architectural character plan showing the use, massing, scale and orientation of the proposed buildings, and their orientation to public spaces and other buildings, and other attributes which may significantly represent the proposed development.
  4. A description, and depiction as needed, of deviations from FCOZ design standards in Section 19.62.170 in the proposed development agreement, and justification for each deviation.
  5. Studies and reports required by Section 19.58.030 of Chapter 19.75, Geologic Hazards.
  6. A statement prepared by a Utah registered professional engineer, and depiction or mapping as necessary, describing the potential infrastructure upgrades, alignment, design, and mitigation techniques that may be necessary for development of the site to be served by public infrastructure. The information shall be of sufficient detail to determine the acceptable

location(s) and extent of development and to understand the necessary upgrades and the possible alignments, designs, or mitigation techniques that may be required.

7. A written response to each of the factors for approval outlined in subsection C of this section, as applicable.
8. A grading and drainage plan showing all grading and how drainage and stormwater is accommodated, which meets county requirements for grading, drainage, and stormwater.
9. If proposed, a description, and depiction as necessary, for specific pedestrian, bicycle, and transit facility designs, mitigation techniques, and implementation timelines. These plans shall provide sufficient detail to determine if the design or mitigation concept addresses the standards outlined in Chapter 19.48, Off-Street Parking Requirements, but do not need to be detailed construction documents.
10. A description of any proposed project phasing detailing the specific improvements within each phase.
11. Other submittal requirements that the director establishes for a development plan application. A complete list of such requirements shall be maintained by the director and filed in the office of planning and development services.

#### **19.23.070 Regulations that apply to both MRZ-recreation and MRZ-village districts.**

- A. Limits of Disturbance. Because of the unique nature of the topography and climatic conditions of the foothill and canyon areas, limits of disturbance for permitted uses shall be determined on a case-by-case basis by the director. Limits of disturbance for conditional uses shall be as finally approved by the planning commission upon the recommendation of the director (see Section 19.62.160). All determinations of limits of disturbance shall be subject to the conditions and criteria set forth in the foothills and canyons overlay zone, Section 19.62.160.
- B. Water Supply and Quality.
  1. Salt Lake City certification required. Prior to planning commission or director approval of a conditional use or site plan for all uses in the MRZ districts, the plan shall be referred to Salt Lake City's division of public utilities to ensure compliance with the city's applicable ordinances and watershed protection standards. If Salt Lake City's certification is not given within the time prescribed by county ordinance for processing applications, the planning commission or director may approve the application subject to Salt Lake City's certification.
  2. Department of health approval required. Prior to issuance of a conditional use permit or site plan approval for all uses in the MRZ districts, the applicant shall receive the written approval of the health department certifying that all water quality and health requirements have been satisfied and that the proposed construction will not damage the natural watershed.
  3. Applicable state regulations and standards. Developments shall be in compliance with applicable state regulations for individual wastewater disposal systems and culinary water supply.
  4. Subsequent changes in site plan. If, after health department or Utah Department of Environmental Quality approvals, a site development plan is modified such that the original limits of disturbance change, the applicant shall submit the modified site plan to the health department for retesting and new approval. Evidence of such retesting and approval shall be submitted prior to final approval of the site development plan.
- C. Utilities. All utilities in the MRZ districts shall be placed underground, except as may be provided for in state law.

## 19.24 Forestry Zones – Staff Summary

### **Purpose:**

To provide residential and recreational opportunities in the canyon areas of Salt Lake County.

### **Changes to Note:**

- This chapter combines the FR- Forestry and Recreation Zones with the FM Forestry Multi-Family Zones into one chapter.
- Conditional and Permitted Uses for these zones are now shown in a table for easier reference.
- References to FCOZ requirements have been updated and edited to reflect the correct cross-referenced section.
- The FM zone has been modified by expanding the definition of a “ski resort” to include all uses within a resort, including hotels, restaurants, retail sales and shops, offices, receptions, etc. Planning staff is proposing to eliminate these uses as stand-alone uses in the FM zone because all such uses only currently exist at Snowbird, the lone ski resort in the unincorporated county, and the ski resort definition accounts for these uses.
- The various types of Planned Unit Developments (PUDs) have been added to the FR and FM zone table, with some types of PUDs allowed in some zones and not others, depending on the intensity of the PUD type. PUDs were previously allowed in all FR and FM districts, but there was only one PUD type previously, so it was necessary to account for the new PUD types in the use table. See section 19.24.030 for the use table with the different PUD uses.

## Chapter 19.24: FORESTRY ZONES

### Sections:

#### 19.24.010 – Purpose of Provisions.

The purpose of the forestry, forestry and recreation, and forestry multi-family zones is to provide a mix of limited residential, limited multi-family, and recreation opportunities of the foothill and canyon areas of the unincorporated county and other specified uses to the extent that such development is compatible with the protection of the natural and scenic resources of these areas for the continued benefit of future generations.

#### 19.24.020 – Establishment of Forestry Zones (F Zones)

- A. *Forestry and Recreation Zones (FR-0.5, FR-1, FR-2.5, FR-5, FR-10, FR-20)*: The FR zones promote a mix of uses that contribute to the creation of small residential or recreational activities or uses that help sustain recreational or residential activities. The FR zones promote small-scale and compatible development but prioritize the protection of the natural environment.
- B. *Forestry Multi-Family Zones (FM-10, FM-20)*: The FM zones promote the development of small, compact communities with high-density residential and commercial uses in the foothill and canyons areas that prioritize the protection of the natural environment.

#### 19.24.30 – Schedule of Allowed Uses.

- A. Schedule of Allowed Uses. The specific uses listed in the following schedule are allowed in the zone as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.
- B. Procedure for Multiple Uses (Combination of Uses). If a development proposal involves a combination of uses other than accessory uses as identified in Table [19.24.030], the more restrictive provisions of this Title apply. For example, if a portion of a development is subject to Conditional Use “C” approval and the other portion is subject only to Permitted Use “P” review, the entire development shall be reviewed and approved by a Conditional Use process.
- C. Abbreviations. The abbreviations in the schedule mean:
  - 1. P = Permitted Use. Permitted uses are allowed in the zone but may be subject to additional restrictions and approval processes as provided in this Title.
  - 2. C = Conditional Use. Conditional uses are allowed only if special conditions are approved to mitigate the detrimental impact of the land use because of the unique characteristics or potential impacts on the county, surrounding neighbors, or adjacent land uses, incompatibility in some areas of the zone, or compatibility. The Planning Commission is the land use authority for land uses with this designation.
  - 3. X = Prohibited Use. Any use designated “X” is prohibited in the zone. Any land use not specifically identified in Table [19.24.030] is also prohibited in this zone unless the applicant obtains an

administrative determination to the contrary pursuant to the Land Use Processes and Procedures section of this Ordinance.

| <b>19.24.030 Uses Allowed in Forestry Zones</b>                                        |               |             |               |             |              |              |              |              |
|----------------------------------------------------------------------------------------|---------------|-------------|---------------|-------------|--------------|--------------|--------------|--------------|
| <b>Use Categories</b>                                                                  | <b>FR-0.5</b> | <b>FR-1</b> | <b>FR-2.5</b> | <b>FR-5</b> | <b>FR-10</b> | <b>FR-20</b> | <b>FM-10</b> | <b>FM-20</b> |
| <b><u>Residential:</u></b>                                                             |               |             |               |             |              |              |              |              |
| Accessory Structures                                                                   | P             | P           | P             | P           | P            | P            | P            | P            |
| Accessory Dwelling Unit,<br>Internal subject to 19.42.030                              | P             | P           | P             | P           | P            | P            | P            | P            |
| Dwelling, Multi-Family                                                                 | X             | X           | X             | X           | X            | X            | C            | C            |
| Dwelling, Single-Family                                                                | P             | P           | P             | P           | P            | P            | P            | P            |
| Condominium Conversion PUD                                                             | P             | P           | P             | P           | P            | P            | P            | P            |
| Infill Development PUD                                                                 | P             | P           | P             | X           | X            | X            | X            | X            |
| Residential Neighborhood PUD                                                           | C             | C           | C             | C           | X            | X            | C            | C            |
| Residential Community PUD                                                              | C             | C           | C             | C           | C            | C            | C            | C            |
| Mixed-Use PUD                                                                          | X             | X           | X             | X           | X            | X            | C            | C            |
| Commercial PUD                                                                         | X             | X           | X             | X           | X            | X            | C            | C            |
| Living quarters for persons employed<br>on the premises of any main<br>commercial use. | X             | X           | X             | X           | X            | X            | P            | P            |
| <b><u>Commercial:</u></b>                                                              |               |             |               |             |              |              |              |              |
| Bed and Breakfast                                                                      | P             | P           | P             | P           | P            | P            | P            | P            |
| Home Business subject to 19.42.170                                                     | P             | P           | P             | P           | P            | P            | P            | P            |
| Home Daycare/Preschool subject to<br>19.42.140                                         | P             | P           | P             | P           | P            | P            | P            | P            |
| Food Truck, Mobile Restaurant, Food<br>Cart                                            | X             | X           | X             | X           | X            | X            | P            | P            |
| Minor Ski Resort Improvements                                                          | P             | P           | P             | P           | P            | P            | P            | P            |
| Offices, incidental to main use                                                        | X             | X           | X             | X           | X            | X            | P            | P            |
| Outdoor Recreation, Small Scale                                                        | P             | P           | P             | P           | P            | P            | P            | P            |
| Residential Facility for Persons with a<br>Disability subject to section<br>19.42.245  | P             | P           | P             | P           | P            | P            | P            | P            |
| Ski Resorts and Ski Resort Facilities                                                  | C             | C           | C             | C           | C            | C            | C            | C            |
| Short-term Rentals                                                                     | P             | P           | P             | P           | P            | P            | P            | P            |
| <b><u>Utility:</u></b>                                                                 |               |             |               |             |              |              |              |              |
| Hydroelectric Dam                                                                      | X             | X           | X             | X           | X            | X            | X            | X            |
| Water pumping plant and reservoir                                                      | C             | C           | C             | C           | C            | C            | C            | C            |
| Water Treatment, water storage, and<br>watershed management facilities                 | C             | C           | C             | C           | C            | C            | C            | C            |
| Wireless Telecommunications<br>Facilities                                              | P             | P           | P             | P           | P            | P            | P            | P            |

| Other:                                                                             |   |   |   |   |   |   |   |   |
|------------------------------------------------------------------------------------|---|---|---|---|---|---|---|---|
| Public or Quasi-Public Use                                                         | P | P | P | P | P | P | P | P |
| Park and Ride                                                                      | P | P | P | P | P | P | P | P |
| Parking Lot (not associated with other use)                                        | X | X | X | X | X | X | P | P |
| Public Park                                                                        | P | P | P | P | P | P | P | P |
| Radio and/or Television Tower                                                      | C | C | C | C | C | C | C | C |
| Temporary Buildings Incidental to Construction Work, and Other Temporary Buildings | P | P | P | P | P | P | P | P |
| Yurts, subject to section 19.42.360                                                | P | P | P | P | P | P | P | P |
| Horses, animals and fowl for family food production <sup>(1)</sup>                 | C | C | C | C | C | C | X | X |

(1) This use is subject to the following conditions:

- a. The area proposed for animals may not be a watershed area, as determined by the health department.
- b. The use will not create unreasonable on-site erosion, downstream siltation, bacteriological or biological pollution in subsurface or surface waters, destruction of vegetation, air pollution, including dust and odors or other detrimental environmental effects. In determining the environmental effects of the use, the planning commission shall seek and consider recommendations from the health department and other concerned agencies, and may require the applicant to submit scientific studies including analysis of slope, soils, vegetative cover, availability of water, and other elements necessary to establish environmental effects of the proposed use.
- c. The planning commission may limit the number of animals and fowl or limit the amount of ground to be devoted to such use or make other conditions to ensure environmental protection.
- d. After the use is established, if the planning commission determines, based on findings of facts, that unreasonable environmental degradation is occurring, the planning commission may, after notification to the applicant and hearing, establish additional conditions or order the use to be abated.

#### 19.24.040 - Lot Area, Lot Width, Density, and Slope.

A. Lot area, Lot Width, and Density Requirements:

| Table 19.24.000 Lot Area, Lot Width, Density, and Slope |                  |                   |                             |
|---------------------------------------------------------|------------------|-------------------|-----------------------------|
| District                                                | Minimum Lot Area | Minimum Lot Width | Maximum Residential Density |
| FR-0.5                                                  | 0.5 Acres        | 100 Feet          | 2 d.u. per gross acre       |
| FR-1                                                    | 1 Acre           | 200 Feet          | 1 d.u. per gross acre       |
| FR-2.5                                                  | 2.5 Acres        | 250 Feet          | 1 d.u. per 2.5 gross acres  |
| FR-5                                                    | 5 Acres          | 300 Feet          | 1 d.u. per 5 gross acres    |
| FR-10                                                   | 10 Acres         | 300 Feet          | 1 d.u. per 10 gross acres   |
| FR-20                                                   | 20 Acres         | 300 Feet          | 1 d.u. per 20 gross acres   |

|       |           |          |                                                             |
|-------|-----------|----------|-------------------------------------------------------------|
| FM-10 | 0.5 Acres | 100 Feet | 10 d.u. or 20 guestrooms per net development acre           |
| FM-20 | 0.5 Acres | 100 Feet | 20 dwelling units or 40 guestrooms per net development acre |

- B. Measurement of Lot Width. The minimum lot width of any lot shall be measured at a distance of fifty feet (50') from the front lot line.
- C. Slope Requirements. All developments in the F zones are subject to the slope protection standards set forth in 19.62.060 "Slope Protection" and 19.62.080 "Site Access".
- D. Net Development Acreage Defined. For purposes of this section, "net development acreage" is defined as land with all of the following:
1. Average slope less than thirty percent.
  2. Soils of suitable depth and type based on soil exploration and percolation tests in accordance with the regulations of the Utah Department of Environmental Quality to ensure against adverse impacts on surface water and groundwater quality.
  3. Minimum distance from any stream corridor of one hundred feet (100'), as "stream corridor" is defined in section 19.62.200 of this title, and
  4. Free from any identified natural hazard such as flood, avalanche, landslide, high water table, and similar features. See Chapter 19.56 "Floodplain Hazards Regulations", and Chapter 19.58, "Geological Hazards".
- E. Calculating Density. Density calculations are based on gross density. Gross density is defined as the total (or gross) area of the parcel in question divided by the number of units.

#### **19.24.050 – Required Yards and Setbacks.**

- A. Limits of Disturbance. Because of the unique nature of the topography and climatic conditions of the foothill and canyon areas, limits of disturbance and setbacks for permitted uses including single-family dwellings and accessory structures in the F zones in this chapter shall be determined on a case-by-case basis by the development services director. Limits of disturbance and setbacks for conditional uses shall be as finally approved by the planning commission, upon the recommendation of the development services director (see Sections 19.62.040 and 19.62.160). All determinations of limits of disturbance shall be subject to the conditions and criteria set forth in the foothills and canyons overlay zone, Section 19.62.160, "Limits of Disturbance."

#### **19.24.060 - Building Height.**

- A. Conditional Uses—Case-by-Case Determination. Because of the unique nature of the topography, vegetation, soils, climatic and aesthetic characteristics of the foothills and canyons, the allowable height of conditional use structures in the FM-10 and FM- 20 zones shall be determined on a case-by-case basis by the planning commission, subject to consideration of the following criteria:
1. Protection of the natural setting.
  2. Relationship to other structures and open spaces.
  3. Contour intervals and topographic features.
  4. To the maximum extent feasible, the building height should not exceed the height of surrounding trees and vegetation.

5. Protection of scenic vistas, especially views from public rights-of-way and public lands; and
  6. Other elements deemed appropriate to ensure that the provisions of Section 19.24.010 are met.
- B. Except as otherwise specifically provided in this title, no building or structure shall exceed the following height:
1. A hotel associated with a ski resort in the FM zones shall not exceed one hundred feet.
  2. Thirty feet (30') on property where the slope of the original ground surface exceeds fifteen percent, or the property is located in the hillside protection zone. The slope shall be determined using a line drawn from the highest point of elevation to the lowest point of elevation on the perimeter of a box which encircles the foundation line of the building or structure. The box shall extend for a distance of fifteen feet (15') or to the property line, whichever is less, around the foundation line of the building or structure. The elevation shall be determined using a certified topographic survey with a maximum contour interval of two feet (2').
  3. Thirty-five feet (35') on other properties.
- C. No dwelling structure shall contain less than one story.

#### **19.24.070 - Natural Hazards.**

- A. Construction of permanent structures in areas subject to natural hazards, including floods, landslides, and avalanches, shall be subject to the requirements and limitations set forth in Chapter 19.56, "Floodplain Regulations," and Chapter 19.58, "Geologic Hazards."

#### **19.24.080 - Water Quality.**

- A. Department of Health Approval Required. Prior to issuance of a conditional use permit or site development plan approval for all uses in the F zones, regardless of size or number of units, the applicant shall receive the written approval of the board of health certifying that all water quality and health requirements have been satisfied and that the proposed construction will not damage the natural watershed.
- B. Developments of More than Nine Lots/Units. Developments of more than nine lots or units shall receive the written approval of the Utah Department of Environmental Quality certifying that the culinary water system and the sewerage system meet all state water quality and health requirements. All approvals shall be in accordance with the regulations of the Utah Department of Environmental Quality relating to culinary water supply and wastewater disposal.
- C. Subsequent Changes in Site Plan. If after health department or Utah Department of Environmental Quality review and action pursuant to this section, a site development plan is modified such that the original limits of disturbance change, the applicant must submit the modified site plan to the appropriate health agency for retesting and a new determination whether all state wastewater and culinary water standards have been met. Evidence of such retesting must be submitted prior to final approval of the site development plan.

#### **19.24.090 – Grading.**

- A. Grading shall be permitted only in conformance with the standards and limitations set forth in the foothills and canyons overlay zone, Section 19.62.070, "Grading Standards."

#### **19.24.100 - Tree and Vegetation Protection.**

- A. Removal of trees or natural vegetation shall not be permitted except in conformance with the standards and requirements set forth in the foothills and canyons overlay zone, Section 19.62.110, "Tree and Vegetation Protection."

#### **19.24.120 – Utilities.**

- A. All utilities in the F zones shall be placed underground, except as may be provided for in Section 19.46.170, "Utility and Facility Placement Regulations."

#### **19.24.130 - Building Location, Construction, and Design.**

- A. All buildings and accessory structures in the F zones, including single-family dwellings, shall be located, constructed, and designed in compliance with the development standards set forth in the foothills and canyons overlay zone.

#### **19.24.140 - Off-Street Parking.**

- A. Permitted Uses. The planning and development services division director shall determine the number of off-street parking spaces required for permitted uses and the planning commission shall determine the same for conditional uses, provided the minimum requirements of Chapter 19.48 are met, except that the planning commission may modify the requirements of Section 19.48.030 if such modification will better preserve views, protect existing trees/vegetation, or reduce the amount of disturbance to steep slopes, wetlands, streams, or other sensitive environmental areas.
- B. Covered parking is encouraged for all developments in the FR zone.

#### **19.24.150 - Site Development Plan Approval.**

- A. Site development plans for all development in the FR zones, including single-family dwellings, shall be approved prior to issuance of any building permits pursuant to the site development plan approval requirements set forth in the foothills and canyons overlay zone, Section 19.62.030, "FCOZ Development approval procedures."

