



CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

NORTH SALT LAKE PLANNING COMMISSION NOTICE & AGENDA March 11, 2025 6:30 p.m. Revised March 10, 2025

Notice is given that the City of North Salt Lake Planning Commission will hold a regular meeting on the above noted date and time in the City Council Chambers located at 10 East Center Street.

- 1) Welcome and Introduction
- 2) Public comments
- 3) Public Hearing: Consideration of a plat amendment to combine lot 1511 of Eaglepointe Estates Phase 15 Subdivision with parcel number 01-120-0093 and to vacate an 8 foot wide public utility easement. Property(s) located at 1030 South Parkway Drive, Raul and Kami Weston, applicant (Administrative)
- ~~4) Consideration of preliminary plat for Silver Sky Lofts PUD Amended at 215 East Odell Lane, Ben Olsen, Foresight Development, applicant (Administrative)~~
- 5) Consideration of an amendment modifying Title 10, Chapter 11 Land Use Table; Chapter 1, General and Supplementary Provision; Chapter 19, Specific Use Standards; and Chapter 4, Signs (Legislative)
- 6) Report on City Council actions on items recommended by Planning Commission
- 7) Approval of minutes:
 - a. 02/25/2025

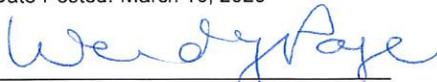
This meeting will be broadcasted live through the City's YouTube channel: <https://www.youtube.com/@nslutah4909/streams>.

Planning Commission meetings are open to the public. If you need special accommodation to participate in the meeting, please call (801) 335-8709 with at least 24 hours' notice. Meetings of the Planning Commission may be conducted via electronic means pursuant to Utah Code Ann. §52-4-207 as amended. In such circumstances, contact will be established and maintained via electronic means and the meetings will be conducted in accordance with the City's Electronic Meetings Policy.

Notice of Posting:

I, the duly appointed City Recorder for the City of North Salt Lake, certify that copies of the agenda for the Planning Commission meeting to be held **March 11, 2025** were posted on the Utah Public Notice Website: <https://www.utah.gov/pmn/>, City's Website: <https://www.nslcity.org>, and at City Hall: 10 E. Center St. North Salt Lake.

Date Posted: March 10, 2025


Wendy Page, City Recorder





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MEMORANDUM

TO: Planning Commission
FROM: Mackenzie Johnson, Planner
DATE: March 11, 2025
SUBJECT: Plat amendment to combine lot 1511 of Eaglepointe Estates Phase 15 Subdivision with parcel number 01-120-0093 and to vacate the rear public utility easement at 1030 South Parkway Drive

RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the plat amendment to combine lot 1511 of Eaglepointe Estates Phase 15 Subdivision with parcel number 01-120-0093 and to vacate the rear public utility easement at 1030 South Parkway Drive with the following condition:

1. Completion of engineering redlines.

REVIEW

During 2020, the property owners of lot 1511, Eaglepointe Estates Phase 15 Subdivision purchased 0.0846 acres of land from the City adjacent to Tunnel Springs Park. They have applied for a plat amendment to combine the lot with the 0.0846 parcel known as 01-120-0093 and to vacate the 8 foot wide public utility easement along the existing rear lot line. The purpose of this amendment is to allow the property owners to construct a detached garage in their rear yard.

The City Engineer determined that the subject public utility easement is not likely to be needed in the future and has recommended approval of the vacation. Notice of the requested amendment was provided to utility companies servicing the area on February 20, 2025. The city received letters granting the release of the public utility easement from Comcast, Rocky Mountain Power, and South Davis Sewer to date.

POSSIBLE MOTION

I move that the Planning Commission recommend to the City Council approval of the plat amendment to combine lot 1511 of Eaglepointe Estates Phase 15 Subdivision with parcel number 01-120-0093 and to vacate the rear public utility easement at 1030 South Parkway Drive with the following condition:

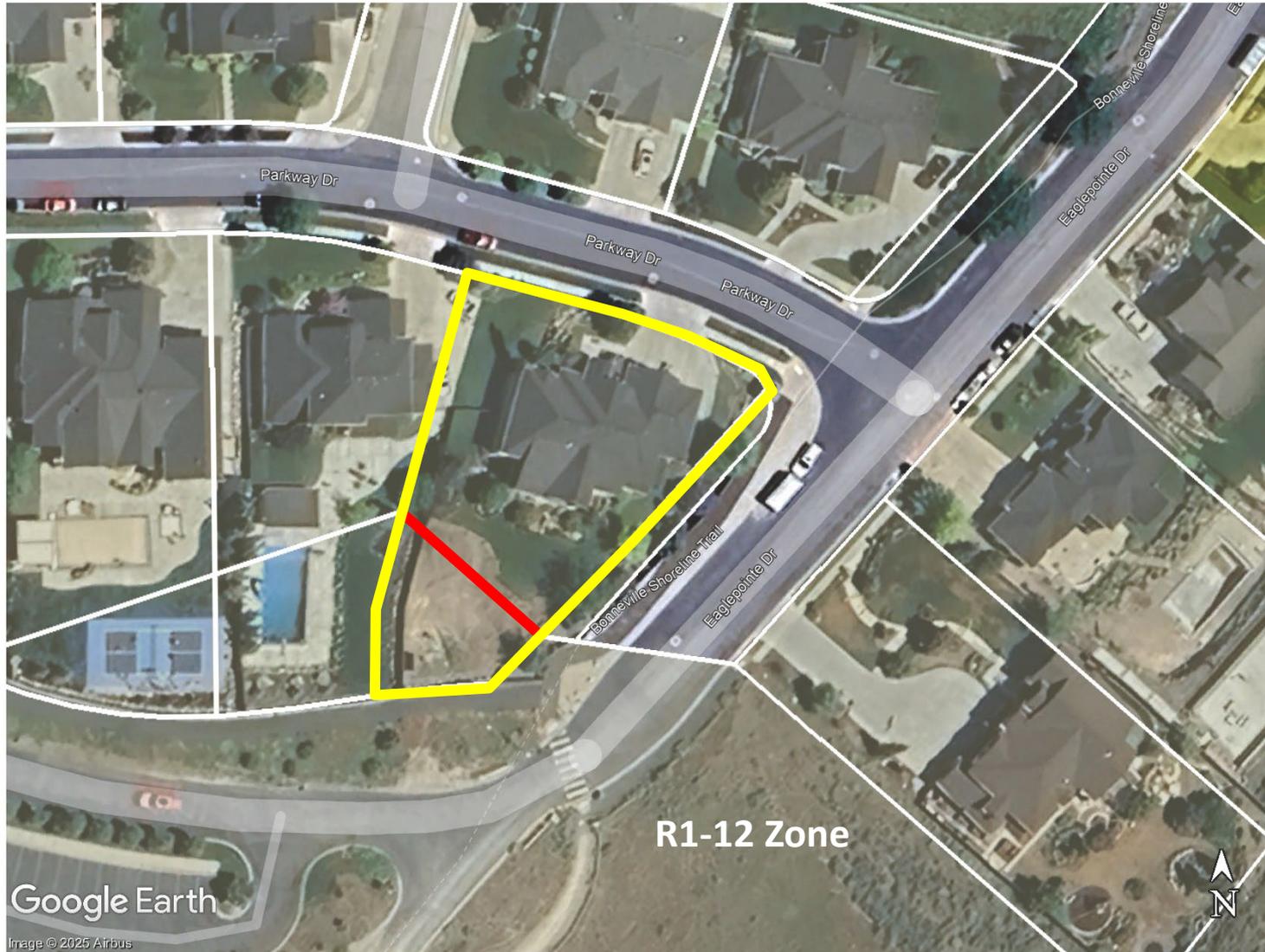
1. Completion of engineering redlines.

Attachments:

- 1) Aerial/Zoning Map
- 2) Amended Plat



Plat Amendment
Lot 1511, Eaglepointe Estates Ph. 15
1030 South Parkway Drive
Aerial/Zoning





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MEMORANDUM

TO: Planning Commission
FROM: Sherrie Pace, Community Development Director
DATE: March 11, 2025
SUBJECT: Proposed Code Amendments to Commercial Land Use Table, Specific Use Standards, and Signs

RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the proposed code amendments with the following findings:

1. The proposed amendment is in accord with the comprehensive general plan, goals and policies of the City.
2. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the "purposes" stated in this title.

BACKGROUND

The Planning Commission has been tasked with updating the Commercial Land Use Table in Chapter 11, creating the standards for permitted and conditional uses (draft Chapter 19) and updating the Sign Chapter 4.

The Planning Commission Public Hearing of January 28, 2025 was tabled and readvertised for February 25, 2025. Due to scheduling conflicts, action on the recommended amendments will be placed on the March 18, 2025 agenda. Thus staff is recommending that the Planning Commission accept public comment on February 28, direct staff on any final changes, and make a formal recommendation to the City Council on March 11.

The attached draft have been updated from the previous work session to reflect changes directed by the Planning Commission, as well as changes directed by the Development Review Staff. The areas highlighted in blue are those changes from the previous versions reviewed requested by Planning Commission. Areas highlighted in green are changes requested by the Development Review Committee or staff. Areas highlighted in yellow are for final verification of referenced sections of code. Section titles highlighted in pink are sections of code moved from other locations with no changes or with changes which are redlined.

Staff also researched noise ordinances and will have a presentation regarding the proposed changes highlighted in the current draft.

REVIEW

The following items are recommended for discussion and direction to staff:

Chapter 10: Land Use Table

1. Amusement Centers-Do we want to allow in CS with size restriction?
2. General Office-Do we want to allow in CS with size restriction?

Chapter 19: Specific Use Standards

1. Line 220: Community and Urban Gardens: should there be a minimum lot size for community gardens in residential zones?
2. Line 677, Food Service Contractors: should we limit these to 3,000 sq. ft.?
3. Line 710, Food trucks with drive up window, allow or not allow?

Chapter 4: Signs

1. Line 217-Prohibited Signs-is there any other sign type that we want to prohibit
2. Line 542-Free Speech Zone

POSSIBLE MOTION

I move that the Planning Commission recommend to the City Council approval of the proposed code amendments with the following findings:

1. The proposed amendment is in accord with the comprehensive general plan, goals and policies of the City.
2. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the "purposes" stated in this title.

Attachments

- 1) Chapter 11 Draft
- 2) Chapter 19 Draft
- 3) Chapter 4 Draft

10-11-2: CODES AND SYMBOLS:

In section [10-11-3](#) of this chapter, uses of land or buildings which are allowed in various districts are shown as permitted uses, indicated by a "P" in the appropriate column, or as conditional uses, indicated by a "C" in the appropriate column. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by an "N". ~~If a use needs a City staff determination to specify whether the specific use should be designated as "P", "C", or "N", then it is indicated in the appropriate column by an "S". The City staff determination will be decided by the Community and Economic Development Director or designee. The City staff member must make written findings to justify the use categorization. If the applicant or a member of the Governing Body finds that the use has been categorized incorrectly, they may appeal the decision to the Planning Commission within ten (10) days of the staff determination. If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet required, or by the letter "A". If the regulation does not apply, it is indicated in the appropriate column by an "N".~~ (Ord. 2015-18, 11-17-2015)

10-11-3: USE REGULATIONS:

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the Commercial and Industrial Districts except as provided in this title. Accessory uses and buildings customarily incidental to uses authorized by conditional use permit in any district are also authorized by issuance of a conditional use permit in any such district. "Temporary uses", as defined in section [10-1-47](#) of this title, are authorized in any district upon issuance of a conditional use permit for the same.

	Zone					
Use Regulations	C-S	C-G	M-D	M-G	Specific Use Standards	
ACCESSORY USES (1)						
Caretaker residence	P	P	P	P	10-19-3(A)	1-1
Outdoor display of retail merchandise	P	P	P	N	10-19-3(D) 10-1-33	1-2
Outdoor storage	C	C	P	P	10-19-3(E) 10-1-33	1-3
Temporary portable storage containers	N	P	P	P		
Prohibited uses: • Outdoor storage, as primary use	N	N	N	N		
AGRICULTURE (2)						
Community/urban gardens	P	P	P	N	10-19-4(A)	2-1
Prohibited uses: • Commercial crop production • Livestock	N	N	N	N		
AUTOMOTIVE (3)						
Dealer, • Passenger vehicle • Recreational vehicle, motorcycle, and boat	GN	P	P	N	10-19-5(A)	3-1
Dealer, commercial vehicles	SN	N	P	N	10-19-5(A) 10-19-5(B)	3-2
Leasing and rental, passenger vehicles	PN	P	P	GN	10-19-5(A)	3-3
Leasing and rental, commercial vehicles, utility trailer, and RV (recreational vehicle)	N	CP	P	P	10-19-5(A) 10-19-5(B)	3-4
Maintenance, car washes (<u>Primary &</u> accessory use to gas stations)	N	P	CP	CP	10-19-5(C)	3-5
Maintenance, detail, trim, and accessory installation	P	P	P	P	10-19-5(D)	3-6
Maintenance, oil change and lubrication shops	N	P	P	P	10-19-5(D)	3-7
Maintenance, all other automotive and commercial vehicle	N	SN	SP	SP	10-19-5(D)	3-8
Repair, automotive body, paint and interior repair	N	N	P	P	10-19-5(D) & (E)	3-9
Repair, general automotive and commercial vehicle	N	N	P	P	10-19-5(D) & (E)	3-10

	Zone					
Use Regulations	C-S	C-G	M-D	M-G	Specific Use Standards	
<u>Repossession services</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>10-19-3(E)</u> <u>10-19-5(F)</u>	3-10
Retail sales, automotive parts and accessories <u>No outdoor storage</u>	N	P	P	N	<u>10-19-5(G)</u>	3-11
Retail sales, tire and wheel installation	N	P	P	N	<u>10-19-3(C)</u> <u>10-19-5(H)</u>	3-12
Storage, motor vehicle towing and impound lots	N	N	P	P	<u>10-19-5(I)</u>	3-13
Wholesale, automotive parts and supplies (new)	N	N	P	P	<u>10-19-5(J)</u>	3-14
Wholesale, motor vehicles	N	N	P	P	<u>10-19-5(K)</u>	3-15
Wholesale, tire and tube	N	N	GP	P	<u>10-19-5(L)</u>	3-16
Prohibited uses: • Salvage yards • Pick-n-pull lots	N	N	N	N		3-17
BANKING (4)						
Banks, credit unions, mortgage brokers, financial managers	P	P	P	N	<u>10-19-3(B)</u> <u>10-19-6(A)</u>	4-1
Pawnshop	N	GN	NP	N	<u>3-7-1 to 3-7-23</u> <u>10-19-6(B)</u>	4-3
Prohibited uses: • Credit intermediation • Check cashing • Check loan, • Title Loan • Other quick loan activities	<u>PN</u>	<u>PN</u>	<u>PN</u>	N		
BUILDING, CONTRACTING, & SUPPLIERS (5)						
Construction and contractor services, office only (general, landscaping, mechanical, electrical)	N	P	P	P		5-1
Construction and contractor services, on-site material storage On-site manufacturing or assembly (cabinets, countertops, other carpentry)	N	<u>PN</u>	P	P	<u>10-19-7</u> <u>10-19-3(E)</u>	5-2
Dealers, building materials	N	N	P	N	<u>10-19-7</u>	5-3
Dealer, manufactured (mobile) home, modular buildings, tiny homes	N	N	P	P	<u>10-19-7</u> <u>10-19-3(D)&(E)</u>	5-4

	Zone					
Use Regulations	C-S	C-G	M-D	M-G	Specific Use Standards	
Leasing and rental, construction, mining, forestry machinery and equipment	N	N	GP	GP	<u>10-19-7</u> <u>10-19-3(D)&(E)</u>	5-5
Retail, construction materials (home improvement, hardware, landscaping)	P	P	P	N	<u>10-19-7</u> <u>10-19-3(D)&(E)</u>	5-7
Wholesale, construction, mining machinery and equipment (except petroleum)	N	N	GP	P	<u>10-19-7</u> <u>10-19-3(D)&(E)</u>	5-8
Wholesale, construction materials	N	N	P	P	<u>10-19-7</u> <u>10-19-3(D)&(E)</u>	5-9
EDUCATION, SCHOOLS, & TRAINING (6)						
Education, elementary and secondary schools (suggestion to create civic zone)	PN	P	N	N		6-1
Education, colleges, universities, professional schools, training, technical and trade schools	PN	P	P	N		6-2
Educational support services (tutoring)	P	P	P	N		6-3
Group instruction, martial arts, <u>preschools</u> , sports, dance and recreation	P	P	P	N	10-19-8(A)	6-4
Micro-Education Schools	P	P	P	P	10-19-8(B)	
Passenger vehicle driving schools	CN	GP	P	N		6-5
Professional CDL driving schools	SN	SN	SP	N	10-19-8(C)	6-6
ENTERTAINMENT (7)						
Amusement centers and arcades (ax throwing, bowling, go carts, mini golf, skating)	CN	GP	GP	N	10-19-9(A)	7-1
Athletic club, fitness and recreational sports (tennis, pickleball, volleyball, swimming,)	GP	P	P	N	10-19-9(B)	7-3
Botanical gardens and nature parks, and other similar institutions	SP	P	P	P		7-4
Museums	P	P	GP	CN		7-5
Production and distribution, motion picture, video, television, music, including recording	CN	CN	P	P	10-19-9(C)	7-6