#### **19.24.160 - Applicability To Lots Of Record And Waivers From Slope Requirements.**

- A. Applicable to Lots of Record. All standards and requirements for development in the FR zones as set forth in this chapter shall apply to development on lots and in subdivisions that were recorded prior to the enactment date of the ordinance codified in this chapter.
- B. Lots of Record—Waivers from Slope Requirements. For properties in the FR zones also located in the foothills and canyons overlay zone (see Chapter 19.62), the planning commission may waive grade requirements for streets/roads and slope protection requirements for lots of record and lots and plans of subdivisions that were approved prior to the enactment of Chapter 19.62 or its predecessors, provided the conditions and criteria set forth in Section 19.60.060.D are satisfied.

#### **19.24.170 – General Information**

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

## **19.26 Agricultural and Foothill Agricultural Zones – Staff Summary**

**General:** Staff recommends keeping the A-1, A-2, A-5, and A-20 Zones and eliminating the A-10 Zone because it is not currently applied to any properties in Salt Lake County and has the same land uses as the A-5 zone. We also recommend keeping the FA-2.5 and FA-5 Foothill Agricultural Zones and eliminating the FA-10 and FA-20 zones.

As with other chapters, land uses, lot requirements (area, width, etc.), and development requirements (setbacks, building height, etc.) have been reformatted to be in tables for ease of use in the proposed chapter.

Generally, the agricultural zones were cleared of ambiguity and reformatted to accommodate single-family houses with farms, gardens, or horses. The only new regulations that have been added were the maximum lot coverage. Agricultural lots are typically bigger and so the lot coverage reflects similar lot coverages to single-family houses.

Maximum lot coverage is added to this zoning district (and others). The purpose of this requirement is to limit the buildings because too many buildings create hydrology, aesthetic, and privacy problems. These percentages are consistent with the proposed lot coverage requirements in the R-1 zones. Lot coverage requirements are common in other jurisdictions, and the proposed limits are consistent with a number of jurisdictions. See Table 19.26.040.

The maximum lot coverage requirements also address the size of accessory structures, which currently just require planning commission approval for structures larger than 1,200 square feet, with no maximum size. Under the maximum lot coverage requirements, accessory structures are only allowed to the extent there is space left after the primary structure is accounted for; this is less arbitrary than a 1,200 threshold, which can be exceeded without limit.<sup>1</sup> See section 19.26.070.

**Uses:** The uses have been updated to reflect the new definitions in 19.04. Most of the agricultural zones do not have any commercial businesses so a lot of these uses have been removed. It will be encouraged that properties that want to change the use to larger non-agricultural commercial use should rezone to an appropriate zone for the use.

The proposed Title 19 updates the use table for A-1, A-2, A-5, A-20, FA-2.5, and FA-5. A-1 currently has uses allowed for 10,000 square foot lots and other uses allowed for 1 acre lots. The proposed ordinance retains this distinction and generally assigns uses arising from a primary residential use as only needing a 10,000 square foot lot, with all other uses needing a 1-acre lot. See superscripts 1 and 2 in Table 19.26.030 and Table 19.26.040.

Other uses are updated to be consistent with uses in similar zoning districts. For example, two-family dwellings are no longer allowed in the A-1 zone, which is consistent with R-1 zones. Commercial nurseries are now permitted in the A-5 and A-20 zones, which is consistent with similar commercial uses in those zones. Personal kennels are allowed in all agricultural zones because they involve a small number of animals, consistent with numbers of pets that are common; commercial kennels are allowed in the larger

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<sup>1</sup> The current A-2 zone actually has a 70% lot coverage limit for accessory structures, which is quite high compared to most jurisdictions, especially for a lower density/impact agricultural zone. The proposed ordinance reduces this limit to 40%.

A-5 and A-20 zones because they can accommodate larger numbers of animals. Plant for storage/packing of fruit/vegetables was eliminated from the A-1 zone because the lot size for that zone is too small to accommodate such an operation. Riding academies are no longer allowed in the A-2 zone because the 1-acre lot size is too small to accommodate such use. Aviary use was eliminated because lot sizes of some zones are too small to accommodate, and the commercial nature of that use is inconsistent with an agricultural zone (with impacts such as parking, traffic, lighting, etc.). See Table 19.26.030.

**Uses Removed:** Airport, Campgrounds, Cemetery, Commercial Day Care, Dwelling Group, Golf Course, Milk Processing (replaced with dairy), Nursing Home, Private Educational Institution having an academic curriculum similar to that ordinarily given in public schools, Radio and Television transmitting and relay station, Sportmans Kennel (replaced with Kennel), Grain storage elevator, Sugar Beet loading station, Agriculture experimental station, Correctional Facilities, Dog breeding (not dog kennel), Dude Ranch (replaced with agrotourism), Egg Candling, Fertilizer and soil conditioner processing, Fur Farm, Gasohol Production, Gun Club, Hay Chopping, Livestock Feed yard, Manure Spreading and Processing, Open Storage sales and rental of irrigation pipe, Organic disposal site, Public Stable, Rodeo Grounds, Sanitarium, Slaughterhouse, Soil composting manufacturing sales, Stockyard, Veterinary, Solar evaporation pond for processing salt, Aviary.

## Chapter 19.26: AGRICULTURAL AND FOOTHILL AGRICULTURAL ZONES

### Sections:

#### 19.26.010 - Purpose of Provisions.

The purpose of the agricultural zones is to provide limited residential and agricultural opportunities in the same zone. To this end, the A and FA zones are intended to include activities normally related to agricultural uses and to protect the zone from the intrusion of uses inimical to the continuance of agricultural activity.

#### 19.26.020 – Establishment of Agricultural Foothill Agricultural Zones.

*Agricultural Zone 1 (A-1):* promotes the development of small residential in association with small agricultural uses like gardens, pastures, horses, and other animals.

*Agricultural Zone 2 (A-2):* promotes the development of small residential in association with small agricultural uses like gardens, pastures, horses, and other animals.

*Agricultural Zone 5 (A-5):* promotes and preserves conditions favorable to agricultural uses with some agricultural buildings.

*Agricultural Zone 20 (A-20):* promotes and preserves conditions favorable to larger agricultural uses with some agricultural buildings or other uses related to agricultural product processing.

*Foothill Agriculture Zone 2.5 (FA-2.5):* permits the development of the foothill areas of the county for rural residential, limited agricultural, limited animals and other specified uses, to the extent such development is compatible with the natural environment of these areas, particularly the natural slopes, vegetation, and fragile soils.

*Foothill Agriculture Zone 5 (FA-5):* permits the development of the foothill areas of the county for rural residential, limited agricultural, limited animals and other specified uses, to the extent such development is compatible with the natural environment of these areas, particularly the natural slopes, vegetation, and fragile soils.

#### 19.26.030 – Schedule of Permitted Uses.

- D. Schedule of Permitted Uses. The specific use listed in the following schedule is permitted in the zone as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.
- B. Special Conditions. A number in a cell particular to a use indicates that special provisions or conditions apply to the use category for this zone. The special provisions or conditions follow the schedule of uses.
- C. Procedure for Multiple Uses (Combination of Uses). If a development proposal involves a combination of uses other than accessory uses as identified in Table 19.26.030, the more restrictive provisions of this Title apply. For example, if a portion of a development is subject to Conditional Use (“C”) approval

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

D. Abbreviations. The abbreviations in the schedule mean:

2. P = Permitted Use. Permitted uses are allowed in the zone but may be subject to additional restrictions and approval processes as provided in this Title.
3. C = Conditional Use. Conditional uses are allowed only if special provisions or conditions are approved to mitigate the detrimental impacts of the use because of the unique characteristics or potential impacts on the county, surrounding neighbors, or adjacent land uses, incompatibility in some areas of the zone, or compatibility. The Planning Commission is the land use authority for land uses with this designation.
3. X = Prohibited Use. Any use designated “X” is prohibited in the zone. Any land use not specifically identified in Table 19.26.030 is also prohibited in this zone unless the applicant obtains an administrative determination to the contrary pursuant to the Land Use Processes and Procedures section of this Ordinance.

| <b>Table 19.26.030 Uses Allowed in Agricultural Zones</b>                                                                                                                                    |                |            |            |             |               |             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|------------|------------|-------------|---------------|-------------|
| <b>Use Categories</b>                                                                                                                                                                        | <b>A-1</b>     | <b>A-2</b> | <b>A-5</b> | <b>A-20</b> | <b>FA-2.5</b> | <b>FA-5</b> |
| <b><u>Residential:</u></b>                                                                                                                                                                   |                |            |            |             |               |             |
| Accessory Buildings, Garages, Carports, and Structures subject to 19.26.070                                                                                                                  | P              | P          | P          | P           | P             | P           |
| Accessory Dwelling Unit, Internal subject to 19.42.030                                                                                                                                       | P              | P          | P          | P           | P             | P           |
| Dwelling, Single-Family                                                                                                                                                                      | P <sup>1</sup> | P          | P          | P           | P             | P           |
| Dwelling, Two-Family                                                                                                                                                                         | X              | X          | P          | P           | X             | X           |
| <b><u>Planned Unit Developments:</u></b>                                                                                                                                                     |                |            |            |             |               |             |
| Condominium Conversion PUD                                                                                                                                                                   | P              | P          | P          | P           | P             | P           |
| Infill Development PUD                                                                                                                                                                       | P              | P          | X          | X           | X             | X           |
| Residential Neighborhood PUD                                                                                                                                                                 | C              | C          | C          | X           | C             | C           |
| Residential Community PUD                                                                                                                                                                    | C              | C          | C          | C           | C             | C           |
| Mixed Use PUD                                                                                                                                                                                | X              | X          | X          | X           | X             | X           |
| Commercial PUD                                                                                                                                                                               | X              | X          | X          | X           | X             | X           |
| <b><u>Commercial:</u></b>                                                                                                                                                                    |                |            |            |             |               |             |
| Agritourism                                                                                                                                                                                  | X              | X          | X          | P           | X             | X           |
| Bed and Breakfast                                                                                                                                                                            | P <sup>2</sup> | P          | P          | P           | P             | P           |
| Dairy                                                                                                                                                                                        | X              | X          | X          | P           | X             | X           |
| Farm devoted to raising (including fattening as incident to raising), slaughtering, dressing, and marketing on a commercial scale of chickens, turkey, or other fowl or poultry, or rabbits) | X              | X          | X          | P           | X             | X           |
| Home Daycare/Preschool subject to Section 19.42.140                                                                                                                                          | P <sup>1</sup> | P          | P          | P           | P             | P           |

|                                                                                      |                |     |     |     |                  |                  |
|--------------------------------------------------------------------------------------|----------------|-----|-----|-----|------------------|------------------|
| Home Business subject to Section 19.42.170                                           | P <sup>1</sup> | P   | P   | P   | P                | P                |
| Kennel, Private                                                                      | P <sup>1</sup> | P   | P   | P   | P                | P                |
| Kennel, Commercial subject to Section 19.42.190                                      | X              | X   | P   | P   | X                | X                |
| Commercial Plant Nursery and Greenhouse                                              | X              | X   | P   | P   | X                | X                |
| Plant for Storage or Packing of Fruit or Vegetables Produced on the Premises         | X              | P   | P   | P   | X                | X                |
| Private Nonprofit Recreational Grounds and Facilities                                | X              | X   | P   | P   | P                | P                |
| Riding Academy                                                                       | X              | X   | P   | P   | P                | P                |
| Worm Farming                                                                         | P <sup>2</sup> | P   | P   | P   | P                | P                |
| <b>Other:</b>                                                                        |                |     |     |     |                  |                  |
| Agriculture                                                                          | P <sup>1</sup> | P   | P   | P   | P                | P                |
| Agricultural Building subject to Accessory Building standards of Section 19.28.060   | P <sup>1</sup> | P   | P   | P   | P                | P                |
| Animal Rights, subject to 19.42.060                                                  | P              | P   | P   | P   | X                | X                |
| Animals and Fowl for Family Food Production                                          | X              | X   | X   | X   | P                | P                |
| Apiary subject to Section 19.42.070                                                  | P <sup>1</sup> | P   | P   | P   | P                | P                |
| Fruit and Vegetable Storage and Packing, Commercial                                  | X              | X   | P   | P   | X                | X                |
| Gardening for Personal Use                                                           | P <sup>1</sup> | P   | P   | P   | P                | P                |
| Horses in FA zones                                                                   | N/A            | N/A | N/A | N/A | P <sup>(3)</sup> | P <sup>(3)</sup> |
| Household Pets                                                                       | P <sup>1</sup> | P   | P   | P   | P                | P                |
| Public and Quasi-Public Use                                                          | P <sup>1</sup> | P   | P   | P   | P                | P                |
| Public Utility, Minor                                                                | P              | P   | P   | P   | P                | P                |
| Residential Keeping of Chickens, Pigeons, or Ducks subject to Section 19.42.130      | P <sup>1</sup> | P   | P   | P   | P                | P                |
| Residential Facility for Persons with a Disability Subject to 19.42.245              | P <sup>1</sup> | P   | P   | P   | P                | P                |
| Temporary Buildings for Uses Incidental to Construction Work Subject to 19.44.030(H) | P              | P   | P   | P   | P                | P                |

Superscripts 1 and 2: See table 19.26.040 for minimum lot area, coverage, and width requirements.

Superscript 3: A maximum of four horses for private use only is allowed

### **19.26.040 - Lot Area, Lot Width, Lot Coverage, and Maximum Density.**

- A. The minimum lot area and width requirements are subject to Table 19.26.040.
- B. Density for Planned Unit Developments. The allowable density for PUD shall be determined by the Planning Commission on a case-by-case basis, taking into account the following factors: recommendations of municipal and reviewing agencies; site constraints; compatibility with nearby land uses; and the provisions of the applicable General Plan. Notwithstanding the above, the

Planning Commission may not approve a PUD with density higher than the that enumerated in Table 19.26.040.

C. Calculating Density. Density calculations are based on gross density. Gross density is defined as the total (or gross) area of the parcel in question divided by the number of units.

D. Lot Coverage. No combination of buildings, including accessory structure and other structures, may cover more than the area of the lot or parcel of land specified in Table 19.26.040.

| <b>Table 19.26.040 Lot Area, Lot Width, Lot Coverage</b> |                         |                          |                                                     |                            |
|----------------------------------------------------------|-------------------------|--------------------------|-----------------------------------------------------|----------------------------|
| <b>Zone</b>                                              | <b>Minimum Lot Area</b> | <b>Minimum Lot Width</b> | <b>Maximum Lot Coverage<br/>(Primary Buildings)</b> | <b>Maximum<br/>Density</b> |
| A-1 (superscript 1)                                      | 10,000 Sq Ft            | 65 Feet                  | 40%                                                 | 4 DU/acre                  |
| A-1 (superscript 2)                                      | 1 Acre                  | 100 Feet                 | 30%                                                 | NA                         |
| A-2                                                      | 1 Acre                  | 100 Feet                 | 40%                                                 | 1 DU/ acre                 |
| A-5                                                      | 5 Acres                 | 200 Feet                 | 30%                                                 | 1 DU/5 acres               |
| A-20                                                     | 20 Acres                | 200 Feet                 | 30%                                                 | 1 DU/20 acres              |
| FA-2.5                                                   | 2.5 Acres               | 250 Feet                 | 30%                                                 | 1 DU/2.5 acres             |
| FA-5                                                     | 5 Acres                 | 300 Feet                 | 30%                                                 | 1 DU/5 acres               |

#### **19.26.050 – Required Yards and Setbacks.**

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

##### **A. Required Yards:**

1. Agricultural Zone Setbacks: The minimum yard requirements for primary structures are subject to Table 19.26.050.
2. Foothill Agricultural Setbacks are subject to 19.62.040(C).

| <b>Table 19.26.050 Required Yards and Setbacks</b>                                  |                   |                  |                                                                           |                  |
|-------------------------------------------------------------------------------------|-------------------|------------------|---------------------------------------------------------------------------|------------------|
| <b>Zone</b>                                                                         | <b>Front Yard</b> | <b>Side Yard</b> | <b>Side Yard for Corner Lots<br/>Where Side Yard Faces the<br/>Street</b> | <b>Rear Yard</b> |
| A-1 residential<br>uses and uses<br>directly arising<br>from<br>residential<br>uses | 30 Feet           | 8 Feet           | 20 feet                                                                   | 30 Feet          |
| All other A-1<br>uses                                                               | 30 Feet           | 10 Feet          | 20 Feet                                                                   | 30 Feet          |
| A-2                                                                                 | 30 Feet           | 10 Feet          | 20 Feet                                                                   | 30 Feet          |
| A-5                                                                                 | 50 Feet           | 20 Feet          | 20 Feet                                                                   | 50 Feet          |
| A-20                                                                                | 50 Feet           | 20 Feet          | 20 Feet                                                                   | 50 Feet          |

#### **19.26.060 - Building Height.**

Except as otherwise specifically provided in this title, no building or structure shall exceed the following height:

Thirty feet (30') on property if the slope of the original ground surface exceeds fifteen percent (15%), or the property is located in the hillside protection zone. The slope shall be determined using a line drawn from the highest point of elevation to the lowest point of elevation on the perimeter of a box which encircles the foundation line of the building or structure. Said box shall extend for a distance of fifteen feet (15') or to the property line, whichever is less, around the foundation line of the building or structure. The elevation shall be determined using a certified topographic survey with a maximum contour interval of two feet (2').

Thirty-five (35') feet on properties other than those listed in Subsection 19.26.060.A.1.;

Primary buildings may not contain less than one story.

#### **19.26.070 - Accessory Structure Development Standards.**

##### **A. Accessory Structure Location and Setbacks.**

Must be located in the side or rear yard and 6 feet (6') away from the dwelling. No accessory building may be located within the required front yard setback or between the main building and a street.

Must be located at least 1 foot (1') from an interior side property line. When the accessory building is located in a side yard between two existing main buildings, the accessory building must be located between at least 5 feet (5') from the property line.

Must be 20 feet (20') from a street facing side property line. No accessory building may be located between the main building and a street.

Must be located at least 1 foot (1') from the rear property line, except that when the rear yard is adjacent to the side yard of an adjacent lot, the minimum setback shall be 10 feet (10') from the adjoining side yard.

**Accessory Structure Height.** Buildings which are accessory to a single-family dwelling shall have a maximum height of twenty feet (20'). For each foot of height over fourteen feet (14'), accessory buildings shall be set back from the side and rear property lines an additional foot (1') up to twenty feet (20') in height.

##### **Accessory Structure Lot Coverage.**

No combination of primary buildings, accessory buildings, and other structures, may cover more than forty percent (40%) of the area of the lot or parcel of land.

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

## **19.28 Single-Family Residential Zones – Staff Summary**

### **Summary of Changes:**

#### **Schedule of Uses**

Among the most important parts of the zoning update project is updating the use tables to combine uses, eliminate obsolete uses, and define uses. The use tables now combine permitted and conditional uses. The uses defined are typically more general in nature to both shorten the list by combining like uses and to include future like uses.

Golf Courses, cemeteries, animals and fowl for family food production, and single-family project developments have been eliminated from the use table. (see Table 19.28.020)

- Use of viable residential properties for a golf course or cemetery is not feasible.
- Animals and fowl for family food production allowed a property owner to have an excessive number of animals on relatively small properties. This has been replaced by “animal rights” as a use and an animal unit scheme that allows for a more appropriate number of animals and fowl. See 19.04.020.A (3) & (4)
- Single family project developments is a redundant term, since single family dwellings are allowed as permitted uses. The term “planned unit development” covers other types of residential development allowed in these zones.
- Private kennels (3-5 dogs) are allowed on smaller lots (R-1-6 and R-1-7) based on MSD planners’ view that these lots can accommodate this number of animals.
- Minor public utilities are allowed in R-1 zones based on fact that such zones currently allow these uses (water tanks, electricity substations, etc.).
- Guest house was eliminated, as the use is antiquated and rife for abuse (as a rental where zoning ordinance does not allow).