	Zone					
Use Regulations	C-S	C-G	M-D	M-G	Specific Use Standards	
Promoters, performing arts, sports or similar events with facilities	P	P	P	N	10-19-9(D)	7-7
Publishers, general, software, television, and movies (does not include printing)	P	P	P	PN		7-8
Studios, independent artists, writers, and performers	P	P	P	N	10-19-9(E)	7-9
Theater and live entertainment venues, performing arts companies, sports teams,	GP	P	GP	N	10-19-9(F)	7-10
Theater, movie	P	P	P	N	10-19-9(F)	7-11
Prohibited: <ul style="list-style-type: none"> • Amusement and theme parks • Golf courses <u>& country clubs</u> • Racetracks • Theater, drive-in movie • Zoos 						
GENERAL OFFICE (8)						
Call centers, information services, and data processing services	N	P	P	N	10-19-10(A)	8-1
Employment placement agencies	PN	P	P	N	10-19-10(B)	8-2
General Office	PN	P	P	N		8-3
Leasing and rental, Office machinery and equipment	PN	P	P	N	10-19-10(C)	8-4
Other business service centers (including copy shops)	P	P	P	N		8-5
Professional, scientific, and technical laboratories and services	CN	P	P	N		8-6
HEALTHCARE (9)						
Ambulance services	PN	P	P	N		9-1
Blood and plasma donation centers	N	GP	P	N		9-2
Diagnostic imaging centers and medical laboratories	PN	P	P	N		9-3
Home healthcare services	PN	P	P	N		9-4

	Zone					
Use Regulations	C-S	C-G	M-D	M-G	Specific Use Standards	
Kidney dialysis centers	<u>PN</u>	P	P	N		9-8
Medical clinic, general, surgical, or emergency	<u>PN</u>	P	P	N		9-9
Medical Spas (estheticians, intravenous fluids, laser treatments, skin care, weight loss, etc.)	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>		9-10
Offices of <u>dentists, physicians, and therapists (mental health, occupational, physical, speech)</u>	P	P	P	N		9-11
Optical goods stores	P	P	P	N		9-12
Outpatient mental health and substance abuse centers	N	C	C	N	10-19-11(A)	9-13
Residential care facilities, nursing care and assisted living	<u>GN</u>	<u>GP</u>	N	N	10-19-11(B)	9-14
Prohibited: <ul style="list-style-type: none"> <u>Hospital, general medical and surgical</u> <u>Hospital, psychiatric and substance abuse hospitals</u> <u>Hospital, specialty (except psychiatric and substance abuse) hospitals</u> <u>Residential care facilities, mental health, substance abuse facilities</u> <i>Additional research needed</i> <i>Fair housing</i> 	N <u>N</u>	<u>GN</u>	<u>GN</u>	N		
HOSPITALITY (10)						
Bar establishment	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	10-19-12(A)	10-1
Banquet and reception centers	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	10-19-12(A)	10-2
Food service contractors, caterers, <u>mobile food business, food truck park</u> , and commissaries	<u>GN</u>	P	P	N	10-19-12(C)	10-3
<u>Mobile food business and food truck park</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>10-19-12(C)</u>	
Lodging, hotels, motels, bed and breakfast inns	<u>GN</u>	P	P	N	10-19-12(D)	10-4
Lodging, recreational vehicle parks and campgrounds	N	<u>GP</u>	<u>GN</u>	N	10-19-12(E)	10-5
Restaurants, <ul style="list-style-type: none"> Coffee shops, and cafeterias Bar <u>Brewery</u> 	P	P	P	N	10-19-12(A) 10-19-12(F)	10-6

	Zone					
Use Regulations	C-S	C-G	M-D	M-G	Specific Use Standards	
<ul style="list-style-type: none"> <u>Drive-thru</u> 						
Taverns (beer only)	NP	NP	NP	EN	10-19-12(A)	10-7
Sexually oriented businesses	N	N	N	C	3-8	10-8
Prohibited:						
MANUFACTURING & ASSEMBLY (11)						
<u>Assembly, heavy:</u> Operations which use welders, rivets, specialized equipment, large scale products	N	N	P	P	10-19-13(A)	11-1
<u>Assembly, light and sub-assembly:</u> Operations which use light machinery and equipment, smaller scale, fastening, adhesive bonding, heat staking, ultrasonic welding, component assembly with no dangerous or hazardous materials.	N	P	P	P	10-19-13(A)	11-2
<u>Manufacturing, heavy:</u> Operations which manufacture or compounding processes of raw materials, utilize large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process not for individual consumers, such as: <ul style="list-style-type: none"> Asphalt and concrete service and batching plants Brick or stone manufacturing Chemical Food (human) Furniture, mattresses, window blinds, cabinets, and fixtures Leather Machinery Paper Petroleum and coal products Plastics and rubber products Repair, commercial and industrial machinery and equipment Transportation equipment Wood (lumber, plywood, veneers, flooring, trusses) 	N	N	C	C	10-19-13(A) 10-19-13(B) 10-19-13(C) 10-19-13(D) 10-19-13(E)	11-3
<u>Manufacturing, light:</u> Operations which manufacture small products, mainly for individual consumers, such as:	N	N	P	P	10-19-13(A)	11-4

	Zone					
Use Regulations	C-S	C-G	M-D	M-G	Specific Use Standards	
<ul style="list-style-type: none"> Apparel Computer and electronic product Electrical equipment, appliance and component Printing and publishing Textile and textile products 						
Prohibited: <ul style="list-style-type: none"> Animal slaughtering, rendering (pet food/livestock feed) Primary metal manufacturing 						
MINING & SUPPORT ACTIVITIES (12)						
Mineral Extraction (see SR zone , Chapter 17)	N	N	N	N	10-19-14(A)	12-1
Mineral Extraction Support Activities	N	N	P	P	10-19-14(B)	12-2
Oil & Gas Extraction & Refining Support Activities	N	N	C	C	10-19-14(B)	12-3
Prohibited Mining Activities: <ul style="list-style-type: none"> crude petroleum extraction natural gas extraction mineral extraction 	N	N	N	N		
PERSONAL SERVICES (13)						
Animal care, <ul style="list-style-type: none"> boarding, day care and kennels pet services veterinary services 	GP	GP	P	N	10-19-15(A)	13-1
Appliance, electronic, and small engine repair and maintenance	PN	P	GP	N	10-19-15(B)	13-2
Couriers, messengers and local delivery	GP	GP	P	P		13-4
Exterminating and pest control services	N	N	P	N	10-19-15(C)	13-5
Funeral homes & mortuaries	PN	P	GP	N	10-19-15(D)	13-6
Janitorial services	CN	GP	P	N	10-19-15(E)	13-7
Laundry, coin operated and drop off services	P	P	P	N	10-19-15(E)	13-8
Laundry, dry cleaners	CN	P	GP	N	10-19-15(E)	13-9

	Zone					
Use Regulations	C-S	C-G	M-D	M-G	Specific Use Standards	
Laundry, commercial or industrial	N	<u>EN</u>	<u>EP</u>	N	10-19-15(E)	13-10
Linen supply	N	N	<u>EP</u>	<u>EN</u>	10-19-15(E)	13-11
Packaging and labeling services	P	P	P	N		13-12
Pharmacies and drugstores, cosmetics, and health supplement stores	P	P	P	N	10-19-15(F)	13-13
Photofinishing	P	P	P	N		13-14
Photography studios	P	P	P	N		13-15
Personal and household goods repair and maintenance	<u>PN</u>	P	<u>EP</u>	N	10-19-15(G)	13-16
Salons, hair, nail, lashes, permanent cosmetics, tattoos	P	P	<u>EP</u>	N	10-19-15(H)	13-17
<u>Prohibited Uses:</u> • <u>Cemeteries, crematories, and mausoleums</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>		
RELIGIOUS, GRANT MAKING, CIVIC, PROFESSIONAL & SIMILAR ORGANIZATIONS (14)						
Religious organizations, churches	P	P	P	N	10-19-16(A)	14-1
Volunteer and nonprofit organizations	P	P	P	N		14-2
RETAIL TRADE (15)						
Retail, General • Art dealers • Books, magazines, music • Clothing and accessories • Convenience • Electronics & Appliances • Floral • Food, specialty • Furniture & home furnishings • General merchandise & groceries (less than 10,000 sq.ft.) • Gift, novelty, souvenirs • Hardware, • Luggage and leather goods • Office supply, book	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	10-19-18(A)	15-1

	Zone					
Use Regulations	C-S	C-G	M-D	M-G	Specific Use Standards	
<ul style="list-style-type: none"> Pet & pet supplies Recreational and hobby equipment Used merchandise, antiques and thrift 						
Retail, Specialty <ul style="list-style-type: none"> Beer, wine and liquor Car washes Department stores General merchandise and groceries (greater than 10,000 sq. ft.) Home and nursery centers Outdoor power equipment Passenger vehicle fueling stations (gasoline, electric, natural gas, etc.) Rental, consumer electronics and appliances Rental, entertainment and entertainment products (bounce houses) Tobacco (Permitted only in MD Zone) 	N	P	P	N	10-19-18(B)	15-2
Retail, online and other <ul style="list-style-type: none"> Electronic shopping and mail order houses General rental centers Vending machine operators, <u>not as an accessory use</u> Liquefied petroleum gas (bottled gas) dealers 	N	GN	P	N	10-19-18(C)	15-3
Retail, prohibited <ul style="list-style-type: none"> Heating oil dealers Other direct selling establishments Other fuel dealers 	N	N	GN	GN		15-4
SOCIAL SERVICES						
Child and youth services, such as: Boys and Girls Clubs, YMCA, Scouts, Big Brothers/Big Sisters, Junior Achievement, Toys for Tots, Children's Justice Center, etc.	PN	P	N	N		16-2
Community food services such as meals on wheels or food pantry	P	P	P	N		16-3
Community service organizations, such as: Volunteers of America, Habitat for Humanity, Housing Authority, Community Housing Trusts	N	P	P	N		16-4

	Zone					
Use Regulations	C-S	C-G	M-D	M-G	Specific Use Standards	
Daycare Services, Child or Adult	P	P	CP	N	10-19-19(A)	16-5
Emergency and other relief services, such as: Red Cross, Salvation Army	P	P	P	N		16-6
Other individual and family services, such as: Social action groups, Housing Services, Credit Counselling, Utility Assistance, Veteran's Services	PN	P	N	N		16-8
Services for the elderly and persons with disabilities	PN	P	NP	N		16-9
Vocational rehabilitation services	PN	P	NP	N		16-10
<u>Prohibited Uses:</u> • <u>Homeless shelters & services</u>	N	N	N	N		
TRANSPORTATION & FREIGHT						
General passenger transportation services • <u>Charter</u> • <u>Emergency or medical</u> • <u>Freestanding parking lots and garages</u> • Public transit <u>and school</u> • Rideshare and taxi services • <u>Scenic and sightseeing</u> • <u>Special needs</u> • <u>Specialty vehicle and limousine</u>	P	P	P	P	10-19-21(A)	17-1
Freight and commodities transportation • Freight trucking (local or long distance) • <u>Moving services</u> • <u>Rental, moving trucks</u>	N	N	P	P	10-19-21(A) 10-19-21(B)	17-2
Support services for transportation • Commercial air, rail, and water transportation equipment rental and leasing • General passenger transportation maintenance, operation, or storage facilities • Freight logistics, maintenance, operations, or container and truck storage • Packing and crating • <u>Rail transportation logistics</u>	N	N	P	P	10-19-21(A)	17-3
Prohibited transportation uses • Air traffic control, airport operations and facilities • <u>Passenger aircraft services and helipads</u>	N	N	N	N		

	Zone					
Use Regulations	C-S	C-G	M-D	M-G	Specific Use Standards	
UTILITIES, PUBLIC SERVICES, WASTE MANAGEMENT, & REMEDIATION SERVICES:						
Communications, Broadcasting Services, Stations, & Operations	C	C	P	P		18-1
Communications, <u>cellular</u> , satellite & wireless operations	P	P	P	P	10-19-22(A)	18-2
Communications, <u>resellers</u>	P	P	P	P		18-3
Communications, towers and facilities <ul style="list-style-type: none"> • <u>cellular</u> • <u>satellite</u> • <u>wireless</u> 	<u>NP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	10-19-22(A)	18-4
Energy Distribution <u>and Storage</u> Facilities, electric or natural gas	N	C	C	C	10-19-22(B)	18-5
Energy Generation, <u>accessory</u> <ul style="list-style-type: none"> • <u>Geothermal</u> and • <u>Solar</u> • <u>Wind</u> 	N	N	P	<u>P</u>		18-6
Pipeline distribution and facilities	N	N	P	P	10-19-22(C)	18-7
Postal service	P	P	P	P		18-8
Public utility station and wireless communication accessory structures	P	P	P	P	10-19-22(D)	
Septic tank, portable toilet and related services	N	N	N	C	10-19-22(E)	18-9
Sewage treatment facilities	N	N	N	C	10-19-22(F)	18-10
Utilities transmission <u>lines</u> and control	N	N	<u>CP</u>	<u>CP</u>	10-19-22(G)	18-11
Water Distribution	P	P	P	P		18-12
Waste, Nonhazardous: treatment and disposal	N	N	N	C	10-19-22(H)	18-13
Waste, Materials recovery facilities (1) operating facilities for separating and sorting recyclable materials from nonhazardous waste streams (i.e., garbage) and/or (2) operating facilities where commingled recyclable materials, such as paper, plastics, used beverage cans, and metals, are sorted into distinct categories.	N	N	N	C	10-19-22(I)	18-15

	Zone					
Use Regulations	C-S	C-G	M-D	M-G	Specific Use Standards	
Waste, Remediation services process of cleaning up and reversing environmental damage. It involves removing hazardous materials from contaminated soil, groundwater, surface water, and sediment	N	N	N	C	10-19-22(J)	18-14
Prohibited: <ul style="list-style-type: none"> Fossil fuel/nuclear power generation Steam and air conditioning supply Waste, hazardous: collection, solid or hazardous waste treatment/disposal solid waste landfills, combustors and incinerators 	N	N	N	N		18-17
WAREHOUSING & WHOLESALE TRADE						
Wholesale, trade, durable goods, (Permitted) <u>(new or used items generally with a normal life expectancy of 3 years or more) such as:</u> <ul style="list-style-type: none"> <u>Commercial equipment</u> <u>Construction Materials</u> <u>Electronic parts and equipment</u> <u>Farm and garden machinery and equipment</u> <u>Furniture</u> <u>Hardware</u> Industrial machinery, equipment, and supplies <u>Jewelry, watch, precious stone and precious metal</u> <u>Plumbing and HVAC equipment and supplies</u> <u>Professional, equipment and supplies</u> Recyclable material wholesalers Refrigeration equipment and supplies <u>Service establishment equipment and supplies</u> <u>Sporting and recreational goods and supplies</u> 	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	10-19-23(A)	19-1
Wholesale, trade, rental, durable goods, (Conditional) <u>(new or used items generally with a normal life expectancy of 3 years or more) with outdoor storage such as:</u> <ul style="list-style-type: none"> <u>Commercial and industrial machinery and equipment rental and leasing</u> <u>Metal service centers and offices</u> Motor vehicle Recyclable material wholesalers Transportation equipment and supplies 	N	N	C	C	10-19-23(A)	19-2

	Zone					
Use Regulations	C-S	C-G	M-D	M-G	Specific Use Standards	
Prohibited Wholesale, trade, durable goods <ul style="list-style-type: none"> • Chemical and allied products • Other hazardous materials and products 	N	N	N	N		19-3
Wholesale trade, nondurable goods, (Permitted) (items with a normal life expectancy of less than 3 years): <ul style="list-style-type: none"> • <u>Alcoholic beverage</u> • Automotive supplies • <u>Book, periodical and newspaper</u> • Clothing • Drug, drug proprietaries and druggist sundries • Grocery and related products • <u>Farm supplies</u> • <u>Flower, nursery stock and florist supplies</u> • <u>Paint, varnish and supplies</u> • Paper and office supplies wholesalers • Piece goods, notions and other dry goods • <u>Plastics materials and basic forms and shapes</u> • Tobacco and tobacco products 	N	N	P	P	10-19-23(B)	19-4
Wholesale trade, nondurable goods,(Conditional) (items with a normal life expectancy of less than 3 years): <ul style="list-style-type: none"> • Fuel oil • Gasoline merchant • liquid petroleum gas • Lubricating oil and grease • Petroleum and petroleum products (except bulk stations and terminals) 	N	N	C	C	10-19-23(B)	19-5
Prohibited Wholesale trade, nondurable goods <ul style="list-style-type: none"> • Chemical and allied products • Farm product raw material wholesalers • Hazardous materials and products • <u>Other products that produce odors</u> 	N	N	GN	GN		19-6
Wholesale Electronic Markets and Brokers: arrangement for the sale of goods owned by others, generally on a fee or commission basis, <i>No storage or warehousing</i>	N	N	P	P		19-7
Warehousing, Storage Facilities:						
General warehousing and storage facilities	N	GN	P	P	10-19-24(A)	19-8

	Zone					
Use Regulations	C-S	C-G	M-D	M-G	Specific Use Standards	
Self-storage units	N	N	CP	CP	10-19-24(B)	19-9
Storage Facility, Indoor Climate Controlled	N	N	P	P	10-19-24(C)	

1 TITLE 10, CHAPTER 19 SPECIFIC USE STANDARDS

2 10-19-1: SPECIFIC USE STANDARDS:

3 Purpose and Intent: The purpose and intent of this chapter is to provide regulations for specific
4 permitted or conditionally permitted land uses which will ensure compatibility of such uses with
5 surrounding uses and properties to mitigate potential negative impacts associated with such uses.