#### **Development Standards**

- Grouped location and massing regulations for main buildings in one section and those for accessory structures in another to create clarity.
- Rear yard setbacks have been modified to eliminate the distinction between homes with and without garages, acknowledging that most homes now have garages. The rear yard setbacks have increased when eliminating this distinction (from 15’ to 20’-30’). See Table 19.28.040 A1.
- Clarified that manufactured homes are single-family dwellings and permitted in all R-1 zones.
- Clarified and modernized accessory structure standards, eliminating the rear yard rule and the oversized garage rule. Planners recommend this change because it provides more flexibility to property owners without compromising privacy interests of adjoining property owners. See 19.28.050 and 19.28.060

- A lot coverage limit has been added—40% for these zones, which is consistent with other jurisdictions along the Wasatch Front. The purpose of this limitation is to address concerns over too many buildings on a property, which create urban hydrology problems, limit open space, and create bulky aesthetics. The lot coverage restrictions also limit the amount of impervious surface on yard areas, including in side yards. This allows more parking in the front yard, but limits impervious surfaces elsewhere on a lot. See 19.28.60
- Removed allowable projections into required yards from the definitions section and modified it based on more modern practices.
- Created fencing standards, including a one-foot (1') setback being added between a fence and sidewalk. See 19.28.070(I)

## Chapter 19.28: SINGLE-FAMILY RESIDENTIAL ZONES

### Sections:

#### 19.28.010 - Purpose of provisions.

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

#### 19.28.020 – Schedule of Permitted Uses

- A. Schedule of Permitted Uses. The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Code.
- B. Special Conditions. A number in a cell particular to a use and zone(s) indicates that special provisions or conditions apply to the use category for that zone(s). Specific Standards applying to the permitted and conditional uses allowed in this chapter are found in Chapter 19.42 of this title.
- C. Abbreviations. The abbreviations used in the schedule have the following meanings:
  1. P = Permitted Use. Permitted uses are allowed in a zoning district but may be subject to additional restrictions and approval processes as provided in this Title.
  2. C = Conditional Use. Conditional Uses are allowed only if special provisions or conditions are approved to mitigate the detrimental impacts of the use because of their unique characteristics or potential impact on the county, surrounding neighbors, or adjacent land uses, incompatibility in some areas of the zone, or compatibility. The Planning Commission is the land use authority for uses with this designation.
  3. X = Prohibited Use. Any use designated “X” is prohibited in this zoning district. Any use not specifically identified in Table 19.28.020 is also prohibited unless the applicant obtains an administrative determination to the contrary pursuant to the Land Use Processes and Procedures section of this Ordinance.

| Table 19.28.020 – Uses Allowed in Residential Zoning Districts                       |       |       |       |       |       |       |        |        |        |        |
|--------------------------------------------------------------------------------------|-------|-------|-------|-------|-------|-------|--------|--------|--------|--------|
| Use Categories                                                                       | R-1-3 | R-1-4 | R-1-5 | R-1-6 | R-1-7 | R-1-8 | R-1-10 | R-1-15 | R-1-21 | R-1-43 |
| <b>Residential:</b>                                                                  |       |       |       |       |       |       |        |        |        |        |
| Dwelling, Single Family                                                              | P     | P     | P     | P     | P     | P     | P      | P      | P      | P      |
| Dwelling, Manufactured Home                                                          | P     | P     | P     | P     | P     | P     | P      | P      | P      | P      |
| Dwelling, Modular Unit                                                               | P     | P     | P     | P     | P     | P     | P      | P      | P      | P      |
| Residential Facilities for Persons with a Disability subject to Subsection 19.42.245 | P     | P     | P     | P     | P     | P     | P      | P      | P      | P      |
|                                                                                      | R-1-3 | R-1-4 | R-1-5 | R-1-6 | R-1-7 | R-1-8 | R-1-10 | R-1-15 | R-1-21 | R-1-43 |
| <b>Accessory Uses:</b>                                                               |       |       |       |       |       |       |        |        |        |        |
| Accessory Uses and Buildings Subject to Sections 19.28.050                           | P     | P     | P     | P     | P     | P     | P      | P      | P      | P      |

|                                                                                |              |              |              |              |              |              |               |               |               |               |
|--------------------------------------------------------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|---------------|---------------|---------------|---------------|
| Accessory Dwelling Unit, Internal, subject to Section 19.42.030                | X            | X            | X            | P            | P            | P            | P             | P             | P             | P             |
| Accessory Dwelling Unit, Detached, subject to Sections 19.28.050 and 19.42.030 | X            | X            | X            | P            | P            | P            | P             | P             | P             | P             |
| Home Occupations, subject to section 19.42.170                                 | P            | P            | P            | P            | P            | P            | P             | P             | P             | P             |
| Home Day Care/Preschool, subject to Section 19.42.140                          | P            | P            | P            | P            | P            | P            | P             | P             | P             | P             |
| Household Pets, not including kennels                                          | P            | P            | P            | P            | P            | P            | P             | P             | P             | P             |
| Kennels, Private                                                               | X            | X            | X            | P            | P            | P            | P             | P             | P             | P             |
|                                                                                | <b>R-1-3</b> | <b>R-1-4</b> | <b>R-1-5</b> | <b>R-1-6</b> | <b>R-1-7</b> | <b>R-1-8</b> | <b>R-1-10</b> | <b>R-1-15</b> | <b>R-1-21</b> | <b>R-1-43</b> |
| <b>Institutional Uses:</b>                                                     |              |              |              |              |              |              |               |               |               |               |
| Parks/Open Space                                                               | P            | P            | P            | P            | P            | P            | P             | P             | P             | P             |
| Public and Quasi Public Uses                                                   | P            | P            | P            | P            | P            | P            | P             | P             | P             | P             |
| Public Utilities, Minor                                                        | P            | P            | P            | P            | P            | P            | P             | P             | P             | P             |
| Religious Institutions and Uses                                                | P            | P            | P            | P            | P            | P            | P             | P             | P             | P             |
| Schools, Public                                                                | P            | P            | P            | P            | P            | P            | P             | P             | P             | P             |
| Schools, Private/Charter                                                       | P            | P            | P            | P            | P            | P            | P             | P             | P             | P             |
| <b>Planned Unit Developments, subject to Chapter 19.18:</b>                    |              |              |              |              |              |              |               |               |               |               |
| Condominium Conversion Planned Unit Developments                               | P            | P            | P            | P            | P            | P            | P             | P             | P             | P             |
| Infill Development Planned Unit Developments                                   | C            | C            | C            | C            | C            | C            | C             | C             | C             | C             |
| Residential Neighborhood Planned Unit Developments                             | C            | C            | C            | C            | C            | C            | C             | C             | C             | C             |
| Residential Community Planned Unit Developments                                | C            | C            | C            | C            | C            | C            | C             | C             | C             | C             |
| Mixed Use Planned Unit Development                                             | X            | X            | X            | X            | X            | X            | X             | X             | X             | X             |
| Commercial Planned Unit Developments                                           | X            | X            | X            | X            | X            | X            | X             | X             | X             | X             |
| <b>Other Uses:</b>                                                             |              |              |              |              |              |              |               |               |               |               |
| Apiary                                                                         | X            | X            | X            | X            | X            | X            | X             | P             | P             | P             |
| Gardening for personal use                                                     | P            | P            | P            | P            | P            | P            | P             | P             | P             | P             |
| Animal Rights                                                                  | X            | X            | X            | X            | X            | X            | X             | X             | P             | P             |
| Bed and Breakfast Inn                                                          | X            | X            | X            | X            | X            | X            | X             | X             | C             | C             |
| Residential Keeping of Chickens, Pigeons or Ducks subject to section 19.42.060 | X            | X            | X            | P            | P            | P            | P             | P             | P             | P             |
| Child Care, Residential and Licensed Family                                    | P            | P            | P            | P            | P            | P            | P             | P             | P             | P             |

|                                                                              |   |   |   |   |   |   |   |   |   |   |
|------------------------------------------------------------------------------|---|---|---|---|---|---|---|---|---|---|
| Fences, walls and hedges subject to Section 19.28.070                        | P | P | P | P | P | P | P | P | P | P |
| Private, nonprofit recreational grounds and facilities                       | C | C | C | C | C | C | C | C | C | C |
| Sportsmen's Kennel (one-acre minimum lot area)                               | X | X | X | X | X | X | X | C | C | C |
| Temporary Construction Office associate with a permitted development project | P | P | P | P | P | P | P | P | P | P |

**19.28.030 - Lot area, width and maximum density.**

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

| <b>Table 19.28.030 - Lot Area, Width and Yard Requirements</b> |                    |                                                        |                     |
|----------------------------------------------------------------|--------------------|--------------------------------------------------------|---------------------|
| Zone                                                           | Minimum Lot Area   | Minimum Lot Width                                      | Density             |
| R-1-3                                                          | 3,000 Square Feet  | 35 feet at a distance 20 feet from the front lot line  | 11.0 Units per acre |
| R-1-4                                                          | 4,000 Square Feet  | 40 feet at a distance 20 feet from the front lot line  | 9.0 Units per acre  |
| R-1-5                                                          | 5,000 Square Feet  | 50 feet at a distance 20 feet from the front lot line  | 7.0 Units per acre  |
| R-1-6                                                          | 6,000 Square Feet  | 60 feet at a distance 25 feet from the front lot line  | 6.0 Units per acre  |
| R-1-7                                                          | 7,000 Square Feet  | 65 feet at a distance 25 feet from the front lot line  | 5.0 Units per acre  |
| R-1-8                                                          | 8,000 Square Feet  | 65 feet at a distance 25 feet from the front lot line  | 4.5 Units per acre  |
| R-1-10                                                         | 10,000 Square Feet | 80 feet at a distance 30 feet from the front lot line  | 4.0 Units per acre  |
| R-1-15                                                         | 15,000 Square Feet | 80 feet at a distance 30 feet from the front lot line  | 2.5 Units per acre  |
| R-1-21                                                         | 21,780 Square Feet | 100 feet at a distance 30 feet from the front lot line | 2.0 Units per acre  |
| R-1-43                                                         | 43,560 Square Feet | 100 feet at a distance 30 feet from the front lot line | 1.0 Units per acre  |

B. Density for Planned Unit Developments. The allowable density for PUD shall be determined by the Planning Commission on a case-by-case basis, taking into account the following factors: recommendations of reviewing agencies; site constraints; compatibility with nearby land uses; and the provisions of the applicable General Plan. Notwithstanding the above, the Planning Commission may not approve a PUD with density higher than the that enumerated in Table 19.28.030.

C. Calculating Density. Density calculations are based on gross density. Gross density is defined as the total (or gross) area of the parcel in question divided by the number of units.

**19.28.040 – Primary Structure Development Standards.**

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

A. Required Yards:

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

| <b>Table 19.28.040 A1 - Primary Residential Dwelling Setbacks</b> |            |                                   |                       |                      |
|-------------------------------------------------------------------|------------|-----------------------------------|-----------------------|----------------------|
| Zone                                                              | Front Yard | Side Yard, Interior               | Side Yard, Corner Lot | Rear Yard            |
| R-1-3, R-1-4, R-1-5                                               | 20 Feet    | 5 Feet <sup>1</sup>               | 20 Feet               | 20 Feet <sup>3</sup> |
| R-1-6, R-1-7, R-1-8                                               | 25 Feet    | 8 Feet or 11/5 split <sup>2</sup> | 20 Feet               | 25 Feet <sup>3</sup> |
| R-1-10, R-1-15, R-1-21                                            | 30 Feet    | 10 Feet                           | 20 Feet               | 30 Feet <sup>3</sup> |

|        |         |         |         |                      |
|--------|---------|---------|---------|----------------------|
| R-1-43 | 30 Feet | 15 Feet | 20 Feet | 30 Feet <sup>3</sup> |
|--------|---------|---------|---------|----------------------|

<sup>1</sup>unless attached to a dwelling on an adjacent lot.

<sup>2</sup>5 feet on one side and 11 feet on the garage or driveway side.

<sup>3</sup>homes with a garage existing prior to (the adoption of this ordinance) may maintain a 15' rear setback.

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

| <b>Table 19.28.040 A2. - Non-Residential Main Building Setbacks</b> |            |           |           |
|---------------------------------------------------------------------|------------|-----------|-----------|
| Zone                                                                | Front Yard | Side Yard | Rear Yard |
| R-1-3, R-1-4, R-1-5                                                 | 20 Feet    | 20 Feet   | 20 Feet   |
| R-1-6, R-1-7, R-1-8                                                 | 25 Feet    | 20 Feet   | 25 Feet   |
| R-1-10, R-1-15, R-1-21, R-1-43                                      | 30 Feet    | 20 Feet   | 30 Feet   |

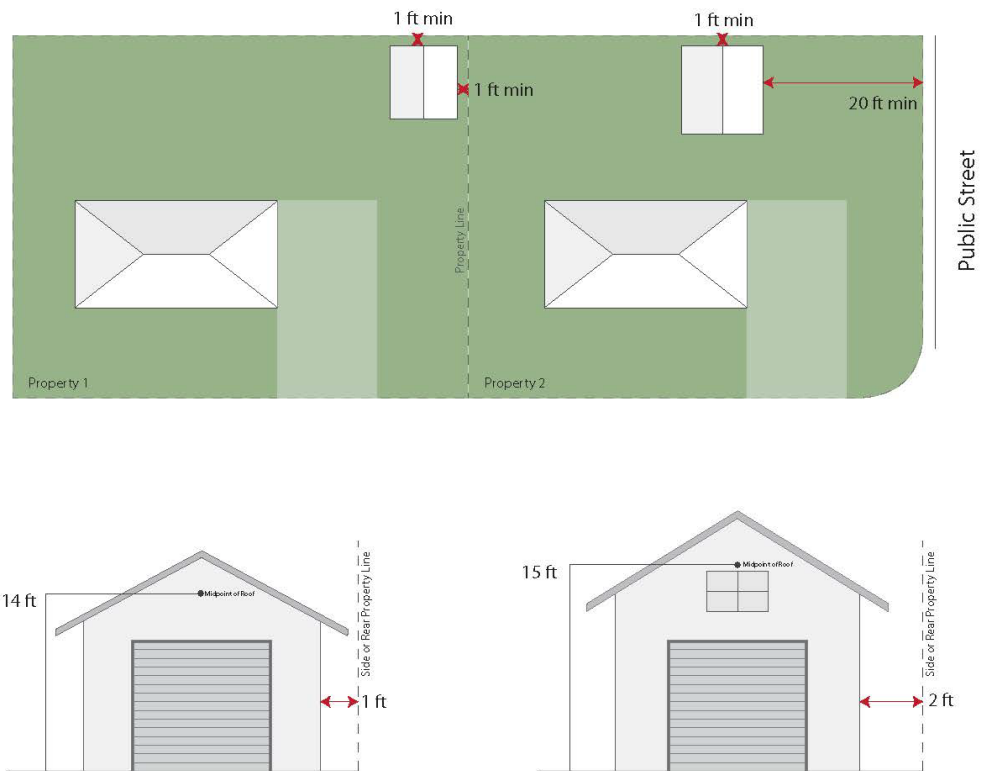
3. Allowed Improvements in Required Yards. Structures may be erected on or projected into any required yard in accordance with section 19.46.090(F):

- B. Building Height. Except as otherwise specifically provided in this title no building or structure shall exceed the following height:
  1. Thirty feet on property where the slope of the original ground surface exceeds fifteen percent, or the property is located in the hillside protection zone. The slope shall be determined using a line drawn from the highest point of elevation to the lowest point of elevation on the perimeter of a box which encircles the foundation line of the building or structure. Said box shall extend for a distance of fifteen feet or to the property line, whichever is less, around the foundation line of the building or structure. The elevation shall be determined using a certified topographic survey with a maximum contour interval of two feet.
  2. Thirty-five feet on properties other than those listed in number one of this subsection.
  3. No dwelling shall contain less than one story or more than two stories except as part of a Planned Unit Development, subject to Chapter 19.18 of this title.

#### **19.28.050 – Accessory Structure Development Standards.**

- A. Accessory Structure Location and Setback Requirements. The location and minimum setback requirements for an accessory structure in a single-family residential zone are as follows:
  1. Must be located in the side or rear yard and 6 feet away from the dwelling. No accessory building may be located within the required front yard or between the main building and a street.
  2. Must be located at least 1 foot from a rear or interior side property line, measured from the nearest portion of the structure, including eaves and overhangs.
  3. Must be 20 feet from a street facing side property line. No accessory structure may be located between the main building and a street.
  4. No part of any accessory structure may be placed within 1 foot of the property line, including eaves, cantilevers and other protrusions from the structure.
- B. Accessory Structure Height requirements:
  1. No building which is accessory to a single-family dwelling shall exceed twenty feet in height. For each foot of height over fourteen feet, accessory buildings shall be set back from the side and rear property lines an additional foot to allow a maximum height of twenty feet.

*Figure 19.28.050 A1: Illustration of Accessory Structure Development Standards*



#### 19.28.060 - Lot Coverage:

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

#### 19.28.070 - Fencing Standards:

Fences are allowed in all zoning districts included in this chapter. Notwithstanding the provisions of this section, a fence, wall, screen, hedge or other material serving as a fence, may not create a sight distance hazard to vehicular or pedestrian traffic as determined by the city engineer.

- A. Front Yard/Side Yard: A fence made of materials which are sight obscuring may be built to a maximum of three feet (3') in any required front/side yard perimeter. A fence made of materials which are not sight obscuring (at least 50 percent open) may be built to a maximum of four feet (4') in any required front/side yard. If an existing home is located on the property, the front/side yard perimeter is measured from the front property line to the front edge of the existing home. The fencing may slope

upward to connect with a higher rear yard fence. The length of a sloped fence section shall not exceed a maximum of ten feet (10').

- B. Rear Yard: A fence in a rear yard may be built to a maximum of seven feet (7'). If an existing home is located on the property, the rear yard perimeter is measured from the front edge of the existing home to the rear property line.
- C. Corner Lots: A fence not more than seven feet (7') high may be constructed in the rear yard adjacent to a public street on a corner lot, if it does not obstruct the "Clear Sight Triangle", as outlined in the Site Development Standards of this Title.
- D. Grade Differences: Where there is a difference in the grade of the properties on either side of a fence, wall or other similar structure, the height of the fence shall be measured from the natural grade of the property upon which it is located.
- E. Retaining Walls: Where a retaining wall protects a cut below or a fill above the natural grade and is located on the line separating lots or properties, such retaining wall may be topped by a fence, wall or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed.
- F. Double Frontage Lots: A seven foot (7') fence or wall may be erected in the rear yard of a double frontage lot.
- G. Fire Hydrants and Mailboxes: Fire hydrants and mailboxes shall be accessible from the public streets and may not be enclosed behind fences. Location of the fire hydrant shall be in accordance with the applicable fire code.
- H. Exceptions: The provisions of this section shall not apply to certain other fences such as sports court backstops or patio enclosures as approved by the planning commission, if it is determined that the fences do not create a hazard or violation of other sections of the county ordinances.
- I. Sidewalk Setback: If a sidewalk or paved trail exists parallel to the fence, the fence shall be setback at least twelve inches (12") from the back of the sidewalk or trail. The area between the fence and sidewalk shall not be located within a public right-of-way and shall be landscaped or covered with mulch, bark, gravel, or landscape rocks, and if not landscaped, shall include a weed barrier.