6 10-19-2: APPLICABILITY:

7 A. This chapter contains the specific and additional regulations for permitted and conditional uses
8 identified in the land use tables for each of the zones established within the City. Any use not listed
9 as permitted or conditional in the applicable zone shall be prohibited.

10 B. Compliance with specific use standards, as applicable, as well as all other requirements of this
11 Ordinance, all other Land Use Ordinances, and all other Federal, State, and Local regulations are
12 required for Land Use Application approval, permit, or license required by City Ordinance.

13 B-C. The specific use standards provided in this chapter shall apply in addition to those listed elsewhere
14 in this code including parking, signage, landscaping, site planning, and zone specific regulations.
15 Where standards identified for a specific use conflict with standards otherwise listed in this Title, the
16 standards herein shall apply to that use.

17 10-19-3: ACCESSORY USES:

18 A. **Accessory Caretaker Residence (ACR):** *(existing)*

19 Where specifically allowed as an accessory use to a commercial or industrial use in the applicable
20 zone, are subject to the following standards:

- 21 1. No more than one (1) ACR may be permitted on a parcel; where two or more contiguous parcels
22 are held in one ownership and utilized for the primary land use, said contiguous parcels shall
23 constitute only one (1) parcel for purposes of this section.
- 24 2. The ACR shall be subordinate and clearly incidental to an approved and functioning principal
25 use;
- 26 3. For properties less than five (5) acres, the ACR shall be located within the principal building on
27 the site as a part of and in harmony with the architecture of the main building(s) on the subject
28 property;
- 29 4. For properties greater than 5 acres in size the ACR may be permitted within an accessory
30 structure with the following:
 - 31 a. The structure is located on the same property as the principal use;
 - 32 b. The structure, if visible from any public right of way, meets the minimum architectural
33 design standards provided in section 10-1-43, and in harmony with the architecture,
34 materials, and finishes of the primary structures on the property;
 - 35 c. The structure meets all applicable requirements of the International Building Code as
36 adopted.
 - 37 d. Recreational vehicles and mobile homes shall not be permitted as caretaker dwellings:

- 38 e. Tiny homes shall be permitted when properly connected to water and sewer facilities and
39 skirted
- 40 f. Separate utility connections shall be provided when required by the applicable agency;
- 41 5. The ACR must meet all applicable requirements of the International Building, Energy and Fire
42 Codes as adopted, including requirements for fire wall separations and fire sprinkling as
43 applicable.
- 44 6. Each ACR shall have a kitchen suitable for cooking and preparing meals, a bathroom with a
45 shower or bathing facilities, living space, and sleeping area;
- 46 7. Permits for an ACR shall be assessed appropriate utility connection fees and applicable impact
47 fees.
- 48 8. The ACR shall not exceed one thousand five hundred (1,500) square feet of occupied floor area;
- 49 9. A minimum of one (1) parking space shall be provided for the ACR in addition to any parking
50 spaces required for the principal uses on the property;
- 51 10. The ACR shall be occupied by only one (1) family;
- 52 11. The ACR shall be occupied or rented only by the property owner or by an employee or
53 subcontractor of the legal entity which owns the principal use being cared for (with or without
54 family members. Any person occupying an ACR shall submit evidence of compliance with this
55 Section upon request of the City.
- 56 12. The property owners shall execute and record a covenant and agreement with the jurisdiction to
57 revert the property to a commercial or industrial use without an ACR, including the removal of
58 the kitchen facilities of any permanent addition that does not meet the requirements of the
59 zone in which the use is located, after the expiration of any associated permit granted or the
60 termination of the business.

61 **B. ATM, Kiosk, Vending Machine (Self-Service, Interactive, Outdoors):**

62 This Use shall be located in a manner that does not interfere with or cause difficulty in the safe
63 movement of pedestrians. Machines and kiosks shall be located:

- 64 1. Next to a main building on the property; and
- 65 2. In a manner that will not:
- 66 a. Reduce required landscaped areas;
- 67 b. Cause customers to wait in vehicle drive aisles or parking areas; or
- 68 c. Create a public nuisance or a hazard to public safety.

69 **C. Contractors Yard, Construction Site or New Subdivision:**

- 70 1. Review: The applicant shall submit a site plan and written narrative that clearly identifies and
71 explains the location and size of all proposed structures, parking areas, and outdoor storage
72 areas.
- 73 2. Disturbance Area: The maximum disturbance area of a Contractor's Yard shall be two (2) acres.
- 74 3. Buffer: The Contractor's Yard shall be located a minimum distance of three hundred feet from
75 any residence.
- 76 4. Screening: All outdoor storage and vehicle parking areas shall be screened from view from
77 adjacent properties. Appropriate screening may include fencing, berms, or vegetation.

- 78 5. Dust/Mud: The applicant shall submit a dust and erosion control plan that demonstrates no
79 migration of soil beyond the subject property boundary, as well as mitigation to prevent vehicles
80 from tracking mud onto the right-of-way.
- 81 6. Maintenance Pad: The applicant shall install an impervious pad with containment borders and a
82 filtration system to address run off for the storage and maintenance of vehicles/equipment.
- 83 7. Office: The contractor's business office may be an accessory use to a Contractor's Yard.
- 84 8. Employee Parking: All employee parking, including any ADA spaces, shall be onsite.
- 85 9. Lighting: Safety lighting which is shielded and prevents light from spilling onto adjacent
86 properties is allowed. Parking lot lighting, and flood lighting are prohibited.
- 87 10. Prohibitions. The following shall be prohibited.
- 88 a. Location: The placement of a Contractor's Yard within a platted residential subdivision.
- 89 b. Waste/Debris: The disposal of construction waste or vegetation.
- 90 c. Burning: The burning of vegetation from construction sites or construction waste.
- 91 d. Hazardous Fluids: The storage of hazardous materials (gas, oil, etc.) exceeding levels
92 established in Table 307.1(1) of the International Building Code.
- 93 e. Contaminated Soils: The dumping or storage of contaminated soils or materials for any
94 reason.
- 95 f. Parking Within the Setback: The parking of vehicles or machinery within the building setback
96 lines of the zone.
- 97 g. Fill: The use of a Contractor's Yard as a repository for excess soils or materials from other
98 work sites, whether they be from the applicant or from other contractors.
- 99 h. Mining of Earth: Excavation or mining of earth.
- 100 i. Retail Sales: Retail sales of products to customers.

101 **D. Outdoor Display:** (EXISTING moved from section 10-1-33(E)):

- 102 1. The outdoor display of merchandise for sale is allowed as an accessory use to the main use on
103 the same lot or tract of land.
- 104 2. The outdoor display of goods for sale incidental to a retail use, plant nursery, sales and rental of
105 motor vehicles, mobile homes, boats or trailers, or the outdoor display of automobile-related
106 merchandise for sale incidental to a gasoline filling station shall not be required to be screened.
- 107 3. In all districts where outdoor display of goods is permitted, such display shall conform to all of
108 the following requirements.
- 109 a. All outdoor display shall conform to the use-specific requirements of that particular use;
- 110 b. No outdoor display area shall be located in a required landscaped area.
- 111 c. Outdoor display areas shall meet all landscaping requirements.
- 112 d. No portion of the right-of-way shall be used for any type of display.
- 113 e. No outdoor display area shall be permitted to obstruct a pedestrian walkway.
- 114 f. In no instance shall outdoor display of merchandise be located within, nor encroach upon, a
115 fire lane, maneuvering aisle, or a parking space necessary to meet the minimum parking
116 requirements of the other use(s) of the lot or parcel.
- 117 g. Outdoor display shall be situated so as not to create a visibility obstruction within a parking
118 area or adjacent public street.
- 119 h. All portions of outdoor display areas shall have adequate grading and drainage and shall be
120 continuously maintained.

121 **E. Outdoor Storage:** (EXISTING moved from Section 10-1-33(D))

122 No yard or other open space shall be used for the storage of junk, debris or obsolete vehicles; and no
123 land shall be used for such purposes, except as specifically permitted herein and as permitted in a
124 zone district.

- 125 1. Existing Outdoor Storage: Outdoor storage lawfully existing or permitted prior to the effective
126 date hereof (March 6, 2018), shall not be enlarged, extended or replaced, except in strict
127 compliance with all the requirements of this title. Non-conforming property owners shall only be
128 required to comply with provisions contained herein, upon application for site plan amendment,
129 conditional use permit expansion, change of primary use of the property, or subdivision.
- 130 2. Noncomplying Site Element: A noncomplying wall or landscaping element or related site feature
131 shall be considered a noncomplying site element and shall not be reconstructed, except as
132 permitted under the procedures of noncomplying sites as set forth in this title.
- 133 3. Location: No outdoor storage shall be located in a required front yard setback.
- 134 4. Surface Material: Outdoor storage yards shall be hard surfaced with asphalt, concrete, or other
135 dustless material, such as washed gravel, recycled asphalt, or permeable surface treatment.
- 136 5. Screening:
 - 137 a. All outdoor storage shall be screened from the view of any adjacent public street or adjacent
138 residential land use or zone district by a decorative solid wall constructed of masonry or
139 concrete tilt up panels which are similarly finished to match or complement the main
140 building material on site. Outdoor storage walls shall be a minimum six feet (6') in height and
141 a maximum twelve feet (12') in height measured at the highest finished grade.
 - 142 b. A chain link fence with slat inserts shall not constitute an acceptable screening device to
143 satisfy the requirements of this subsection. Chain link gates may only be used in conjunction
144 with outdoor storage under the following circumstance:
 - 145 (1) They are not located on property lines adjacent to City streets (Center Street, Redwood
146 Road, Cutler Drive, and 1100 North),
 - 147 (2) They are screened with a vinyl or fabric mesh screen. Vinyl slats are not permitted as a
148 screening method.
 - 149 c. All portions of outdoor storage areas shall have adequate grading and drainage and shall be
150 continuously maintained.
 - 151 d. Outdoor storage areas shall be set back a minimum of twenty feet (20') from the street right-
152 of-way.
 - 153 e. Outdoor storage areas shall be buffered between the screening wall and the adjacent street
154 with improved vegetated landscaping. The buffer area shall be comprised of a mixture of
155 evergreens and deciduous trees, shrubs, lawn, or other vegetative ground cover, or up to
156 fifty percent (50%) non-vegetative mulch. The minimum tree size shall be two inch (2")
157 caliper for ornamental and shade trees and six foot (6') height for coniferous trees. Trees
158 shall be planted with a maximum separation of twenty five feet (25') on center. Woody
159 shrubs shall be a minimum two (2) gallon size container.
- 160 6. Materials And Equipment Storage General Commercial (C-G) Zone:
 - 161 a. Materials stored behind any screening wall shall be stacked no higher than the top of the
162 screening wall, unless set back from the wall a minimum of twenty feet (20'). The maximum
163 height of outdoor storage materials shall be sixteen feet (16').

164 b. Heavy equipment or vehicles which are taller than the screening wall adjacent to a
165 residential use or a residentially zoned property, shall be set back from the wall a minimum
166 of two feet (2') for every one foot (1') of equipment height above the height of the screening
167 wall or a minimum of twenty feet (20'), whichever is greater.

168 7. Manufacturing Distribution (M-D) Zone:

169 a. Storage yards with frontage on Center Street, Redwood Road, or 1100 North: Materials
170 stored behind any screening wall shall be stacked no higher than the top of the wall adjacent
171 to the street, unless set back from the wall a minimum of twenty feet (20'). The maximum
172 height of outdoor storage materials shall be sixteen feet (16').

173 b. Storage yards with frontage on other City streets: Materials stored behind any screening wall
174 shall be stacked no higher than the top of the wall, unless set back from the wall a minimum
175 of twenty feet (20'). The maximum height of outdoor storage materials shall be twenty feet
176 (20').

177 c. Heavy equipment or vehicles which are taller than the screening wall adjacent to a
178 residential use or a residentially zoned property shall be set back from the wall a minimum
179 of two feet (2') for every one foot (1') of equipment height above the height of the screening
180 wall or a minimum of twenty feet (20'), whichever is greater.

181 d. Heavy equipment or vehicles which are taller than the screening wall adjacent to Center
182 Street, Redwood Road, or 1100 North shall be set back from the wall one foot (1') for every
183 foot of equipment height above the top of the wall.

184 8. Dumpsters And Refuse Containers For New Or Expanded Uses In All Zones:

185 a. Construction: Enclosures shall be a solid, opaque enclosure constructed of brick, masonry, or
186 concrete wall panels of at least six feet (6') in height measured at the highest finished grade.

187 b. Placement: Placement of dumpsters and enclosures shall be planned and constructed in a
188 manner that allows unobstructed access to each dumpster and the unobstructed opening of
189 the gates during the emptying process. Dumpsters shall not be located in such a manner that
190 the service vehicle will block any street intersection, nor shall they be located within a
191 required front setback area.

192 c. Gates: All enclosures shall have service access gates and their construction shall be of sturdy
193 metal frame and hinges with an opaque non-see-through facing material. Service gates shall
194 be attached to post not connected to the enclosure. Enclosures with gates that swing out
195 from the dumpster shall be set back from the property line at least a distance equal to the
196 width of the gate. Hinge assemblies shall be strong and durable so access and servicing gates
197 function properly and do not sag.

198 **F. Temporary Portable Storage Containers:**

199 Placement and use of temporary portable storage container(s) are subject to the following
200 conditions and limitations:

201 1. Shall only be used for storage of goods and materials.

202 2. Storage of hazardous, toxic, or explosive substances, or any other substance requiring a 704
203 placard is prohibited.

204 3. Commercial, wholesale or retail sales, flea markets, peddling, garage sales or other similar types
205 of activities is prohibited.

- 206 4. Habitation of storage units by humans or animals is prohibited.
- 207 5. Any property is limited to one temporary portable container at any given time.
- 208 6. Duration of use.
- 209 a. Shipping containers can be allowed in the C-G zone as long as they are buffered from public
- 210 view, no time limit.
- 211 b. Shipping containers may be used for material and equipment storage upon active
- 212 construction sites so long as they are under an active building or **land use permit**.
- 213 c. Smaller containers, such as "PODS," may be utilized in the residential zones for up to three
- 214 months within a calendar year, unless they are under an active building permit at which time
- 215 as this period may be extended for up to an additional six months.
- 216

217 **10-19-4: AGRICULTURAL USES:**

218

219 **A. Community and Urban Gardens:**

- 220 1. Community and urban gardens shall comply with the minimum lot size and width in the district
- 221 in which it is located.
- 222 2. Community and urban gardens shall not be permitted on sites with known or possible
- 223 contamination from previous commercial or industrial uses unless soil samples have been tested
- 224 and deemed safe by the appropriate state or federal authority who holds jurisdiction over such
- 225 matters.
- 226 3. Accessory Building standards:
- 227 a. Only one accessory building shall be permitted per acre of lot size.
- 228 b. Setbacks: All accessory buildings shall be set back a minimum of twenty (20) feet from the
- 229 front property line and five (5) feet from all other property lines
- 230 c. Height: All accessory buildings shall be limited to a maximum wall height of fourteen (14)
- 231 feet and twenty (20) feet to the roof peak.
- 232 d. Size: All accessory buildings shall be limited to a maximum footprint of 400 sq. Ft.
- 233 4. Parking:
- 234 a. Off-street parking shall be provided and may be paved or unpaved with a dustless gravel
- 235 surface.
- 236 b. A minimum of one (1) space per eight (8) individually plotted cultivated areas within the
- 237 garden shall be provided.
- 238 c. Signage may include one (1) sign per road frontage, no larger than thirty-two (32) sq. Ft.
- 239 5. Composting:
- 240 a. Any compost container or pile must be located within an enclosed structure or located at
- 241 least twenty (20) feet from any property line.
- 242 b. Compost materials shall be stored or screened in a manner that is not visible from adjacent
- 243 residential properties or residential zoning district.
- 244 c. Composting areas shall be maintained in a manner that protects adjacent properties from
- 245 nuisance odors, the attraction of rodents or other pests, and runoff onto adjacent
- 246 properties.
- 247 6. Animals: the keeping of animals or livestock in a community garden shall be prohibited.

- 248 7. Beekeeping: all beekeeping facilities shall be in accordance with the State of Utah, Department
249 of Agriculture regulations.
- 250 8. Storage Requirements: All flammables, pesticides and fertilizers shall be stored in accordance
251 with the regulations of the uniform fire code and Utah state department of agriculture or
252 successor agency. At a minimum, any area where such materials are stored shall have a
253 continuous concrete floor and lip which is tall enough to contain one hundred ten percent
254 (110%) of the volume of all the materials stored in the area. No pesticides, chemical fertilizers or
255 other hazardous materials shall be stored outside of buildings.
- 256 9. Disposal Requirements: All flammables, pesticides, fertilizers and other hazardous wastes should
257 be disposed of according to federal and state requirements.
- 258 10. Hours Of Operation: shall be limited from dawn until dusk and protect neighbors from light,
259 noise, disturbance or interruption
- 260 11. Large Vehicles: No vehicles shall be kept or stored on the property, except that such vehicles may
261 be on the property as necessary for completion of grading performed in accordance with a
262 grading permit.
- 263 12. Irrigation: Sufficient irrigation shall be provided to cover all needs of the community garden.
264 Irrigation systems designed for water conservation such as, but not limited to, hand watering,
265 and drip irrigation are strongly encouraged.
- 266 13. On Site Sales And Events: Owners and producers associated with community gardens may
267 conduct educational or promotional events, and sell locally grown products on site provided the
268 following requirements are met:
- 269 a. The sale or event is directly linked to the community garden. No external events such as a
270 reception or sales of products and goods not generally associated with a community garden
271 are allowed, unless the event is otherwise allowed in the zone by the zoning ordinance.
- 272 b. Signs are allowed as temporary portable signs subject to the regulations in section Chapter 6
273 of this title. Signs must be removed immediately following the sale or event each day.
- 274 c. All required city business licenses and temporary permits shall be obtained prior to the sale
275 or event.
- 276 d. Sales stands and exhibits are not allowed within the public right of way.
- 277 e. The sales stand and exhibits shall be nonpermanent structures, and must be removed
278 immediately following the sale or event.
- 279 14. Fencing: All fencing shall comply with the standards in section 10-1-33, "Fences", of this title.
- 280