#### **19.28.080 – Additional Standards.**

It is the responsibility of the owner/applicant to comply with all other standards of Title 19 and all other county ordinances, including, without limitation:

- A. 19.04: Definitions
- B. 19.18: Planned Unit Developments
- C. 19.42: Specific Use Standards
- D. 19.44: Temporary Use Standards
- E. 19.46: Site Development Standards
- F. 19.48: Off-Street Parking and Loading
- G. 19.50: Landscaping and Screening
- H. 19.52: Signs
- I. 19.56: Flood Plain Regulations
- J. 19.58: Geological Hazards

### **19.30 Medium and High Density Residential Zones – Staff Summary**

**General:** This Chapter combines the R-2, R-4 and RM Zones to create new standards for medium and high-density residential development. The intent is to allow for some housing choice within communities while holding development to a high quality standard. As with other chapters, this chapter has also been reformatted to include tables for land use, development standards, and yard & bulk regulations.

#### **Uses:**

The use table is updated to reduce the commercial uses that are allowed in these zones. Uses that currently exist in the RM zone are retained, namely office, massage, and reiki. Property owners in the RM zone that wish to have other commercial uses can apply to rezone their property to one of the proposed mixed use zones, which are better equipped to accommodate a mixture of commercial and residential uses than the old RM zone, which is being retained to accommodate existing uses. See Table 19.30.030

The following incompatible uses were removed from the Medium and High Density Residential Zones: Cemetery, Dwelling group, Golf course, Pigeons, Private educational institutions (now under Personal Instruction Services), Private non-profit recreational grounds (replaced with Private Park and Recreational Grounds), Airport, Boarding house, Dental clinic (now under Office, Medical), Fraternity house, Mobile home park, Medical clinic, Sorority house, Sportmans kennel, Banks (now under Financial Institution), Electrolysis of hair (now under Personal Care Services), Gymnastics dance, dramatic, art studio (now under Personal Instruction Services), Hospital, Hotel, Tanning studio (now under Personal Care Services).

#### **Development Standards:**

There has been an update to the lot sizes required for each dwelling type in the different zones. The update is largely consistent with current ordinance, but simplifies the calculation of the lot sizes for different housing types. For example, the lot size is calculated based on number of housing units (proposed ordinance), rather than categorizing lot sizes for single-family homes, duplexes, triplexes, four-plexes, etc. (current ordinance). Also, some lot width requirements have been slightly reduced, which helps promote greater housing affordability. See Table 19.30.040

Setbacks for the different zones have been slightly reduced, which promotes greater housing affordability. The proposed ordinance also adds a maximum lot coverage factor, meaning that building improvements cannot cover more than a certain percentage of the lot. This preserves space and privacy between neighbors, but may limit density and therefore impact affordability. See Table 19.30.050.A. The proposed ordinance also establishes a 10' setback between buildings on the same lot in the event there are multiple buildings on the same lot. See Table 19.30.050.B

Table 19.30.050.A reduces the maximum height in the RM zone from 75' to 60', which is consistent with market building practices and better preserves view sheds. The proposed ordinance also adds height limit protections when multi-family buildings are in close proximity to single-family residences; this preserves privacy for those residences. See Section 19.30.060(C)

The proposed ordinance updates and consolidates regulations for accessory structures, placing a height limit on those structures, and eliminating the conditional use process for many of these structures. See Section 19.30.070. The proposed ordinance also provides much-needed regulations on fencing to address

such issues as sight distance hazards, double fronting lots, recreational facilities, etc. The current ordinance has very little regulation on fencing. See Section 19.30.090

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## Chapter 19.30: MEDIUM AND HIGH-DENSITY RESIDENTIAL ZONES

### Sections:

#### 19.30.010 - Purpose of Provisions

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

#### 19.30.020 - Establishment of Medium and High-Density Residential Zones

*Two-Family Residential Zones (R-2):* The R-2 Zones are intended to promote medium-density middle housing options between 1-2 units per building. Multiple buildings may be located on one lot; however, lots with multiple buildings are encouraged to establish a Planned Unit Development (PUD) as part of the development process. Medium-density housing will serve as a transition between higher-density commercial, residential, or mixed-used and low-density residential or single-family.

*Four-Family Residential Zones (R-4):* The R-4 Zones are intended to promote medium-density middle housing options between 1-4 units per building. Multiple buildings may be located on one lot; however, lots with multiple buildings are encouraged to establish a PUD as part of the development process. Medium-density housing will serve as a transition between higher-density commercial, residential, or mixed-used and low-density residential or single-family.

*Multi-Family Residential Zone (RM):* The RM Zone is intended to promote medium and high-density residential housing of greater than 4 units. Development projects in this zone should accommodate multi-modal transportation opportunities, open space, amenities for units and provide buffering between high-density and low-density housing.

#### 19.30.030 – Schedule of Permitted Uses.

- E. Schedule of Allowed Uses. The specific uses listed in the following schedule are available in the zone as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.
- C. Specific Use Conditions. A number in a cell particular to a use indicates that special provisions or conditions apply to the use category for this zone. The special provisions or conditions follow the schedule of uses.
- D. Procedure for Multiple Uses (Combination of Uses). If a development proposal involves a combination of uses other than accessory uses as identified in Table 19.30.030, the more restrictive provisions of this Title apply. For example, if a portion of a development is subject to Conditional Use (“C”) approval and the other portion is subject only to Permitted Use (“P”) review, the entire development shall be reviewed and approved by a Conditional Use process.
- E. Abbreviations. The abbreviations in the schedule mean:
  - 3. P = Permitted Use. Permitted uses are allowed in the zone but may be subject to additional restrictions and approval processes as provided in this Title.
  - 4. C = Conditional Use. Conditional uses are allowed only if special conditions are approved to mitigate the detrimental impact of the land use because of the unique characteristics or potential impacts on the county, surrounding neighbors, or adjacent land uses, incompatibility in some

areas of the zone, or compatibility. The Planning Commission is the land use authority for land uses with this designation.

5. X = Prohibited Use. Any use designated “X” is prohibited in the zone. Any land use not specifically identified in Table 19.30.030 is also prohibited in this zone unless the applicant obtains an administrative determination to the contrary pursuant to the Land Use Processes and Procedures section of this Ordinance.

| <b>Table 19.30.030 Uses Allowed in Medium and High-Density Residential Zones</b> |                |              |               |                |           |
|----------------------------------------------------------------------------------|----------------|--------------|---------------|----------------|-----------|
| <b>Use Categories</b>                                                            | <b>R-2-6.5</b> | <b>R-2-8</b> | <b>R-2-10</b> | <b>R-4-8.5</b> | <b>RM</b> |
| <b><u>Residential:</u></b>                                                       |                |              |               |                |           |
| Accessory Structures                                                             | P              | P            | P             | P              | P         |
| Accessory Use                                                                    | P              | P            | P             | P              | P         |
| Dwelling, Single-Family                                                          | P              | P            | P             | P              | X         |
| Dwelling, Single-Family, Attached                                                | P              | P            | P             | P              | P         |
| Dwelling, Accessory Internal subject to Section 19.42.030                        | P              | P            | P             | P              | P         |
| Dwelling, Accessory Detached                                                     | X              | X            | X             | X              | X         |
| Dwelling, Duplex                                                                 | P              | P            | P             | P              | X         |
| Dwelling, Tri-plex                                                               | X              | X            | X             | P              | P         |
| Dwelling, Four-plex                                                              | X              | X            | X             | P              | P         |
| Dwelling, Multi-Family (5 dwellings or more)                                     | X              | X            | X             | C              | C         |
| Household Pets                                                                   | P              | P            | P             | P              | P         |
| Residential Facility for Persons with a disability subject to 19.42.245          | P              | P            | P             | P              | P         |
| <b><u>Commercial:</u></b>                                                        |                |              |               |                |           |
|                                                                                  |                |              |               |                |           |
| Bed and Breakfast                                                                | X              | X            | X             | P              | P         |
| Financial Institution                                                            | X              | X            | X             | X              | P         |
| Child Care/Preschool subject to 19.42.140                                        | P              | P            | P             | P              | P         |
| Child Care Centers subject to 19.42.140                                          | X              | X            | X             | P              | P         |
| Home Occupation subject to 19.42.170                                             | P              | P            | P             | P              | P         |
| Office, General                                                                  | X              | X            | X             | X              | P         |
| Office, Medical                                                                  | X              | X            | X             | X              | P         |
| Personal Care Services                                                           | X              | X            | X             | X              | P         |

|                                                             |   |   |   |   |   |
|-------------------------------------------------------------|---|---|---|---|---|
| Personal Instruction Services                               | X | X | X | X | P |
| Reception Center/Reception Hall                             | X | X | X | X | P |
| Reiki                                                       | X | X | X | X | C |
| Short-term Rentals subject to 19.42.300                     | P | P | P | P | P |
| <b>Planned Unit Developments, subject to Chapter 19.18:</b> |   |   |   |   |   |
| Condominium Conversion Planned Unit Developments            | P | P | P | P | P |
| Infill Development Planned Unit Developments                | C | C | C | C | C |
| Residential Neighborhood Planned Unit Developments          | C | C | C | C | C |
| Residential Community Planned Unit Developments             | C | C | C | C | C |
| Mixed Use Planned Unit Developments                         | X | X | X | X | X |
| Commercial Planned Unit Developments                        | X | X | X | X | X |
| <b>Other:</b>                                               |   |   |   |   |   |
| Agriculture                                                 | P | P | P | P | P |
| Gardening for Personal Use                                  | P | P | P | P | P |
| Public or Quasi-Public Use                                  | P | P | P | P | P |
| Public Utility, Minor                                       | P | P | P | P | P |
| Public Park and Open Space                                  | P | P | P | P | P |
| Private Park and Recreational Grounds                       | P | P | P | P | P |
| Shared Parking                                              | P | P | P | P | P |
| Temporary Construction Office, and Other Temporary Use      | P | P | P | P | P |

#### 19.30.040 – Development Standards.

Development in the R-2, R-4, and RM Zones shall comply with the development standards of Table 19.30.040 and all other applicable standards in this Title.

| Table 19.30.040 Development Standards |         |       |        |         |    |
|---------------------------------------|---------|-------|--------|---------|----|
| Zone                                  | R-2-6.5 | R-2-8 | R-2-10 | R-4-8.5 | RM |

|                                                              |                            |                            |                            |                            |                            |
|--------------------------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <b>Min. Project Area, Single Family Dwelling (Detached)</b>  | 6,000 Sq Ft                | 6,000 Sq Ft                | 6,000 Sq Ft                | 5,000 Sq Ft                | Not Permitted              |
| <b>Minimum Lot Width, Single Family Dwelling (Detached)</b>  | 60 Feet                    | 60 Feet                    | 60 Feet                    | 50 Feet                    | Not Permitted              |
| <b>Min. Project Area, 2+ Family Dwelling</b>                 | 3,250 Sq Ft per Dwelling   | 3,250 Sq Ft per Dwelling   | 3,250 Sq Ft per Dwelling   | 2,500 Sq Ft per Dwelling   | 2,000 Sq Ft per Dwelling   |
| <b>Min. Project Area, Single Family Dwelling (Attached)</b>  | 2,500 Sq. Ft. per dwelling | 2,500 Sq. Ft. per dwelling | 2,500 Sq. Ft. per dwelling | 2,100 Sq. Ft. per dwelling | 2,100 Sq. Ft. per dwelling |
| <b>Minimum Lot Width, Single Family Dwelling (Attached)</b>  | 25 Feet                    | 25 Feet                    | 25 Feet                    | 22 Feet                    | 20 Feet                    |
| <b>Minimum Lot Width, 2+ Family Dwelling</b>                 | 60 Feet                    | 60 Feet                    | 60 Feet                    | 50 Feet                    | 45 Feet                    |
| <b>Maximum Density, Planned Unit Development<sup>A</sup></b> | 12 Dwelling Units per Acre | 14 Dwelling Units per Acre | 16 Dwelling Units per Acre | 20 Dwelling Units per Acre | 30 Dwelling Units per Acre |

Density for Planned Unit Developments. The allowable density for planned unit developments is determined by the Planning Commission on a case-by-case basis, taking into account the following factors: recommendations of the Planning and Development Services staff and reviewing agencies; site constraints; compatibility with nearby land uses; and the provisions of the adopted General Plan. Notwithstanding the above, the Planning Commission may not approve a PUD with density higher than that which is enumerated in Table 19.30.040.

Calculating Density. Density calculations are based on gross density. Gross density is defined as the total number of residential dwelling units divided by the gross area of the lot or parcel in question.

#### **19.30.050 – Required Yards, Setbacks, and Bulk.**

Development in the R-2, R-4, and RM Zones that is not part of an approved PUD shall comply with the yard, setback, and bulk standards shown in Tables 19.30.050.A, 19.30.050.B, and all other applicable standards in this Title.

| Table 19.30.050.A: Yard Setback Standards                                            |                                |                                |                                |                                |                                |
|--------------------------------------------------------------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| Zone                                                                                 | R-2-6.5                        | R-2-8                          | R-2-10                         | R-4-8.5                        | RM                             |
| Minimum Front Yard Setback                                                           | 20 Feet                        | 20 Feet                        | 20 Feet                        | 20 Feet                        | 20 Feet                        |
| Minimum Setback from a Street Facing Garage to a sidewalk, trail or edge of pavement | 25 Feet                        | 25 Feet                        | 25 Feet                        | 25 Feet                        | 25 Feet                        |
| Minimum Setback, Side Yard Interior                                                  | 0 Feet/<br>5 Feet <sup>A</sup> | 0 Feet/<br>5 Feet <sup>A</sup> | 0 Feet/<br>5 Feet <sup>A</sup> | 0 Feet/<br>5 Feet <sup>A</sup> | 0 Feet/<br>5 Feet <sup>A</sup> |
| Minimum Setback, Side Yard Corner Lot                                                | 20 Feet                        | 20 Feet                        | 20 Feet                        | 20 Feet                        | 20 Feet                        |

|                      |         |         |         |         |                                  |
|----------------------|---------|---------|---------|---------|----------------------------------|
| Minimum Rear Yard    | 15 Feet | 15 Feet | 15 Feet | 15 Feet | 15 Feet                          |
| Maximum Height       | 35 Feet | 35 Feet | 35 Feet | 35 Feet | 35 Feet/<br>60 Feet <sup>c</sup> |
| Maximum Lot Coverage | 40%     | 40%     | 40%     | 40%     | 50%                              |

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

B. Distance between Primary Buildings.

1. Where dwelling units share a common wall, no setback is required.
2. On lots with more than one primary building, the minimum distance between primary buildings is subject to Table 19.30.050.B. It is intended that if lots with more than one primary building are ever subdivided, each building shall have a side yard equal to or greater than half of the required distance between building or the current standard for side yards in the underlying zone. In the event that regulations conflict for side yards, the stricter requirement shall take precedence.

C. When a building contains five (5) or more dwellings, the maximum height is sixty feet (60').

| Table 19.30.050.B: Yard and Bulk Regulations. |               |                     |                            |                                    |
|-----------------------------------------------|---------------|---------------------|----------------------------|------------------------------------|
|                                               | Single Family | Two-Family Building | Three/Four Family Building | Multi-plex (Five or more families) |
| Minimum Yards, Residential Uses               |               |                     |                            |                                    |
| Minimum Distance Between Primary Buildings    | 10 Feet       | 10 Feet             | 16 Feet                    | 16 Feet                            |

#### **19.30.060 – Building Height.**

Buildings in the R-2, R-4, and RM Zones shall comply with the height standards of Table 19.30.050.A and all other applicable standards in this Title.

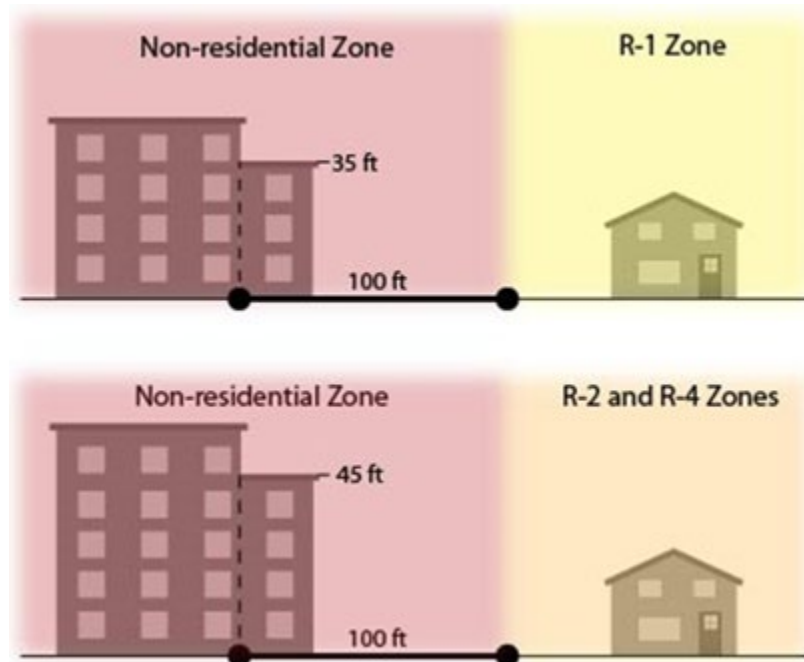
Primary buildings may not contain less than one (1) story.

Within one hundred feet (100') of sites zoned for single-family residential, the following standards apply:

On the portion of the site within one hundred feet (100') of a site zoned R-1, no multi-unit structure or portion thereof may exceed thirty-five feet (35') in height.

On the portion of the site within one hundred feet (100') of a site zoned R-2, R-4, RM, or RMH the maximum height of a multi-unit structure shall be forty-five feet (45').

**Figure 19.30.060: Building Height Adjacent to Residential Zones.**



Credit: MSD Planning and Development Services.

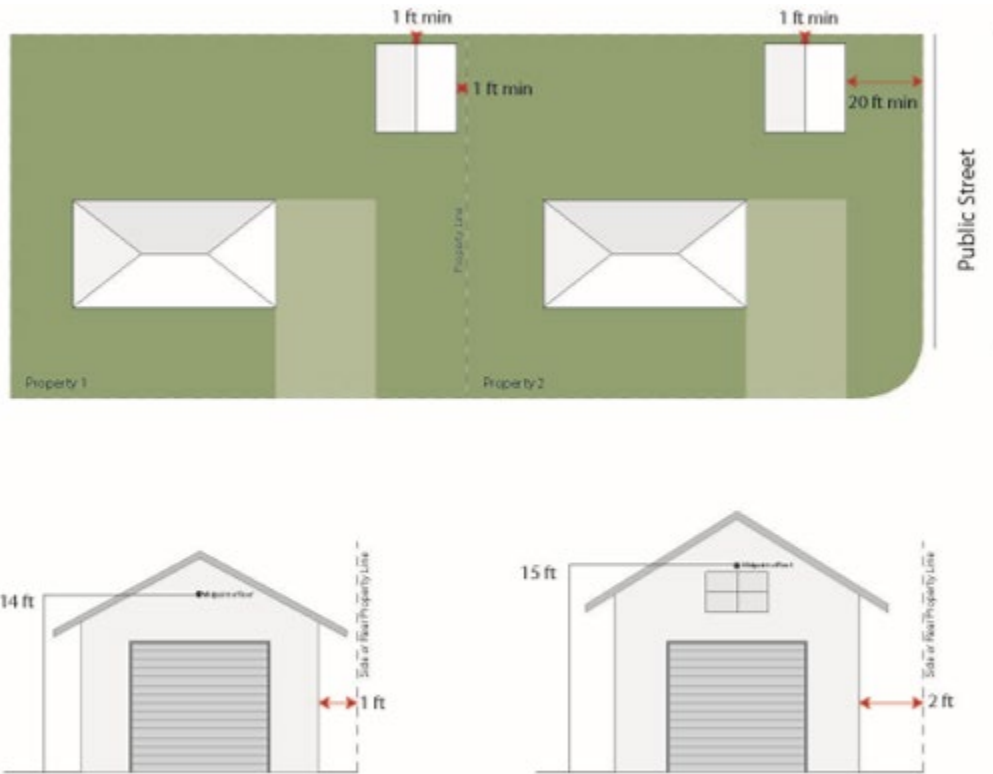
#### 19.30.070 – Accessory Structure Development Standards.