281 **10-19-5: AUTOMOTIVE:**

282

283 **A. Dealer, Passenger Vehicles, Recreation Vehicles, Motorcycles, And Boats (Sale, Lease, Or Rent):**

284 The following site plan criteria shall apply to all new dealerships as of the date of this ordinance and
285 to any existing dealerships subject to site a plan review for expansion, including remodels or
286 additions, or parking lot replacement/repavement greater than 5,000 sq. ft. Operational standards
287 shall apply to all existing and new dealers.

288 **1. Site Plan Standards:**

- 289 a. Landscaping shall be required along any street frontage at a minimum of ten (10) feet and
290 shall be subject to the water efficient landscape standards of Chapter 22 of this Title.
- 291 b. Designated customer parking must be provided at a ratio of one (1) space for every ten (10)
292 vehicles displayed.
- 293 c. Employee parking shall be provided at a rate of one (1) space for every 200 sq. ft. of sales
294 office with a minimum of four (4) employee parking stalls.
- 295 d. Off-Street customer and employee parking stalls must be identified on the site plan and
296 physically marked on the property. Customer parking stalls shall not be provided behind the
297 sales offices and shall be located in a convenient manner to the main entrance of the sales
298 office or building.
- 299 e. All buildings and uses other than sales offices must provide additional designated parking
300 stalls at the ratio specified in Chapter 6 of this Title.
- 301 f. Where adjacent to a residential use, a minimum twenty (20) foot buffer between the
302 residential use and the business shall be required. Walls, landscaping, and setbacks, or a
303 combination of these items must be used, to mitigate the impact upon the adjacent
304 residential use. The City shall consider the visual appearance of the site, the traffic flows,
305 noise, light and the size and purpose of adjacent streets or alleys, the extent of the business
306 operations, and other factors in determining the buffer sufficiency.
- 307 g. The minimum lot area shall be at least one (1) acre. The required display area shall be
308 located in the front and side yard areas only. All display areas shall be hard-surfaced with
309 asphalt or concrete paving and shall meet the minimum requirements within Chapter 6, for
310 access, landscaping, and circulation requirements.
- 311 h. The minimum lot frontage shall be one hundred (100) feet in width. The frontage of corner
312 lots shall be determined by the street on which the property is addressed.
- 313 i. Dealerships are exempt from the minimum lot area and lot frontage requirements of this
314 section if all inventory is stored and displayed indoors. Indoor-only dealerships are subject to
315 all other applicable requirements of this section, and the following additional standards:
- 316 (1) Sales of vehicles must be conducted entirely within a fully-enclosed building consisting
317 of a showroom with an area no smaller than three thousand (3,000) square feet.
- 318 (2) Showroom spaces shall be visible from the exterior of the building, through the use of
319 windows, storefronts, or other architectural elements.
- 320 (3) Outdoor sales, display, and storage is prohibited.
- 321 (4) Parking associated with indoor-only dealerships (sale, lease, or rent) shall only be used
322 for customers and employees.

323 2. Operational Standards:

- 324 a. Outside speakers, lighting which intrudes into adjacent properties, deliveries before 7:00
325 a.m. or after 9:00 p.m., repair work outside of a building, and any other public nuisance
326 conduct is prohibited.
- 327 b. Loading and unloading from a public street or public right of way is strictly prohibited.
- 328 c. Storage (including temporary storage for the purpose of delivery or reorganization of other
329 vehicles upon the property) and display of vehicles from a public street or public right of way
330 is strictly prohibited.

- 331 d. All storage and display of vehicles shall be setback from a public sidewalk a minimum of ten
332 (10') feet.
- 333 e. For the purposes of maintaining safe access and to promote uncluttered and attractive
334 displays, all outdoor displays must be done in a manner consistent with parking lot standards
335 contained within Chapter 6 of this title, such that all individual units can be relocated
336 without the necessity of first relocating others.
- 337 f. All display vehicles shall meet all requirements of law at all times, shall be in operating
338 condition, shall not have flat tires or broken windows, and shall be capable of being licensed
339 and registered without additional repair or alteration.
- 340 g. No part of any required landscaping area shall be used for outdoor display.
- 341 3. Multi-tenant developments. Dealerships with no outdoor display may be located within a multi-
342 tenant development only if all requirements of this title are met, including:
- 343 a. Parking requirements;
- 344 b. Site and landscaping requirements;
- 345 c. Ingress and egress points are provided for the other businesses; and
- 346 d. Dealerships with onsite outdoor display are prohibited in multi-tenant developments.
- 347 4. Rental and leasing dealers. Outdoor storage or display of vehicles for rent or shall be prohibited
348 for rental and leasing dealerships fronting Center Street, Redwood Road, and 1100 North.

349 **B. Dealer, Commercial Vehicles (Sale, Lease, Or Rent):**

350 All new commercial vehicle dealerships, as of the date of this ordinance and to any existing
351 dealerships subject to site a plan review for expansion, including remodels or additions, or parking
352 lot replacement/repavement greater than 5,000 sq. ft. shall comply with the standards set forth in
353 section A above, unless otherwise provided as follows:

- 354 1. Designated customer parking must be provided at a ratio of one (1) space for every thirty (30)
355 vehicles displayed.
- 356 2. Commercial vehicles sales shall be prohibited where adjacent to a residential use
- 357 3. The minimum lot area shall be at least two (2) acres. The required display area shall be located in
358 the front and side yard areas only. All display areas shall be hard-surfaced with asphalt or
359 concrete paving and shall meet the minimum requirements within Chapter 6, for access,
360 landscaping, and circulation requirements.

361 **C. Maintenance, Car Wash:**

- 362 1. In order to preserve the water resources within the City, car washes shall meet the following
363 additional standards:
- 364 a. In addition to the applicable landscaping requirements of chapter 22 of this title,
365 landscaping for all car washes include plantings which act as a sound and visual barrier in
366 areas adjacent to the stacking and drive-through areas.
- 367 b. Car washes shall use façade materials that produce texture. Such materials include, but are
368 not limited to, split-face block, brick, or stucco and shall utilize more than one such material.
369 All colors shall be muted. Bright or reflective colors shall not be allowed except as an accent,
370 up to ten percent (10%) of each façade. No long, continuous rooflines without a horizontal
371 break shall be permitted.

- 372 c. Sides of car wash bays or tunnels facing a residential use or neighborhood zoning district
373 shall be completely enclosed by a wall. Solid windows that do not open, glass block, or other
374 closed material may be used for the wall.
- 375 d. Vacuum stations and related equipment shall comply with the setbacks for the principal
376 structure.
- 377 e. Vacuum stations and related equipment are prohibited along any side of a building facing a
378 residential use or residential zoning district.
- 379 f. Recycling of all water used in a car wash is encouraged to reduce the amount of fresh
380 culinary water used. All car washes must be plumbed at the time of construction to provide
381 for water recycling systems for both wash water and reverse osmosis rinse water systems
382 whether installed or not.
- 383 g. The site shall provide space sufficient to allow a minimum of five vehicles to stack while
384 waiting to access the car wash prior to reaching the payment area. All stacking shall be
385 maintained on site and shall not back onto any public right-of-way.

386 2. Water Limitations:

- 387 a. All car washes must install systems and equipment sufficient to limit the amount of fresh
388 culinary water used on a per-vehicle basis. No car wash shall be permitted unless it can
389 demonstrate that the system shall not use more than an average of thirty-five (35) gallons of
390 culinary water per car.
- 391 b. Systems which recycle water used for vehicle washing and recycle reverse osmosis reject
392 water are required to be installed and used in perpetuity.
- 393 3. The use of recycling water systems and the disposal of water fluids and solids shall comply with
394 applicable state and federal laws, guidelines, and standards. Larger storage tanks may be
395 permitted on site in order to capture and reuse water.