A. The minimum yard requirements for an accessory structure are as follows:

| Table 19.30.070: Accessory Structure Development Standards. |         |         |         |         |         |
|-------------------------------------------------------------|---------|---------|---------|---------|---------|
| Zone                                                        | R-2-6.5 | R-2-8   | R-2-10  | R-4-8.5 | RM      |
| Side Yard, Interior Lot                                     | 1 Foot  | 1 Foot  | 1 Foot  | 1 Foot  | 1 Foot  |
| Side Yard, Corner Lot                                       | 20 Feet | 20 Feet | 20 Feet | 20 Feet | 20 Feet |
| Rear Yard                                                   | 1 Foot  | 1 Foot  | 1 Foot  | 1 Foot  | 1 Foot  |
| Setback from Main Structure                                 | 6 Feet  | 6 Feet  | 6 Feet  | 6 Feet  | 6 Feet  |

- B. No building which is accessory to a one-family or two-family dwelling may exceed twenty feet (20') in height. For each one foot (1') of height over fourteen feet (14'), accessory structures shall be set back from property lines an additional one foot (1') up to the allowed maximum height of twenty feet (20').
- C. No accessory structure or group of accessory structures shall cover more than twenty-five percent (25%) of the rear yard.

**Figure 19.30.070: Accessory Structure Standards**



Credit: MSD Planning and Development Services.

#### 19.30.080 – Subdivision and PUD Standards for Medium and High-Density Residential.

- A. The division of land for single-building projects is subject to the requirements of Title 18.
- B. All other subdivisions in the medium and high-density residential zones are subject to all requirements in Chapter 19.18 and platted via a PUD plat.

#### 19.30.090 – Fencing Standards.

- A. The term “fence” shall include any tangible barrier, latticework, screen, wall, hedge, or continuous growth of shrubs or trees with the purpose of, or having the effect of, preventing passage or view across the fence line. Notwithstanding the provisions of this section, a fence, wall, screen, hedge, or other material serving as a fence, may not create a sight distance hazard to vehicular or pedestrian traffic as determined by the municipal engineer.
  1. Front Yard/Side Yard: A fence made of materials which are sight obscuring may be built to a maximum of three feet (3') in any required front/side yard perimeter. A fence made of materials which are not sight obscuring (at least fifty percent (50%) open) may be built to a maximum of four feet (4') in any required front/side yard. If an existing home is located on the property, the front/side yard perimeter is measured from the front property line to the front edge of the existing home. The fencing may slope upward to connect with a higher rear yard fence. The length of a sloped fence section may not exceed a maximum of ten feet (10').
  2. Rear Yard: A fence in a rear yard may be built to a maximum of seven feet (7'). If an existing home is located on the property, the rear yard perimeter is measured from the front edge of the existing home to the rear property line.

3. Corner Lots: A fence not more than seven feet (7') high may be constructed in the rear yard as defined in Subsection 19.30.090.A.2, Rear Yard, adjacent to a public street on a corner lot, if it does not obstruct clear view of intersecting streets as defined in Subsection 19.30.090.A.4, Clear Sight Triangle.
4. Grade Differences: If there is a difference in the grade of the properties on either side of a fence, wall or other similar structure, the height of the fence shall be measured from the natural grade of the property upon which it is located.
5. Retaining Walls: If a retaining wall protects a cut below or a fill above the natural grade and is located on the line separating lots or properties, such retaining wall may be topped by a fence, wall or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed.
6. Double Frontage Lots: A fence or wall may be erected in the rear yard of a double frontage lot.
7. Fire Hydrants and Mailboxes: Fire hydrants and mailboxes shall be accessible from the public streets and may not be enclosed behind fences. The location of the fire hydrant shall be in accordance with the uniform fire code.
8. Exceptions: The provisions of this section may be waived with respect to certain other fences including tennis court backstops or patio enclosures as approved by the Planning Commission, if it is determined that the fences do not create a hazard or violation of other sections of the city ordinances.

#### **19.30.100 – Additional Standards.**

It is the responsibility of the applicant to comply with all other standards of Title 19 and all other county ordinances, including, without limitation:

- A. 19.04: Definitions
- B. 19.18: Planned Unit Developments
- C. 19.42: Specific Use Standards
- D. 19.44: Temporary Use Standards
- E. 19.46: Site Development Standards
- F. 19.48: Off-Street Parking and Loading
- G. 19.50: Landscaping and Screening
- H. 19.52: Signs
- I. 19.56: Flood Plain Regulations
- J. 19.58: Geological Hazards

## **19.32 Commercial Zones – Staff Summary**

### **Changes of note:**

There are four commercial zones in the current code, C-1, C-2, C-3 and C-V. These zones each had their own chapter. This ordinance combines the four commercial zones into one chapter.

The proposed ordinance re-envision the C-1 as a modern commercial zone oriented toward smaller-scale commercial development, where buildings are located nearer the street to create a sense of scale and place, doors and windows are placed on the street side of the building, and parking is located in the rear of the building. The proposed C-1 zone allows a wide array of commercial uses and increases walkability, provides for town centers, and improves visual aesthetics.

C-2 is the predominant commercial zone within the county, intended for larger-scale commercial developments. The C-2 is also modernized but becomes more of a “shopping center commercial” zone.

New properties can either use the older C-2 zone that has been retained, the new C-1 zone, or they can rezone to the new mixed use zones, which allows greater flexibility in mixing commercial uses with residential uses and follows other current planning trends.

The C-3 zone has also been retained as a legacy zone, but more intense industrial uses have been eliminated as inappropriate for a commercial zone. These eliminated industrial uses include: assembly of medical supplies, bottling works, construction of buildings off-premises, outdoor chemical toilet rental, and transfer company. Other uses eliminated as incompatible with a commercial zone include: hatchery, mobile home park, and rail transit mixed-use.

The C-V Zone is intended primarily for tourism-support areas in the canyons and the vicinity of the Great Salt Lake.

### **Uses:**

Among the most important parts of the ordinance project is updating the use tables to combine uses, eliminate obsolete uses, and define uses. The uses defined are typically more general in nature to both shorten the list of uses by combining like uses and to include future like uses. These uses have been grouped together with similar uses for the ease of the user.

The use tables now combine permitted and conditional uses into one table. Larger projects such as PUD's and large commercial projects will require Planning Commission input and approval, but most other uses will not. As a result, the Planning Commission will be able to concentrate on the big picture land use management items rather than the small details.

Most of the existing use list could be characterized as retail uses, service uses or personal services. All of these uses now fall under either “retail and service commercial” or “personal care services” unless they were of a type that the council was more wary of. Check cashing, pawn shops, reiki and retail tobacco specialty businesses are not included in the general “retail and service commercial” and are typically either prohibited or listed as conditional uses.

Other updates to the use table include clarification of public uses/utilities that are permitted in these zones (such as water tanks, electrical substations, sewer lift stations, etc.). It should also be noted that there are traffic and safety concerns for including school uses in these zones, so private schools are not allowed in some zones (state law limits the ability to regulate public schools). See Table 19.32.030.

### **Development Standards:**

Updates to required yards and setbacks for these zones include elimination of the 10,000 square foot minimum lot requirement in the CV zone. This change is in recognition of tiny businesses that cater to visitors, such as coffee kiosks, which take up very little space. See Table 19.32.040.

There are no minimum lot size, frontage or width standards in the C-1, C-2, or C-3 commercial zones. However, because the C-V zones are primarily located in sensitive areas, they are subject to FCOZ regulations. Because the intent is that the C-2 zone be used only for larger commercial projects, it has a 3-acre project area requirement.

The front setback is also a build to line, meaning that in most cases 50% of the building must be built at the setback line. This front setback is landscaped, and parking is located to the side or rear of the building. This allows the buildings to frame the street, which emphasizes the buildings rather than the parking and gives the streetscape a more human scale. Exceptions for grocery and other larger commercial buildings and drive through windows are built into the ordinance. Front yard setbacks in the CV zone have been reduced in order to allow businesses catering to visitors to be more prominently seen and to promote walkability, with parking in the side or rear; and an update to side yard setbacks to be more consistent with FCOZ.

Orientation of buildings has been updated, consistent with planning trends to locate parking behind and to the side of buildings. See Section 19.32.050(B).

Site furnishing standards have been added, addressing benches, bike racks, and trash receptacles. See Section 19.32.050(H).

Basic architectural standards have been added, addressing materials of walls, roofs, and building height (including a reduction in building heights, consistent with industry standards--no more than 5 stories is typical, and a step-down in height for buildings next to residential areas). See Section 19.32.060 and Table 19.32.060A.

Landscaping standards have been added, including a minimum percentage of landscaping and a landscaped buffer area. See Section 19.32.080.

Lighting standards have been added, including a requirement to upgrade existing lighting to new lighting standards if there is a change in ownership or business, which remodels or expands the building. See Section 19.32.090, including subsection (D).

Off-street parking standards specific to commercial zones have been added, including a general prohibition on parking between buildings and public rights-of-way. See Section 19.32.070.

### **Resources Utilized:**

- Ogden Zoning Ordinance

- Vineyard Zoning Ordinance
- South Jordan Zoning Ordinance
- Midvale Zoning Ordinance
- Mapleton Zoning Ordinance
- Spanish Fork Zoning Ordinance

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## Chapter 19.32: Commercial Zones

### Sections:

#### 19.32.010 – Purpose of Provisions.

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

#### 19.32.020 – Establishment of Commercial Zoning Districts.

In order to anticipate and respond to the changing needs of the unincorporated county and implement commercial node concepts, the following zoning districts are established

- A. *Commercial Zone – General Commercial (C-1)*: The C-1 Zone is intended to provide for a wide range of commercial uses designed to serve community, and regional needs. Uses may be freestanding or integrated in a commercial center. Development will be oriented to the street to encourage a pedestrian relationship, and buildings will be placed to allow interconnected walkways and shared site accesses, as applicable, for increased convenience, accessibility, and enhanced safety for pedestrians. Development will include elements and façades at the pedestrian level and shall create visual interest at eye-level.
- B. *Commercial Zone – Shopping Center Commercial (C-2)*: The C-2 Zone is a legacy zoning district, originally intended to provide areas in the county for community commercial development. It is intended that new commercial uses are developed as appropriate under the C-1 zoning classification.
- C. *Commercial Zone – Warehousing and Wholesale Commercial (C-3)*: The C-3 Zone is a legacy zoning district, originally intended to provide areas for warehousing and wholesale businesses, in addition to general commercial. It is the intent of this ordinance that warehouse and wholesale business be developed under the M-1 zoning classification and that new commercial uses are developed as appropriate under the C-1 classification.
- D. *Commercial Zone – Visitor and Tourism (C-V)*: The C-V Zone is intended to create areas in appropriate locations where commercial centers providing for the needs of tourists and travelers may be established, maintained, and protected, subject to conditional use approval by the planning commission. The regulations of this zone are designed to encourage the provision of transient housing facilities, restaurants, service stations, and other commercial activities providing for the convenience, welfare, or entertainment of the traveler.

#### 19.32.030 – Schedule of Permitted Uses.

- A. Schedule of Permitted Uses. The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Code.
- B. Special Conditions. A number in a cell particular to a use indicates that special provisions or conditions apply to the use category for this zone. The special provisions or conditions follow the schedule of uses.

- C. Procedure for Multiple Uses (Combination of Uses). Where a development proposal involves a combination of uses other than accessory uses, the more restrictive provisions of this Code shall apply. For example, if a portion of a development is subject to Conditional Use (“C”) approval and the other portion is subject only to Permitted Use (“P”) review, the entire development shall be reviewed utilizing the Conditional Use process.
- D. Abbreviations. The abbreviations used in the schedule have the following meanings:
1. P = Permitted Use. Permitted uses are allowed in the zoning district but may be subject to additional restrictions and approval processes as provided in this Title.
  2. C = Conditional Use. Conditional uses are allowed only if special provisions or conditions are approved to mitigate the detrimental impacts of the use because of the unique characteristics or potential impacts on the county, surrounding neighbors, or adjacent land uses, incompatibility in some areas of the zone, or compatibility. The Planning Commission is the land use authority for land uses with this designation.
  3. X = Prohibited Use. Any use designated “X” is prohibited in the zone. Any land use not specifically identified in Table 19.26.030 is also prohibited in this zone unless the applicant obtains an administrative determination to the contrary pursuant to the Land Use Processes and Procedures section of this Ordinance.

**Table 19.32.030 - Uses Allowed in Commercial Zoning Districts**

| <b>Use Categories</b>                                               |            |            |            |            |
|---------------------------------------------------------------------|------------|------------|------------|------------|
| <b>RETAIL AND SERVICE:</b>                                          | <b>C-1</b> | <b>C-2</b> | <b>C-3</b> | <b>C-V</b> |
| Car and Light Truck Wash                                            | P          | P          | P          | X          |
| Child Care Center                                                   | P          | P          | P          | X          |
| Check Cashing                                                       | P          | P          | P          | X          |
| Commercial Plant Nursery                                            | P          | P          | P          | X          |
| Financial Institution                                               | P          | P          | P          | X          |
| Kennel, Commercial                                                  | P          | P          | P          | X          |
| Laundry Cleaning, Automatic Self-Help and/or Drop Off               | P          | P          | P          | X          |
| Liquor and/or Wine Store and Package Agency                         | P          | P          | P          | P          |
| Mobile Store                                                        | P          | P          | P          | P          |
| Pawn Shop                                                           | X          | X          | P          | X          |
| Personal Care Services                                              | P          | P          | P          | P          |
| Personal Instruction Services                                       | P          | P          | P          | P          |
| Reception Hall, Reception Center                                    | P          | P          | P          | P          |
| Reiki                                                               | P          | P          | P          | X          |
| Retail and Service Commercial                                       | P          | P          | P          | P          |
| Retail Shops or Galleries where Primary Product is Produced On-Site | P          | P          | P          | P          |
| Retail Tobacco Specialty Business                                   | P          | P          | P          | X          |
| Self-Service Fuel Station                                           | P          | P          | P          | P          |
| Sexually Oriented Business or Activity                              | X          | X          | P          | X          |
| Shopping Center                                                     | C          | C          | X          | X          |
| Vehicle and Equipment Repair, Minor                                 | P          | P          | P          | X          |
| Vehicle Rental                                                      | P          | P          | P          | X          |
| Vehicle Sales and Service                                           | P          | P          | C          | X          |
| Vehicle Sales, Small Dealership                                     | P          | P          | C          | X          |
|                                                                     |            |            |            |            |
| <b>FOOD AND DRINK:</b>                                              | <b>C-1</b> | <b>C-2</b> | <b>C-3</b> | <b>C-V</b> |
| Bars and Clubs                                                      | P          | P          | P          | P          |
| Breweries and Distilleries in association with a Restaurant         | P          | P          | P          | P          |
| Food truck / mobile restaurant / food cart                          | P          | P          | P          | P          |
| Restaurant, Fast Food                                               | P          | P          | P          | X          |
| Restaurant, Sit-Down with or Without Alcohol                        | P          | P          | P          | P          |
|                                                                     |            |            |            |            |
| <b>LODGING:</b>                                                     | <b>C-1</b> | <b>C-2</b> | <b>C-3</b> | <b>C-V</b> |
| Bed and Breakfast Inn                                               | P          | P          | X          | P          |

|                                                                            |            |            |            |            |
|----------------------------------------------------------------------------|------------|------------|------------|------------|
| Hotel/Motel                                                                | P          | P          | X          | P          |
|                                                                            |            |            |            |            |
| <b>OFFICE:</b>                                                             | <b>C-1</b> | <b>C-2</b> | <b>C-3</b> | <b>C-V</b> |
| Office, General                                                            | P          | P          | P          | P          |
| Office, Intensive                                                          | P          | P          | P          | X          |
| Office, Medical                                                            | P          | P          | P          | X          |
|                                                                            |            |            |            |            |
| <b>RECREATIONAL:</b>                                                       | <b>C-1</b> | <b>C-2</b> | <b>C-3</b> | <b>C-V</b> |
| Athletic Clubs                                                             | P          | P          | P          | X          |
| Commercial Recreation                                                      | P          | P          | C          | P          |
| Recreation Facility, Commercial                                            | P          | P          | C          | P          |
| Recreation Facility, Public                                                | P          | P          | P          | P          |
| Theatres and Concert Halls (Indoor)                                        | P          | P          | P          | X          |
| Theaters, outdoor                                                          | X          | X          | P          | X          |
| Yurts, subject to section 19.42.360                                        | X          | X          | X          | P          |
| Yurts as an accessory use, subject to section 19.42.360                    | P          | P          | P          | P          |
| <b>RESIDENTIAL USES:</b>                                                   | <b>C-1</b> | <b>C-2</b> | <b>C-3</b> | <b>C-V</b> |
| Planned Unit Development, Commercial or Mixed Use                          | C          | C          | C          | X          |
|                                                                            |            |            |            |            |
| <b>INSTITUTIONAL USES:</b>                                                 | <b>C-1</b> | <b>C-2</b> | <b>C-3</b> | <b>C-V</b> |
| Animal Control or Rescue Facility                                          | P          | P          | X          | X          |
| Animal Hospital or Clinic                                                  | P          | P          | P          | X          |
| Animal Hospital or Clinic with Outdoor Holding Facilities                  | P          | P          | P          | X          |
| Cemetery                                                                   | C          | C          | P          | X          |
| Church, Synagogue, Mosque, Temple, Cathedral, or other religious buildings | P          | P          | P          | P          |
| Hospital                                                                   | P          | P          | P          | X          |
| Libraries                                                                  | P          | P          | P          | X          |
| Parks/Open Space                                                           | P          | P          | P          | P          |
| Public and Quasi Public Uses                                               | P          | P          | P          | P          |
| Public Utilities, Minor                                                    | P          | P          | P          | P          |
| Schools, Public/Charter                                                    | P          | P          | P          | P          |
| Schools, Private                                                           | C          | C          | C          | X          |
|                                                                            |            |            |            |            |

| SPECIALTY:                                                          | C-1 | C-2 | C-3 | C-V |
|---------------------------------------------------------------------|-----|-----|-----|-----|
| Crematorium                                                         | P   | P   | P   | X   |
| Laboratory, Medical or Dental                                       | P   | P   | P   | X   |
| Laboratory, Research and Development                                | P   | P   | P   | X   |
| Mortuary or Funeral Home                                            | P   | P   | P   | X   |
| Nursing Home, Convalescent Care Center                              | P   | P   | X   | X   |
| Rehabilitation/Treatment Facilities/Hospital                        | P   | P   | P   | X   |
| Self-Service Storage Facilities, Enclosed                           | P   | P   | P   | X   |
|                                                                     |     |     |     |     |
| ACCESSORY USES:                                                     | C-1 | C-2 | C-3 | C-V |
| Accessory Outside Storage                                           | P   | P   | P   | P   |
| Home Business, subject to section 19.42.170                         | P   | P   | P   | X   |
| Household Pets, not including kennels                               | P   | P   | P   | X   |
| Drive-Thru and Drive-Up Facilities appurtenant to a permitted use   | P   | P   | P   | P   |
| Outdoor dining appurtenant to a permitted restaurant use            | P   | P   | X   | P   |
| Sidewalk Displays and Sidewalk Cafes appurtenant to a permitted use | P   | P   | P   | P   |
|                                                                     |     |     |     |     |

#### 19.32.040 – Lot and Area Standards.

Development in the C-1, C-2, C-3 and C-V Zones shall comply with the lot and project area standards shown in Table 19.32.040 and all other standards in this Title, as applicable.

| Table 19.32.040 - Required Yards and Setbacks |      |         |      |      |
|-----------------------------------------------|------|---------|------|------|
| Lot and Area Standards                        | C-1  | C-2     | C-3  | C-V  |
| Minimum Project Area                          | None | 3 acres | N/A  | None |
| Minimum Lot Size                              | None | None    | None | None |
| Minimum Lot Width                             | None | None    | None | 100' |

#### 19.32.050 – Site Standards.

The following site standards shall apply in the C-1, C-2, and C-3. C-V Zones are subject to site standards listed in Chapter 19.40 Foothills and Canyons Overlay Zone

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

| Table 19.32.050 – Site Standards                                             |                                                                                                                                                                                                                      |                                                 |                                                 |
|------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-------------------------------------------------|
| Setback Standards                                                            | C-1                                                                                                                                                                                                                  | C-2                                             | C-3                                             |
| Front Yard Setback - Major Street                                            | 18' landscaped setback from back of sidewalk                                                                                                                                                                         | 20' landscaped setback from public right of way | 20' landscaped setback from public right of way |
| Front Yard Setback – Major Local Street, Minor Local Street or Private Drive | 10' landscaped setback from back of curb                                                                                                                                                                             | 15' landscaped setback from back of curb        | 15' landscaped setback from back of curb        |
| Side Yard Setback – Corner Lots                                              | Same as the front yard setback                                                                                                                                                                                       | Same as the front yard setback                  | Same as the front yard setback                  |
| Build to Line                                                                | The front yard setback is the build-to-line. At least fifty percent (50%) of the adjacent façade must be built within three feet (3') of the build-to-line. A side yard, corner lot setback is also a build-to-line. |                                                 |                                                 |
| Side Yard Setback – Interior Lots                                            | No setback required when sharing a common wall. 8' setback to property line or 16' between buildings where building pads are used. 20' landscaped buffer required to separate residential uses from commercial uses. |                                                 |                                                 |
| Rear Yard Setback                                                            | 10' setback to property line or 20' between buildings where building pads are used. 20' Landscaped buffer required to separate residential uses from commercial uses.                                                |                                                 |                                                 |

B. Location and Orientation of Buildings. Structures frame streets spatially by being constructed at the build-to line. Buildings shall be sited to face the street with parking lots on the side or rear. At street or drive intersections the buildings shall be located directly on the corner with parking in the rear. At least fifty percent of the adjacent façade must be built within three feet of the build-to line.

C. Build-to-Line Exceptions.

1. Some big box development, such as a grocery stores, may have parking in front, provided other commercial pad sites are proposed along the frontage that would comply with the build-to-line requirements. These pads must create a forty percent (40%) building street frontage along the width of the project area when combined with public plazas or courtyards.
2. Drive-through windows shall be located at the side or rear of buildings. While not desirable, a single drive aisle may be located between the building and the street so long as:
  - a. Its width does not exceed twelve feet (12'), any pedestrian crossings of it are clearly delineated with special paving treatments,
  - b. No parking spaces occur off of it and a low wall, and
  - c. Railing with landscaping, or a continuous hedge at least three feet high exists between stacked cars and the sidewalk.

When a drive-through is located between the building and the street, the front setback/build to line is 12' feet further from the back of sidewalk or public right of way.

D. Sidewalks or Trails. All building front entryways shall have a continuous walkway to the street sidewalk. Sidewalks at least six feet (6') wide are required along the entire front of the lot, parcel, or

project area. A six foot (6') wide park strip must be installed between the street and the sidewalk as a pedestrian buffer. No fencing that is parallel to any sidewalk shall be within two feet (2') of the edge of the sidewalk.

- E. Outdoor Dining. Where outdoor dining is allowed, the patio or dining area may encroach on up to ten feet (10') of the required landscaped setback.
- F. Utilities. All utilities shall be placed underground pursuant to Section 19.46.150.
- G. Screening. All garbage dumpsters shall be enclosed by a solid opaque fence or architectural design with materials that are consistent with the building. The enclosure gate shall be metal and accessible to service vehicles. The enclosure wall and gate shall be a minimum of twelve inches (12") higher than the trash receptacle bin. Service areas, mechanical equipment, and meters shall be completely screened from the street.
- H. Site Furnishings. The developer or builder is responsible for providing site furnishings as required in this document. All site furnishings shall be specified on the plans.
  - 1. Benches. Each project shall provide 1 outdoor bench per small building (buildings 20,000 square feet or smaller) and 2 outdoor benches for larger buildings (greater than 20,000 sf). Benches are encouraged in places where people congregate and at pedestrian intersections and nodes. Benches shall be durable and permanently installed on a hardscape (concrete, pavers, etc.) surface.
  - 2. Bike Rack. Bike racks shall be provided and installed at a minimum of 3 bike stalls per 50 vehicle parking stalls within each development (minimum of 3 bike rack stalls). Bike racks should be located near the entrance to the building and visible from the street or drive. Bike racks shall be durable and permanently installed over a hardscape surface.
  - 3. Trash and Recycle Receptacles. Trash and recycle receptacles, i.e., cans (not dumpsters) are required to be provided at a minimum of 1 (both trash and recycle) per public entrance at commercial buildings.

#### **19.32.060– Architectural Standards.**

All new development must present an attractive, coordinated streetscape, incorporate architectural and site design elements appropriate to a pedestrian scale, and provide for the safety and convenience of pedestrians. These general principles are reflected in the following architectural standards:

- A. General Design Standards: To the extent not prohibited by the County Land Use, Development, and Management Act, the following building design requirements shall apply in the C-1, C-2, and C-3. C-V Zones are subject to the design standards listed in Chapter 19.40 Foothills and Canyons Overlay Zone:
  - 1. Walls. No more than three materials shall be used for primary wall surfaces. Exterior finishes shall be of materials that comply with subsection (B). Without limiting the use of color, large areas of wall shall be subdued in color and not reflective.
  - 2. Building Heights. Buildings should provide a sense of street enclosure for pedestrians in more urban environments. New commercial buildings adjacent to existing neighborhoods shall step-down in height to help minimize the visual impact to residential areas. See Table 19.32.060A for requirements.
  - 3. Transparency. Where applicable, the intent of transparency standards is to promote economic activity by creating active street walls and visual interest for pedestrians at the ground-level. They also serve to promote personal and property safety by introducing more “eyes on the

street” or natural surveillance of the public right-of-way and building interiors. See Table 19.32.060.A for requirements.

| <b>Standard</b>                                        | <b>C-1</b>                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>C-2</b>                                                                                                                                      | <b>C-3</b>                                                                                                                                      | <b>C-V</b>                                           |
|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| <b>Building Height</b>                                 | <i>Minimum:</i> No primary building within this district shall be erected to a height less than fifteen feet (15') above grade.<br><br>Maximum: 45'                                                                                                                                                                                                                                                                        | <i>Minimum:</i> No primary building within this district shall be erected to a height less than fifteen feet (15') above grade.<br>Maximum: 60' | <i>Minimum:</i> No primary building within this district shall be erected to a height less than fifteen feet (15') above grade.<br>Maximum: 45' | <br><br><br><br><br><br><br><br><br><br>Maximum: 35' |
| <b>Step-down Height Adjacent to Residential Areas.</b> | Within one hundred feet (100') of sites zoned for single family residential, the following standards shall apply:<br><br>a. On the portion of the site within one hundred feet (100') of a site zoned R-1, the maximum height shall be thirty-five feet (35').<br><br>b. On the portion of the site within one hundred feet (100') of a site zoned R-2, R-4, RM, or RMH the maximum height shall be forty-five feet (45'). |                                                                                                                                                 |                                                                                                                                                 |                                                      |
|                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                 |                                                                                                                                                 |                                                      |

4. Roofs. All the roofs and dormer roofs of a building shall be constructed of the same material. Slopes of roofs shall be of equal pitch if a gable or hip roof is employed. All metal roofs must not be reflective. Painted roof shingles are prohibited.
  - a. Flat Roofs on stand-alone buildings are allowed when variation to the roof line is provided through the use of parapets, towers, step-backs, or accessory structures.
  - b. Large building roofs shall have parapets and enclosures concealing flat roofs and rooftop equipment from public view. Parapet and enclosure materials shall match the building's material.
  - c. For pitched roofs, the slope is measured with the vertical rise divided by the horizontal span or run.
    1. The roof may not be sloped less than a 4:12 (rise:run) or more than 16:12.
    2. Slopes less than 4:12 are permitted to occur on second story or higher roofs.
    3. Hips, gables, and any combination of hips and gables with or without dormers are permitted.
    4. Gambrel, butterfly (inverted gable roof), and mansard roofs are not permitted.
    5. A gabled end or perpendicular ridge line shall occur at least every one hundred feet (100') of roof when the ridge line runs parallel to the front lot line.
- B. Exterior Structure Standards: All exterior walls of all structures shall be constructed in compliance with the following:

1. Materials. All buildings shall use one or more of the following durable materials as significant finish: architectural precast concrete, architecturally treated concrete masonry units, brick cladding, natural and cast stone, architectural metals, and glazing. Architectural site-cast concrete may be allowed if designed, articulated, and colored for a finished appearance on all buildings. At least fifty percent of all buildings visible from a major street the building fronts shall be composed of brick, stone, architecturally treated CMU, architectural precast concrete, architectural metals, and/or glazing.
  2. Exterior Insulation and Finish System (EIFS)/Stucco. The use of EIFS on ground floor walls shall be limited to the surface area three or more feet above finished grade. The wall area from finished grade to where the use of EIFS begins shall be clad by a hard, durable material such as brick, stone, architectural precast concrete, or architecturally treated concrete masonry units.
  3. Detail and Finish. Building façades that face the street but do not have pedestrian entries shall be composed of materials such as brick or stone and shall provide variety and interest in the façade through the introduction of such elements as pilasters, recessed or protruding bays, changes in materials and/or colors, building lighting elements, display windows with products or product graphics, transparent windows or clerestories, and signs and graphics.
  4. Surface Variation. Continuous building wall surfaces shall be relieved with variations of wall planes or overhangs that create shadow areas and add visual interest. Variations should result from significant dimensional changes in plane, color, or detail as accomplished by such devices as protruding bays, recessed entries, upper-level step-backs, arcades, offsets in the general plane of the façade, changes in materials or color, bay windows, vestibules, porches, balconies, exterior shading devices, nonretractable canopies or awnings, projecting cornices, or eaves.
  5. Vertical Separation and Human Scale. Buildings in excess of two (2) stories in height shall exhibit architectural detailing that establishes a vertical separation between lower and upper stories. This may be accomplished by a mid-façade cornice or trim, a change in material, style or color, a façade step-back or roof pitch with dormer windows, or other architectural designs that differ from the lower story. Buildings in excess of two (2) stories shall also exhibit architecture design that incorporates the human scale, which is specific architecture features below 10 feet (10').
  6. Façade Features. All large retail building façades visible from public streets shall include architectural treatments that add detail, character, and reduce the appearance of massive blank walls. Techniques such as color and material changes, expression of structure, shifts in plane, offsets and projections, belt courses, reveals, pilasters, windows, doors, arcades, canopies, and other similar elements may achieve this standard. *Opaque (solid) storefront security closures (rolling doors, etc.) are not allowed.*
- C. Entrances. The intent of entrance standards is to provide direct and comfortable access to businesses for pedestrians. Entrances on public streets are particularly important to promote pedestrian traffic and activities on the sidewalks. The following standards apply to the entrances of all structures:
1. Street front entrances shall be developed on all new buildings. An unobstructed walkway connection from the door location must be provided to connect to the public sidewalk. Entry doors must be located on the front façade or be placed within three feet (3') of the front façade.

2. Primary public entry(s) shall be designed in a way so that it is distinguishable from the rest of the building's facade. Weather protection features such as awnings, canopies, doors inset by at least three feet (3'), or arcades shall be provided at all customer entrances.
- D. Corner Buildings. Building on corner lots, where at least two of the building facade face a street, shall be designed in a way that each ground floor street facing facade shall create visual interest through a combination of a variety of building materials, facade changes, art, or colors, and increase in pedestrian activity through the use of awnings, gateways, seating, and landscape.

#### **19.32.070 – Off-Street Parking Standards.**

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

- A. Change Of Use: Whenever the existing use of a structure or the existing use of land is changed to another use or another occupancy, parking and loading facilities shall be provided as required by this title, except that the planning commission may reduce this requirement in cases of hardship and practical difficulty covering the land on which the building is located.
- B. Surface parking areas, except for approved street parking, shall not be located between a building and a public right-of-way on lots or parcels adjacent to a public right-of-way. This requirement shall only apply to one side of a lot or parcel that is adjacent to a public right-of-way on multiple sides. Surface parking for a large commercial development, such as a grocery store or department store, that meets the standards for a build-to-line exception as described in 19.32.050.C, is allowed between the building and the right of way as long as the parking spaces each comply with this part.
- C. Surface parking areas, except for approved street parking, located within thirty feet (30') of a public right-of-way shall be screened by grading, landscaping, walls/fences, or a combination of these, to a height of three feet (3') above the surface of the parking area.
- D. All commercial development should be designed to allow for cross-access to adjacent properties to encourage shared parking and shared access points on public or private streets, unless otherwise specified. A minimum distance of one hundred (100) feet should be required between a cross-access way and an entrance. UDOT standards may supersede this requirement in areas of UDOT jurisdiction. When cross-access is deemed impractical by Director on the basis of topography, the presence of natural features, or vehicular safety factors, this requirement may be waived provided that appropriate bicycle and pedestrian connections are provided between adjacent developments or land uses.
- E. The Director or Designee may approve an exception to the requirements of this subsection if he or she determines that any of the requirements are not reasonably possible based on the unique characteristics of the site.

#### **19.32.080 - Open Space and Landscaping**

In addition to the parking standards specified in Chapter 19.50, "Landscaping and Screening", the following parking standards shall apply:

- A. Physical Connections. Each lot or parcel shall have a system of pedestrian walkways and sidewalks that provide connections between the building entrances, neighboring building entrances, sidewalks, parking areas, open space, and public trails.
- B. Minimum Landscaped Area. Thirteen percent (13%) of the area of each commercial site shall be developed as landscaped setbacks, courtyards, plazas, open space, or walkways.

- C. Landscaped Setback from Edge of a Street or Drive. The entirety of the required setback between a building or parking lot and a street or drive shall consist of landscaping, sidewalks, or a combination thereof. Courtyard or plaza areas shall be deemed to be a part of the front setback of the building.
- D. Prohibitions. Maintenance buildings, trash collection and recycling areas, storage and service areas, mechanical equipment, and off-street loading areas shall not be permitted in the front setback of any building and shall be located behind the main building structure or completely screened from public view.
- E. Building Foundation Landscaping. The ground adjacent to the building foundation must be landscaped if it is visible from public vantage points.
- F. Residential Buffer. A landscaped buffer shall be required to separate residential uses from commercial and industrial uses.
  - a. Landscaped Buffer Area. The landscape buffer area must be a minimum of thirty feet wide to provide adequate screening, buffering, and separation of these uses. The landscape treatment should use a combination of distance and low-level screening to separate the uses to soften the visual impact of the commercial or industrial use. The thirty foot (30') buffer area may be shared between adjoining properties, upon adequate proof of reciprocal easements to preserve and maintain the buffer area. The landscaped buffer area shall include a minimum of one tree for every two hundred fifty square feet (250 sq. ft).
  - b. Fully Sight-Obscuring Fence. The planning commission shall require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and landscaping is not practical. Such fence must be a minimum of six feet (6') high (up to eight feet (8') if warranted and approved by the planning commission) and completely sight-obscuring. Fences may be of wood, metal, bricks, masonry, or other permanent materials.

### **19.32.090 – Lighting**

All new development must comply with the following outdoor lighting standards:

- A. Light Source. Light sources shall be at least as efficient as LED and no greater than four thousand kelvin (4000K) in correlated color temperature (CCT). Light levels shall be designed such that light trespass measured at the property line does not exceed 0.01 foot-candles. Light fixtures shall use a cutoff luminaire that is fully or partially shielded with no light distributed above the horizontal plane of the luminaire or into nearby residential structures. In no case shall the total lumens emitted for a single site exceed one hundred thousand (1000) lumens per acre.
- B. Parking Lot Lighting. Parking lot lighting shall be designed and constructed to comply with the following standards:
  - 1. Pole Height/Design.
    - a. Poles and fixtures shall be black, dark brown, or another neutral color approved by the Director or Designee.
    - b. All attempts shall be made to place the base of light poles within landscape areas.
    - c. Light poles in parking areas shall not exceed thirty feet (30') in height. Poles exceeding twenty feet (20') in height are appropriate only for parking areas exceeding two hundred (200) stalls and not within 75' of a residential zone.
- C. Other Outdoor Lighting Standards.

1. Wall-mounted lighting fixtures shall not be located above eighteen feet (18') in height unless being used as building accent lighting. Fixture styles and finishes should complement the building exterior.
  2. Lighting located along pedestrian pathways or in areas primarily dedicated to human activity shall be bollard-style lighting or down-directed lighting not to exceed twelve feet (12') in height. Pedestrian lighting should be coordinated through each project and should complement adjacent projects to the greatest extent practical.
  3. In order to avoid light pollution, backlit awnings, up-light spotlights, and floodlights are prohibited.
  4. Street lighting shall either be chosen from the county's approved streetlight standards or installed to match a theme set by developments within the zone or neighborhood.
  5. Lighting for outdoor athletic facilities may be mounted on a roof or wall at a height above the typical eighteen-foot (18') maximum, provided it is demonstrated by the applicant, through submittal of appropriate documentation and light studies, that the facility cannot otherwise be properly lighted. This lighting shall comply with the following requirements:
    - a. Light fixtures and necessary supports shall not extend more than four feet (4') above the roof line;
    - b. Light fixtures shall include appropriate shields to minimize light trespassing off the site;
    - c. Light fixtures shall include appropriate shields and louvers to minimize, to the greatest extent possible, any point source light pollution;
    - d. Light fixtures and supports shall be painted to blend with the color scheme of the structure to which they are mounted; and
    - e. Light fixtures shall be dimmable to address any possible unforeseen light impacts once they are constructed and operable.
- D. Upgrading Preexisting Lighting. An applicant must bring preexisting lighting into compliance with this code upon application with the business license department for a change in ownership, new business in a stand-alone structure or a multi-tenant structure in which the new business utilizes more than fifty percent (50%) of the building square footage on the site, in conjunction with an application for a building permit for any alteration, remodel or expansion of any structure on the site, or in conjunction with changes to the approved site plan.
- E. Lighting Plan Submission Requirements. A lighting plan is required for all developments and must contain the following:
1. Plans indicating the location on the premises and the type of illumination devices, fixtures, lamps, supports, reflectors, installation and electrical details;
  2. Description of illuminating devices, fixtures, lamps, supports, reflectors, and other devices that may include, but is not limited to:
    - a., manufacturer catalog cuts and drawings, including a section where required; and
    - b. photometric data, such as that furnished by manufacturers, or similar data showing the angle of the cutoff or light emission; and
  3. A point-by-point light plan to determine the adequacy of the lighting over the site.

#### **19.32.100 – Fences Hedges and Walls.**

The following standards apply to new development of fences, hedges, and walls:

- A. Required Setbacks. A fence, hedge, wall, column, pier, post, or any similar structure or any combination of such structures is permitted in the required setback of a zone district if it meets the following conditions:
  - 1. No fence, hedge, or wall extends beyond or across a property line without a recorded agreement with the abutting property owner;
  - 2. Only one fence or wall shall be allowed per property line. Double fences, walls or combination thereof are prohibited; and
  - 3. No barbed wire or other sharp, pointed, or electrically charged fence may be erected or maintained, except a temporary fence on a construction site to protect the property during the period of construction may be topped with barbed wire where the barbed wire is not less than eight feet (8') above the ground and does not extend more than two feet (2') above the temporary fence.
- B. Height. No fence or wall may exceed seven feet (7') in height in a rear yard or side yard, four feet (4') in height in a front yard, or three feet (3') in a sight distance triangle, measured as follows:
  - 1. In a required yard abutting a street, the height above the finished grade measured on the side nearest the street;
  - 2. In any other required yard, the total effective height above the finished grade measured on the side nearest the abutting property;
  - 3. On a property line, measured from the finished grade of either side when the abutting property owners are in agreement; and
  - 4. A temporary fence on a construction site may be as high as seven feet (7') to protect the property during the period of construction.
- C. Athletic Facilities. Fencing around athletic facilities, including, without limitation, tennis courts, may be fourteen feet (14') in height so long as all portions above six feet (6') are constructed with at least fifty percent nonopaque materials.

**19.32.110 – General Information.**

It is the responsibility of the applicant to comply with all other standards of Title 19 and all other county ordinances, including but not limited to the following. To the extent this chapter is inconsistent with these sections, this chapter shall apply.

- A. 19.48: Off Street Parking Requirements
- B. 19.50: Landscaping and Screening
- C. 19.52: Signs

## **19.34 Manufacturing Zones – Staff Summary**

### **Purposes:**

Further distinguish between the M-1 and M-2 Zones; Tailor the M-1 Zone to support flex industrial uses; Increase development standards associated with the M-1 and M-2 Zones to ensure compatible, high-quality development.

### **Changes of Note:**

There is little distinction in the current ordinance between the M-1 and M-2 zones. The proposed ordinance envisions the M-1 zone to have light industrial/office uses, with the M-2 zone having heavy industrial uses.

### **Uses:**

The proposed ordinance updates the use tables for the M-1 and M-2 zones to establish a greater distinction between the two zones. To this end, certain uses have been eliminated from the M-1 zone, including agricultural products processing, freight services, meat/poultry processing, recycling processing, vehicle assembly, major public utility, water treatment facility, solar/wind energy system, etc. Less impactful uses have been added to M-1, including open space, breweries/distilleries, self-storage, crematorium, etc. The M-2 remains largely unchanged, with lower impact uses added, including commercial nursery, open space, underground record storage, and crematorium. Great care has been taken to retain uses currently used by property owners who are in the M-1 and M-2 zones so that they are not affected by the updates to the use table. See Table 19.34.030.

### **Development Standards:**

The lot size standards have been updated to eliminate the conditional use requirement for projects over one acre in size; this is consistent with the principle throughout the Title 19 update to convert most conditional uses to permitted uses with precise standards. The proposed ordinance also adds a minimum floor area ratio requirement, which encourages full-fledged industrial operations with buildings, as opposed to operations that are primarily storage yards. Minimum and maximum building heights have been added to address situations in other MSD member jurisdictions that have proposed very tall buildings in the M zones, significantly impacting viewsheds of nearby residential areas; included in those height regulations are step-down height requirements for projects near residential areas. Minimum lot widths were added to address problems of unregulated auto repair and junk operations on vacant parcels, and to set minimum standards needed to accommodate building and parking. See Table 19.34.040 and Figure 19.34.040.

The proposed ordinance adds basic building setbacks to address on-site drainage, building code, and fire code concerns in the M-zones; the current zoning ordinance has no such setbacks. See Table 19.34.050.

### **Resources Utilized:**

- Portland Zoning Ordinance
- Vineyard Zoning Ordinance

- South Jordan Zoning Ordinance
- Salt Lake City Zoning Ordinance

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## Chapter 19.34: Manufacturing Zones

### Sections:

#### 19.34.010 – Purpose of Provisions.

The purpose of the manufacturing zones is to provide places in the unincorporated county for industrial, warehousing, wholesale, and other uses that contribute to the economic stability of the unincorporated county and wellbeing of its businesses and residents. The zones intend to provide employment opportunities and expand the unincorporated tax base while also encouraging sustainable development and providing an attractive transition between residential and non-residential uses.

#### 19.34.020 – Establishment of Manufacturing Zones.

To anticipate and respond to the changing needs of the unincorporated county and implement industrial and employment center concepts, the county establishes the following zones:

- E. Manufacturing Zone – Flex (M-1): The M-1 Zone is intended to provide a flexible mix of industrial uses, including light manufacturing, warehousing, wholesale, and accessory uses that contribute to employee wellbeing and quality development.
- F. Manufacturing Zone – Heavy (M-2): The M-2 Zone is reserved for areas of the unincorporated county that support more intense industrial uses, such as distribution centers, resource processing, and energy production. Development standards are intended to minimize adverse impacts of these uses and protect the surrounding environment.

#### 19.34.030 – Schedule of Permitted Uses.

- E. Schedule of Permitted Uses. The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.
- F. Procedure for Multiple Uses (Combination of Uses). If a development proposal involves a combination of uses other than accessory uses as identified in Table 19.34.030, the more restrictive provisions of this Title shall apply. For example, if a portion of a development is subject to Conditional Use (“C”) approval and the other portion is subject only to Permitted Use (“P”) review, the entire development shall be reviewed and approved by the Conditional Use process.
- G. Abbreviations. The abbreviations used in the schedule mean:
  - 1. P = Permitted Use. Permitted uses are allowed in the zone but may be subject to additional restrictions and approval processes as provided in this Title.
  - 2. C = Conditional Use. Conditional uses are allowed only if special provisions or conditions are approved to mitigate the detrimental impacts of the use because of the unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent uses, incompatibility in some areas of the zone, or compatibility. The Planning Commission is the land use authority for uses with this designation.
  - 3. X = Prohibited Use. Any use designated “X” is prohibited in this zone. Any use not specifically identified in Table 19.34.030 is also prohibited in this zone unless the applicant obtains an administrative determination to the contrary pursuant to the Land Use Processes and Procedures section of this Ordinance.

#### Table 19.34.030: Table of Uses for M-1 and M-2 Zones.

| Use Categories                                                        | M-1 | M-2 |
|-----------------------------------------------------------------------|-----|-----|
| <b><u>RETAIL AND SERVICE:</u></b>                                     |     |     |
| Animal Control or Rescue Facility                                     | P   | X   |
| Animal Hospital or Clinic with or without Outdoor Boarding Facilities | P   | X   |
| Child Care Center subject to Chapter 19.42                            | P   | X   |
| Commercial Plant Nursery                                              | X   | P   |
| Contractor's Office                                                   | P   | P   |
| Vehicle and Equipment Repair – All Types                              | P   | P   |
| <b><u>FOOD AND DRINK:</u></b>                                         |     |     |
| See Accessory Uses.                                                   |     |     |
| <b><u>RECREATIONAL:</u></b>                                           |     |     |
| Open Space                                                            | P   | P   |
| See also Accessory Uses.                                              |     |     |
| <b><u>LODGING:</u></b>                                                |     |     |
| No Lodging Uses are allowed in the Manufacturing Zones.               |     |     |
| <b><u>OFFICE:</u></b>                                                 |     |     |
| Office – Intensive or Medical                                         | P   | X   |
| <b><u>INDUSTRIAL:</u></b>                                             |     |     |
| Agricultural Products Processing                                      | P   | P   |
| Assembly Use                                                          | P   | P   |
| Breweries and Distilleries, Industrial                                | P   | P   |
| Freight Service                                                       | X   | C   |
| Industrial Flex Space                                                 | P   | X   |
| Machine Shop                                                          | P   | P   |
| Manufacturing, Heavy                                                  | X   | C   |
| Manufacturing, Light                                                  | P   | P   |
| Meat or Poultry Processing Facility                                   | P   | P   |
| Recycling Processing Facility                                         | X   | P   |
| Resource Recycling Collection Point                                   | P   | P   |
| Self-Service Storage Facilities, Enclosed or Outdoor                  | P   | X   |
| Storage Yard subject to Chapter 19.42                                 | P   | P   |
| Underground Record Storage Vaults                                     | X   | C   |
| Vertical Indoor Agriculture                                           | P   | P   |
| Vehicle Assembly                                                      | X   | P   |

|                                                                                          |   |   |
|------------------------------------------------------------------------------------------|---|---|
| Warehouse and Distribution Facilities                                                    | P | P |
| <b>INSTITUTIONAL:</b>                                                                    |   |   |
| Micromobility Support Infrastructure                                                     | P | P |
| Public Service Training Facility                                                         | P | P |
| Public Use                                                                               | P | P |
| Public Utility, Major                                                                    | X | P |
| Public Utility, Minor                                                                    | P | P |
| Water Treatment Facility                                                                 | X | P |
| Wireless Telecommunication Site, Facility, or Equipment Shelter subject to Chapter 19.42 | X | P |
| <b>SPECIALTY:</b>                                                                        |   |   |
| Crematorium                                                                              | P | P |
| Laboratory, Medical or Dental                                                            | P | X |
| Laboratory, Research and Development                                                     | P | X |
| Park-and-Ride                                                                            | P | P |
| Solar Energy System, Commercial                                                          | X | p |
| Wind Energy System, Commercial                                                           | X | p |
| <b>ACCESSORY USES:</b>                                                                   |   |   |
| Accessory Uses, including Employee Amenities and Accessory Outdoor Storage               | P | P |

#### 19.34.040 – Development Standards.

- A. General Design Standards: The following building design requirements apply in the M-1 and M-2 Zones:
1. View Protection. In order to minimize the obstruction of all views, no vertical design elements, dominant rooflines, or other features which exaggerate building height shall be used.
  2. Building Massing. In order to maximize the integration of buildings and features with the natural environment and surrounding neighborhoods, all developments in the M-1 and M-2 Zones shall incorporate techniques for reducing the apparent size and bulk of buildings and structures. The following methods are required:
    - a. All buildings shall use one or more of the following durable materials as significant finish: architectural precast concrete, architecturally treated concrete masonry units, brick cladding, natural and cast stone, architectural metals, and glazing. Architectural site-cast concrete may be allowed if designed, articulated, and colored for a finished appearance on all buildings. At least fifty percent of each façade visible from a major street the building fronts shall be composed of brick, stone, architecturally treated CMU, architectural precast concrete, architectural metals, and/or glazing.
    - b. Continuous building wall surfaces shall be relieved with variations of wall planes or overhangs that create shadow areas.

- B. Development in the M-1 or M-2 Zones shall comply with the development standards of Table 19.34.040 and all other applicable standards in this Title.

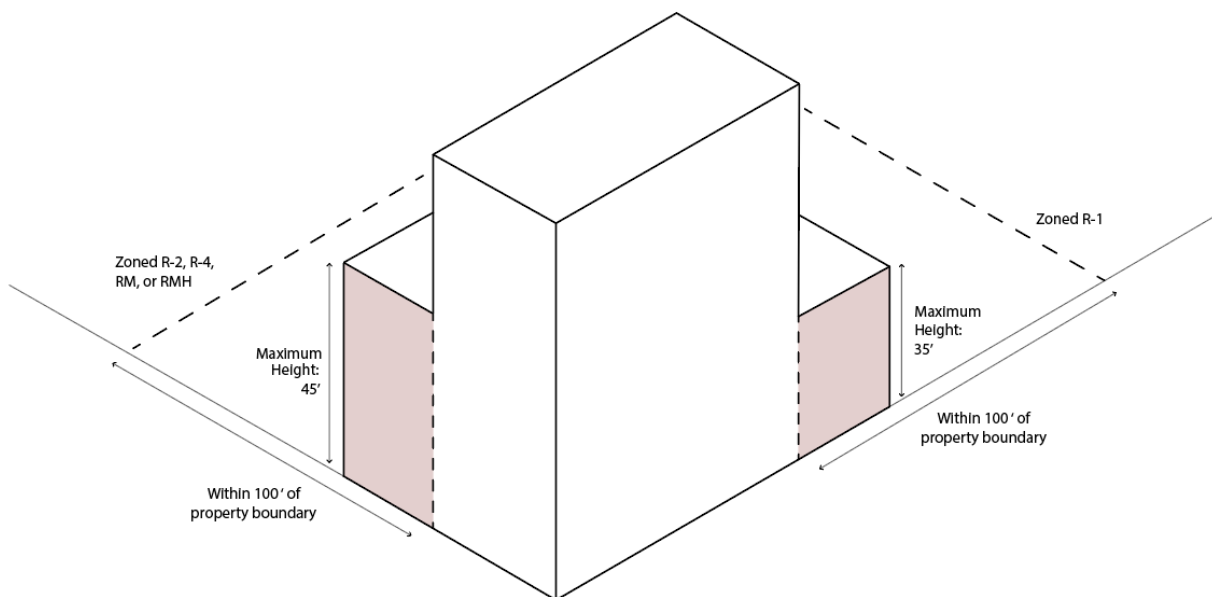
**Table 19.34.040: M-1 and M-2 Zone Development Standards.**

| Standard                                       | M-1                                                                                                                                         | M-2                                                                                                                                         |
|------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| Minimum Lot Size (in square feet) <sup>C</sup> | 12,000                                                                                                                                      | 25,000                                                                                                                                      |
| Minimum Lot Width (in feet) <sup>C</sup>       | 75                                                                                                                                          | 100                                                                                                                                         |
| Building Height (in feet) <sup>D</sup>         | <i>Minimum:</i> No primary building within this Zone shall be erected to a height less than fifteen feet above grade.<br><i>Maximum:</i> 60 | <i>Minimum:</i> No primary building within this Zone shall be erected to a height less than fifteen feet above grade.<br><i>Maximum:</i> 80 |
| Minimum Floor Area Ratio                       | 0.5:1                                                                                                                                       | NA                                                                                                                                          |
| Maximum Building Lot Coverage                  | 80%                                                                                                                                         | 80%                                                                                                                                         |

**Footnotes to Table 19.34.040**

- C. Lots or parcels legally existing as of adoption date of this ordinance, which do not conform with the requirements of this table, shall be considered legal nonconforming lots or parcels.
- D. Within one hundred feet (100') of sites zoned residential, the following standards shall apply:
1. On the portion of the site within one hundred feet (100') of a site zoned R-1, including any sub-zone of R-1, no structure or any portion thereof may exceed thirty-five feet (35') in height.
  2. On the portion of the site within one hundred feet (100') of a site zoned R-2, R-4, RM, or RMH, no structure or any portion thereof may exceed forty-five feet (45') in height.

**Figure 19.34.040: Stepdown Heights Adjacent to Residential Areas.**



**19.34.050 – Required Yards and Setbacks.**

- A. Development in the M-1 or M-2 Zones shall comply with the yard and setback standards shown in Table 19.34.050 and all other applicable standards in this Title.

**Table 19.34.050: Required Yards and Setbacks for M-1 and M-2 Zones.**

| Standard                                                                                                        | M-1                                     | M-2                                     |
|-----------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------|
| Front Yard Setback (in feet)                                                                                    | Minimum: 20<br>Maximum: NA              | Minimum: 25<br>Maximum: NA              |
| Side Yard, Interior Lot Setback (in feet)                                                                       | Minimum: 0 <sup>B</sup><br>Maximum: NA  | Minimum: 0 <sup>B</sup><br>Maximum: NA  |
| Rear Yard Setback (in feet)                                                                                     | Minimum: 0 <sup>B</sup><br>Maximum: NA  | Minimum: 0 <sup>B</sup><br>Maximum: NA  |
| Minimum Distance between Primary and Accessory Buildings (in feet)                                              | 10                                      | 10                                      |
| Side Yard, Interior Lot and Rear Yard Setback (in feet) from a residential zone boundary                        | Minimum: 30 <sup>C</sup><br>Maximum: NA | Minimum: 30 <sup>C</sup><br>Maximum: NA |
| Side Yard, Interior Lot and Rear Yard Setback (in feet) from a nonresidential or nonmanufacturing zone boundary | Minimum: 20<br>Maximum: NA              | Minimum: 20<br>Maximum: NA              |

**Footnotes to Table 19.34.050**

- B. Required Setback to Contain Roof Drainage. All buildings located closer than five feet (5') from a property line shall be equipped with facilities for the discharge of all roof drainage onto the subject lot or parcel.
- C. Residential Buffer. Masonry Wall and 8' landscaped buffer required between residential and non-residential uses in accordance with Section 19.50.050.B.

**19.34.060 – Height Exceptions.**

Exceptions to the building heights specified in Table 19.34.040 apply, in accordance with 19.46.090.H

**19.34.090 – General Information.**

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

- A. 19.46: Site Development Standards
- B. 19.48: Off Street Parking Requirements
- C. 19.52: Signs

### **S-1-G Zone – Staff Summary**

**Purpose:** The S-1-G zone is for extraction and processing of sand, gravel and similar natural resources in Salt Lake County.

**Changes to Note:** No changes (other than re-numbering) are proposed for this chapter.

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## **CHAPTER 19.35: S-1-G ZONE**

### **Sections:**

#### **19.35.010 Purpose of Provisions.**

The purpose of the S-1-G zone is to permit extraction of gravel and similar natural resources in the county.

#### **19.35.020 Permitted uses.**

A. Permitted uses in the S-1-G zone include:

1. Agriculture.

#### **19.35.030 Conditional uses.**

A. Conditional uses in the S-1-G zone include:

1. Golf course;
2. Mine; quarry; gravel pit; including crushers, concrete batching plants used in connection with and as a part of an operation for the removal of sand or gravel from the lot or parcel upon which the crusher or batching plant is installed, but expressly excluding an asphalt plant or any type of oil or asphalt emulsion mixing operation. Excavations are permitted only under the conditions outlined in the Salt Lake County excavation ordinance;
3. Nursery and/or greenhouse, excluding retail sales;
4. Public and quasi-public uses;
5. Recreation, commercial;
6. Single-family dwelling;
7. Temporary buildings for uses incidental to construction work, which buildings must be removed upon the completion or abandonment of the construction work. If such buildings are not removed within ninety days upon completion of construction work and thirty days after notice, the buildings will be removed by the county at the expense of the owner.

#### **19.35.040 Lot area.**

The minimum lot area in the S-1-G zone shall be not less than one-half acre.

#### **19.35.050 Lot width.**

The minimum width of any lot in the S-1-G zone shall be one hundred feet, at a distance thirty feet back from the front lot line.

#### **19.35.060 Front yard.**

In the S-1-G zone, the minimum depth of the front yard for main buildings, and for private garages which have a minimum side yard of ten feet, shall be thirty feet, or the average of the existing buildings where fifty percent or more of the frontage is developed, provided that in no case shall the front yard be less than twenty feet or be required to be more than thirty feet. All accessory buildings, other than private garages which have a side yard of at least ten feet, shall be located at least six feet in the rear of the main building.

#### **19.35.070 Side yard.**

In the S-1-G zone, the minimum side yard for any dwelling shall be ten feet, and the total width of the two required side yards shall not be less than twenty-four feet. Other main buildings shall have a minimum side yard of twenty feet, and the total width of the two required side yards shall be not less than forty feet. The minimum side yard for a private garage shall be ten feet, except that private garages and other accessory buildings located in the rear and at least six feet away from the main building may have a minimum side yard of one foot, provided that no private garage or other accessory building shall be

located closer than ten feet to a dwelling on an adjacent lot or parcel. On corner lots, the side yard which faces on a street for both main and accessory buildings shall be not less than twenty feet, or the average of existing buildings where more than fifty percent of the frontage is developed, but in no case shall the side yard be less than twenty feet.

**19.35.080 Rear yard.**

In S-1-G zones, the minimum depth of the rear yard for any building shall be thirty feet, and for accessory buildings one foot; provided that, on corner lots which rear upon the side yard of another lot or parcel, accessory buildings shall be located not closer than ten feet to such side yard.

**19.35.090 Building height.**

A. Except as otherwise specifically provided in this title, no building or structure shall exceed the following height:

1. Thirty feet on property where the slope of the original ground surface exceeds fifteen percent or the property is located in the hillside protection zone. The slope shall be determined using a line drawn from the highest point of elevation to the lowest point of elevation on the perimeter of a box which encircles the foundation line of the building or structure. The box shall extend for a distance of fifteen feet or to the property line, whichever is less, around the foundation line of the building or structure. The elevation shall be determined using a certified topographic survey with a maximum contour interval of two feet;
2. Thirty-five feet on other properties;
3. No dwelling structure shall contain less than one story.

B. Accessory Buildings.

1. No building which is accessory to a single-family dwelling shall exceed twenty feet in height. For each foot of height over fourteen feet, accessory buildings shall be set back from property lines an additional foot to allow a maximum height of twenty feet.

### **19.36 Mixed-Use Zones – Staff Summary**

#### **Purposes:**

Establish a new chapter that provides for mixed-use development at a compact, walkable scale; promotes successful business by integrating a customer base (residential uses) close by; and creates gathering places within communities. Mixed-use zones provide greater flexibility, promote walkable communities, and promote good design to mitigate impact of a mixture of uses in close proximity to each other. The proposed chapter provides for a Neighborhood Mixed Use District for more residential areas, and a Corridor Mixed Use District for more urban areas. The proposed new mixed-use zones are designed to accommodate both small-scale infill development and larger-scale greenfield development.

Adoption of this chapter will help Salt Lake County comply with its Moderate Income Housing Plan strategies related to promoting moderate income residential development in mixed-use zones (See Strategies F and V of SLCO's Moderate Income Housing Plan).

#### **Applicability:**

- Consistent with the County's Moderate Income Housing Plan, the proposed mixed-use zones generally allow greater flexibility with uses, densities, height, and setbacks than a typical residential zone. This allows more dwelling units to be built, providing more housing supply to the market, which helps bring housing prices down. Allowing housing units to be in close proximity to commercial uses lessens reliance on transportation, which can also help with housing affordability by reducing transportation costs. Measures to mitigate the impacts of these uses in close proximity to each other include height setback requirements, proximity requirements for certain businesses, hours of operation limits for certain businesses, etc. See Figure 19.36.040A, and Footnotes B and D to Table 19.36.030.
- The NMU Zone is for small-scale mixed use at a variety of locations. The NMU could be integrated on corners surrounding residential neighborhoods in order to expand services and access to goods. The NMU Zone could also be applied as a transitional space between residential and non-residential uses.
- The CMU Zone is the highest-intensity mixed-use zone and should be implemented along transit and commuter routes. Preferably, this zone would be reserved for Major Transit Investment Corridors (places with transit frequency of 15 minutes or less).

#### **Resources Utilized:**

- Portland Zoning Ordinance
- Vineyard Zoning Ordinance
- Missing Middle Housing – Type Dimensions
- Principles of Urban Retail – Robert Gibbs
- Albany, OR Zoning Ordinance
- Holladay Zoning Ordinance

## CHAPTER 19.36: MIXED-USE ZONES

### Sections:

#### 19.36.010 – Purpose of Provisions.

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

#### 19.36.020 – Establishment of Mixed-Use Zoning Districts.

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

#### 19.36.030 – Schedule of Permitted Uses.

- A. Schedule of Permitted Uses. The specific use listed in the following schedule is permitted in the zone as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.
- B. Special Conditions. A letter in a cell particular to a use indicates that special provisions or conditions apply to the use category for this zone. The corresponding special provisions or conditions for each letter are found in the Footnotes to Table 19.36.030.
- C. Procedure for Multiple Uses (Combination of Uses). If a development proposal involves a combination of uses other than accessory uses as identified in Table 19.36.030, the more restrictive provisions of this Title shall apply. For example, if a portion of a development is subject to Conditional Use (“C”) approval and the other portion is subject only to Permitted Use (“P”) review, the entire development shall be reviewed and approved by the Conditional Use process.
- D. Abbreviations. The abbreviations in the schedule mean:
  1. P = Permitted Use. Permitted uses are allowed in the zone but may be subject to additional restrictions and approval processes as provided in this Title.
  2. C = Conditional Use. Conditional uses are allowed only if special provisions or conditions are approved to mitigate the detrimental impacts of the use because of the unique characteristics or potential impacts on the municipality, surrounding neighbors, adjacent land uses, incompatibility in some areas of the zone, or compatibility. The Planning Commission is the approval authority for uses with this designation.
  3. X = Prohibited Use. Any use designated “X” is prohibited in this zone. Any use not specifically identified in Table 19.36.030 is also prohibited in this zone unless the applicant obtains an

administrative determination to the contrary pursuant to the Land Use Processes and Procedures section of this Ordinance.

| <b>Table 19.36.030 – Use Categories</b>                             | <b>NMU</b> | <b>CMU</b> |
|---------------------------------------------------------------------|------------|------------|
| <b><u>RESIDENTIAL USES:</u></b> <sup>A</sup>                        |            |            |
| Accessory Dwelling Unit, Detached or Internal                       | P          | X          |
| Dwelling, Multiple Family                                           | X          | P          |
| Dwelling, Single Family                                             | P          | X          |
| Dwelling, Single Family Attached                                    | P          | P          |
| Dwelling, Three- and Four-Family                                    | P          | P          |
| Dwelling, Two-Family (Duplex)                                       | P          | X          |
| Educational Facility with Residential Accommodation                 | X          | P          |
| <b><u>RETAIL AND SERVICE:</u></b>                                   |            |            |
| Bank, Credit Union, or Other Financial Institution                  | P          | P          |
| Car and Light Truck Wash                                            | X          | P          |
| Child or Adult Care Facility                                        | P          | P          |
| Laundry Cleaning, Automatic Self-Help                               | P          | P          |
| Laundry Cleaning Drop-Off                                           | P          | P          |
| Liquor and/or Wine Store                                            | X          | P          |
| Mobile Store                                                        | X          | P          |
| Personal Care Services                                              | P          | P          |
| Personal Instruction Services                                       | P          | P          |
| Post Office                                                         | P          | P          |
| Reception Hall, Reception Center                                    | X          | P          |
| Retail Sales                                                        | P          | P          |
| Retail Shops or Galleries where Primary Product is Produced On-Site | C          | C          |
| Self-Service Gas Station, with or without Convenience Store         | X          | P          |
| Shopping Center                                                     | X          | C          |
| <b><u>FOOD AND DRINK:</u></b>                                       |            |            |
| Bars and Clubs                                                      | X          | P          |
| Breweries and Distilleries, with or without restaurant              | X          | P          |
| Food Truck, Mobile Restaurant, Food Cart                            | X          | P          |
| Restaurant, Fast Food                                               | P          | P          |
| Restaurant, Sit Down with or without Alcohol                        | P          | P          |
| <b><u>LODGING:</u></b>                                              |            |            |
| Bed and Breakfast                                                   | P          | P          |
| Hotel/Motel                                                         | X          | P          |
| <b><u>OFFICE:</u></b>                                               |            |            |
| Offices – General, Professional, and Trade Services                 | P          | P          |
| <b><u>RECREATIONAL:</u></b>                                         |            |            |
| Commercial Recreation and Entertainment, Indoor                     | X          | P          |

|                                                                               |    |    |
|-------------------------------------------------------------------------------|----|----|
| Outdoor Recreation, Small Scale                                               | X  | P  |
| Theatres and Concert Halls (Indoor)                                           | X  | P  |
| <b>INDUSTRIAL USES:</b>                                                       |    |    |
| Light or Heavy Industry                                                       | X  | X  |
| <b>INSTITUTIONAL USES:</b>                                                    |    |    |
| Animal Hospital or Clinic                                                     | X  | CA |
| Church, Synagogue, Mosque, Temple, Cathedral, or other religious buildings    | P  | P  |
| Community Garden                                                              | P  | P  |
| Educational Facility                                                          | P  | P  |
| Public or Quasi-Public Use                                                    | P  | P  |
| Public Utility, Minor                                                         | P  | P  |
| Public Park                                                                   | P  | P  |
| <b>SPECIALTY:</b>                                                             |    |    |
| Medical, Urgent Care, and Dental Clinic                                       | X  | P  |
| Mortuary or Funeral Home                                                      | X  | P  |
| Park and Ride                                                                 | X  | P  |
| Parking Lot (not associated with other use)                                   | X  | X  |
| <b>ACCESSORY USES:</b>                                                        |    |    |
| Accessory Buildings, Garages, Carports, and Structures subject to this Title. | P  | P  |
| Drive-Thru and Drive-Up Facilities                                            | P  | P  |
| Home Business, subject to 19.42.170.                                          | P  | P  |
| Sidewalk Displays and Sidewalk Cafes                                          | CA | CA |

#### Footnotes for Use Table

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

#### **19.36.040 – Development Standards.**

- A. To the extent not prohibited by the County Land Use, Development, and Management Act, any development in the NMU or CMU Zones shall comply with the development standards shown in Table 19.36.040 and any other applicable standards in this Title.
- B. Buildings in any Mixed-Use Zoning District shall be oriented so as to be front-facing on the public street.

| <b>Table 19.36.040 Development Standards</b> |            |            |
|----------------------------------------------|------------|------------|
| <b>Standard</b>                              | <b>NMU</b> | <b>CMU</b> |
| <b>Maximum Building Size, in square feet</b> |            |            |
| Non-Grocery                                  | 5,000      | 25,000     |

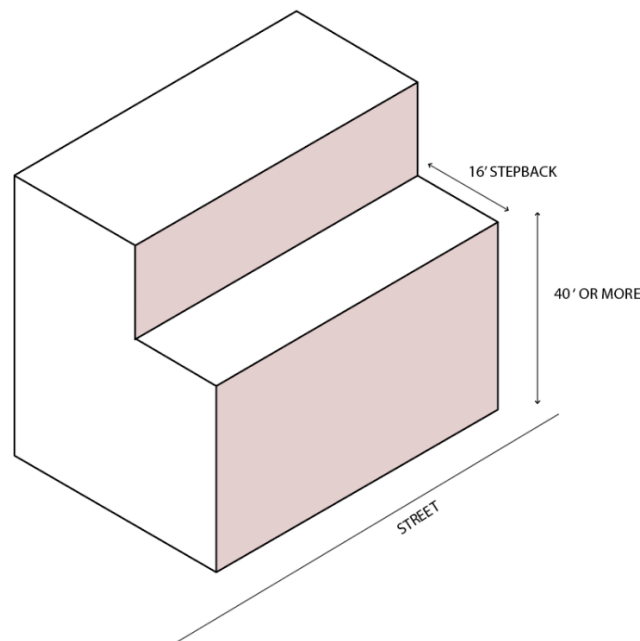
|                                                                                                  |                                                                                                                                                                                                                                                        |                                                                                |
|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| Grocery-Anchored                                                                                 | 5,000                                                                                                                                                                                                                                                  | NA                                                                             |
| Height Limitations, in feet                                                                      |                                                                                                                                                                                                                                                        |                                                                                |
| Minimum                                                                                          | 25                                                                                                                                                                                                                                                     | 20                                                                             |
| Maximum <sup>4 5</sup>                                                                           | 35                                                                                                                                                                                                                                                     | 60                                                                             |
| Ground Floor Height Minimum for Commercial / Mixed Use Buildings Only                            | 12                                                                                                                                                                                                                                                     | 12                                                                             |
| Floor Area Ratio                                                                                 |                                                                                                                                                                                                                                                        |                                                                                |
| Maximum FAR                                                                                      | 1.5:1                                                                                                                                                                                                                                                  | NA                                                                             |
| Minimum Transparency Requirements                                                                |                                                                                                                                                                                                                                                        |                                                                                |
| First Floor / Ground Story                                                                       | 50%                                                                                                                                                                                                                                                    | 70%                                                                            |
| Additional Floors                                                                                | 25%                                                                                                                                                                                                                                                    | 35%                                                                            |
| Entries                                                                                          |                                                                                                                                                                                                                                                        |                                                                                |
| Maximum distance between ground floor entries on the primary façade, in feet (ft.). <sup>2</sup> | 35                                                                                                                                                                                                                                                     | 35                                                                             |
| Primary Façade Entries, Articulation.                                                            | NA                                                                                                                                                                                                                                                     | Recessed a minimum of 4’ depth and 7’ width. A permanent overhang is required. |
| Non-primary Façade Entries                                                                       | 1 entry minimum at the ground floor is required on each non-primary façade, excluding those with a shared common wall.                                                                                                                                 |                                                                                |
| Articulation                                                                                     |                                                                                                                                                                                                                                                        |                                                                                |
| Horizontal Articulation                                                                          | Structural columns or variation in façade (depth/change in material) shall be articulated at the primary façade for the full height of the building to the cornice (or to the full height of the building to the first stepback); minimum 50’ spacing. |                                                                                |
| Vertical Articulation                                                                            | Cornice/Frieze Banding is required between the second and third floors on buildings with three or more stories.                                                                                                                                        |                                                                                |
| Roof                                                                                             | NA                                                                                                                                                                                                                                                     | Pitched roofs are prohibited. Cornice at roof line is required.                |
| Usable Outdoor Space, minimum requirement per unit in square feet                                |                                                                                                                                                                                                                                                        |                                                                                |
| Single-Family Attached or Detached                                                               | 150                                                                                                                                                                                                                                                    | NA                                                                             |
| Two-, Three-, or Four-Family                                                                     | 100                                                                                                                                                                                                                                                    | 60                                                                             |
| Multi-Family                                                                                     | 45                                                                                                                                                                                                                                                     | 40                                                                             |

1. Transparency: Transparency means the use of materials that allow for persons from the street to see into the active uses of the building. Areas covered by menus, murals, or other signage that

prevents visibility into the active use do not count toward the required transparency, unless the County has authorized a temporary advertisement or other festive decoration.

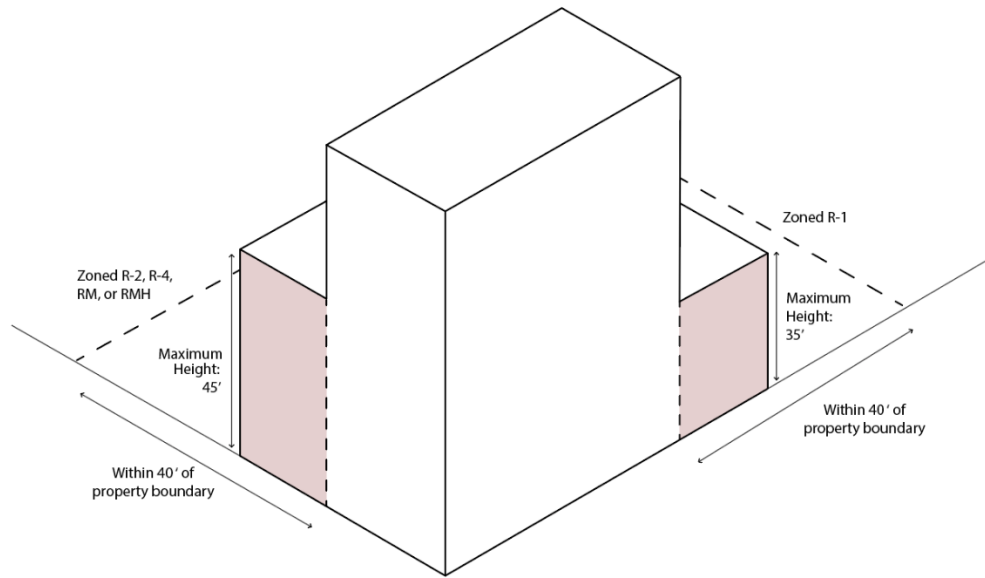
2. Entries on Corner Lots: Buildings on corner lots shall be oriented to the corner that faces on two public streets. Corner entries are required and shall be angled toward the intersection of the two public streets in order to emphasize the corner.
3. Usable Outdoor Space: Usable Outdoor Space means outdoor space provided for the enjoyment of the tenant or tenants. The required outdoor space may be provided through private outdoor balconies or patios attached to the unit or may be combined in an outdoor community space shared by all residents / units.
  - a. Balconies: If balconies are provided, they shall be recessed or incorporated into the horizontal setback.
4. Stepbacks: A sixteen-foot (16') stepback shall be required for any height above forty feet (40'). See Figure 19.36.040 A for reference.

**Figure 19.36.040 A: Stepback Illustration.**



5. Step-down Height Adjacent to Residential Areas: Within forty feet (40') of sites zoned residential, the following standards shall apply. Stepped-down height is not required in the CMU Zone:
  - a. On the portion of the site within forty feet (40') of a site zoned R-1, the maximum height is thirty-five feet (35').
  - b. On the portion of the site within forty feet (40') of a site zoned R-2, R-4, RM, or RMH the maximum height is forty-five feet (45').

**Figure 19.36.040 B: Step-down Heights Illustrated.**



**19.36.050 – Required Yards and Setbacks.**

- A. Purpose: The purpose of the standards in this section is to create and maintain street frontages that are attractive, promote a walkable environment, and create a sense of safety and comfort through appropriate scale.
- B. The minimum yard requirements for buildings within the Mixed-Use Zones are presented in Table 19.36.050.
- C. Exception for Setbacks for Common Walls. The side setback is zero feet (0') for any building which shares a side common wall.

| <b>Table 19.36.050 Lot Width, Yard, and Setback Requirements</b>            |            |            |
|-----------------------------------------------------------------------------|------------|------------|
|                                                                             | <b>NMU</b> | <b>CMU</b> |
| <b>Minimum Lot Frontage Along Public Street (in ft.)</b>                    | 25         | 20         |
| Front Yard                                                                  | 10         | 0          |
| Side Yard, Interior                                                         | 10         | 10         |
| Side Yard, Corner Lot                                                       | 10         | 0          |
| Rear Yard                                                                   | 10         | 10         |
| Front Yard                                                                  | 20         | 10         |
| Side Yard, Interior                                                         | 10         | 10         |
| Side Yard, Corner Lot                                                       | 10         | 10         |
| Rear Yard                                                                   | 20         | 30         |
| <b>Minimum Distance Between Main and Accessory Buildings, in feet (ft.)</b> | 6          | 10         |

**19.36.060 – Height Exceptions.**

Exceptions to the building heights specified in Table 19.36.040 apply, in accordance with 19.46.090.

**19.36.070 – Off Street Parking Standards.**

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

**19.36.080 – General Information.**

It is the responsibility of the applicant to comply with all other standards of Title 19 and all other county ordinances, including:

- A. 19.46: Site Development Standards
- B. 19.48: Off Street Parking Requirements
- C. 19.52: Signs

**End of Phase 1 Chapters.**