396 **D. Maintenance & Repair, Automotive:**

- 397 1. Minimum lot size shall be as required by the underlying zone.
- 398 2. All drives, parking, storage and maneuvering areas shall be paved with concrete or asphalt.
- 399 3. Bay doors. No automobile repair or service facility shall be permitted to have bay doors facing a
400 residential district, nor fronting Center Street, Redwood Road, or 1100 North.
- 401 4. Enclosed building. All repair or service activities shall be contained within an enclosed building.
- 402 5. Uses fronting public street. No grease rack or lift, oil draining pit, or any other visible appliance
403 for such purposes used in or in conjunction with a gasoline filling or service station, other than
404 filling caps, shall be located within twelve (12) feet of any street right-of-way line or within
405 twenty-five (25) feet of any street lot line, except where such appliance or pit is within a
406 building.
- 407 6. Parking.
- 408 a. A minimum of three (3) parking spaces shall be provided per repair bay in addition to the
409 required parking for office and sales spaces required by Chapter 6, Parking.
- 410 b. Vehicles held awaiting service, parts, or inoperable vehicles shall only be stored within an
411 enclosed building. Outdoor storage shall only be permitted in the MD or MG zone and shall
412 be provided in the side or rear yards. Outdoor storage shall be in accordance with the
413 minimum standards contained within **Section 10-19-3(E)**.

- 414 c. All outside storage facilities shall be located on a properly drained site that is graded to
415 ensure rapid drainage and to ensure that the site remains free from stagnant pools of water.
416 d. Stored vehicles shall be organized in a unified manner in Parking Stalls (no double-stacking).
417 e. The use shall not add to the contamination of the soil, alter ground water flow, create
418 additional drainage runoff, or alter topography in such a way that creates hazards to the
419 proposed site, other properties, or the City.
420 7. The Applicant shall provide the City with a drainage collection and disposal plan for vehicle fluids
421 that complies with all federal, state and local standards.

422 **E. Repair, Automotive Body, Paint, and Interior, Additional Standards:**

- 423 1. All wrecked or inoperable vehicles must be stored within the main or accessory structure. Only
424 operable vehicles used by the business, customers, and employees may be parked outdoors.
425 2. This use may use only high-volume, low-pressure, spray guns in painting operations within an
426 approved and permitted paint booth which has been inspected by the South Davis Metro Fire
427 District.
428 3. Within one hundred fifty (150) feet of a residential district, hours of operation shall be limited to
429 7:00 a.m. to 8:00 p.m.

430 **F. Repossession Services:**

- 431 1. Repossessed vehicles shall only be stored within an approved motor vehicle towing and
432 impound lots which are in compliance with outdoor storage regulations contained within Section
433 10-19-3(E)

434 **G. Retail Sales, Automotive Parts And Accessories:**

- 435 1. No outdoor storage or display shall be permitted.

436 **H. Retail Sales, Tire And Wheel Installation:**

- 437 1. Outdoor display of tires and wheels shall only be permitted during operating hours of the
438 business and shall be stored within an enclosed building nightly.
439 2. Outdoor display shall not be permitted in required landscaping areas, within an adjacent right of
440 way, public sidewalk, or block pedestrian pathways providing customer access from parking
441 areas to building entrances.

442 **I. Storage, Motor Vehicle Towing And Impound Lots:**

- 443 1. All impound lots shall conform to the standards for impound lots established by the State of
444 Utah Division of Motor Vehicles
445 2. All impound lots shall be hard surfaced with either asphalt or concrete.
446 3. All impound lots shall be in conformance with the outdoor storage regulations contained in
447 Section 10-19-3(E)
448 4. No dismantling or demolition of automobiles or other vehicles shall be conducted on the
449 premises.

450 **J. Wholesale, Automotive Parts And Supplies (New)**

- 451 1. Outdoor storage prohibited.

452 **K. Wholesale, Motor Vehicles:**

- 453 1. Wholesale, motor vehicle dealers shall be prohibited on properties which front Center Street,
454 Redwood Road, and 1100 North.
455 2. All outdoor storage and display shall comply with Sections 10-19-3(E) and 10-19-3(D)

456 **L. Wholesale, Tire And Tube:**

- 457 1. Outdoor storage prohibited.

458

459 **10-19-6: BANKING:**

460

461 **A. Banks, Credit Unions, Mortgage Brokers, Financial Managers:**

- 462 1. ATMs shall be located in accordance with 10-19-3(E)

- 463 2. Parking shall be provided in accordance with 10-6-5.

464 **B. Pawn Shops:**

- 465 1. All pawn shops shall conform to the business license standards contained within Title 3, Chapter
466 7, Secondhand, Junk and Antique Dealers.

- 467 2. Outdoor storage or display of merchandise is prohibited.

468

469 **10-19-7: BUILDING, CONTRACTING, & SUPPLIERS:**

470 **A. All Building, Contracting, & Suppliers Uses:**

- 471 1. For uses where outdoor display is permitted, all outdoor display shall be in accordance with
472 Section 10-19-3(D).

- 473 2. All outdoor storage areas shall be in accordance with Section 10-19-3(E) Outdoor Storage.

- 474 3. Storage of hazardous materials and chemicals shall be in accordance with applicable state and
475 federal regulations.

- 476 4. All manufacturing shall be done within an enclosed structure.

477 **B. Retail, Construction Materials:**

- 478 1. Home improvement, hardware, or landscaping stores shall be limited in size to a maximum of
479 15,000 sq. ft. in the C-S Zone.

480

481 **10-19-8: EDUCATION, SCHOOLS, & TRAINING:**

482

483 **A. Group Instruction, Martial Arts, Preschools, Sports, Dance and Recreation:**

- 484 1. Size shall be limited by the minimum lot size, coverage, parking and landscaping requirements
485 for the zone.

- 486 2. Required parking:

- 487 a. At least one space for each instructor, four (4) visitor spaces, and four (4) queuing spaces for
488 drop of and pick up;

- 489 b. An additional one (1) visitor space for every five (5) students thereof allowed beyond the
490 first twenty (20) students; and

- 491 c. If the proposed use includes recitals, performances, or programs with audience attendance,
492 the minimum visitor parking shall include sufficient space to accommodate four (4) parking
493 space for each 100 sq. ft. of viewing or seating area.

- 494 3. An adequate off-street loading and unloading area shall be provided to ensure vehicles are not
495 queuing onto a public or private street.

496 **B. Micro-Education Schools:**

- 497 1. A micro-education entity may operate in a facility that meets Group E Occupancy requirements
498 as defined by the International Building Code (IBC), subject to the following:
499 a. May have up to one hundred (100) students in the facility; and
500 b. Shall have enough space for at least twenty (20) net square feet per student.
501 2. A micro-education entity may operate in a facility that is subject to and complies with the same
502 occupancy requirements as a Class B Occupancy as defined by the IBC, if:
503 a. The facility has a code compliant fire alarm system and carbon monoxide detection system;
504 (1) Each classroom in the facility has an exit directly to the outside at the level of exit or
505 discharge; or
506 (2) The structure has a code compliant fire sprinkler system;
507 b. The facility has an automatic fire sprinkler system in fire areas of the facility that are greater
508 than twelve thousand (12,000) square feet; and
509 c. The facility has enough space for at least twenty (20) net square feet per student.
510 3. A secure outdoor play area is required for all micro-education facilities and shall comply with the
511 following:
512 a. The play area shall be located a minimum of five feet (5') from any vehicle parking, access, or
513 circulation area.
514 b. The play area shall be secured by a well-maintained fence that is at least six feet (6') in
515 height with a self-latching gate.
516 c. The outdoor play area shall be maintained in good condition and be finished and landscaped
517 to include ground covers, paving, or other surfaces commonly found in an outdoor play area
518 and that do not pose a risk to children.
519 d. The outdoor play area shall not be used before eight o'clock (8:00) A.M. or after eight o'clock
520 (8:00) P.M.
521 4. A minimum of one off-street accessible (ADA) passenger loading zone shall be provided in
522 accordance with ADA standards.
523 5. Off-street vehicle parking shall be provided in accordance with Title 10, Chapter 6: Off Street
524 Parking Requirements.

525 **C. Professional CDL Driving Schools:**

- 526 1. Vehicle storage shall not be permitted within the front yard area.
527 2. Practice areas or lots shall be provided in the side and rear yard areas only.
528

529 **10-19-9: ENTERTAINMENT:**

530

531 **A. Amusement Centers and Arcades (Ax Throwing, Bowling, Go Carts, Mini Golf, Skating):**

- 532 1. All structures or outdoor recreation areas shall maintain a minimum setback of one hundred
533 feet (100') from any abutting residential zones.
534 2. Any outdoor event or activity center located adjacent to a residential zone shall be limited to
535 outside use only between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.
536 3. Accessory uses include, but are not limited to: retail, equipment rental; restaurant and drinking
537 establishments may be allowed if designed to serve patrons of the use only.

- 538 4. All outdoor public address systems shall be located a minimum five hundred feet (500') from any
539 residential zone.
- 540 5. Additional standards for swimming pool: Any outdoor swimming pool shall be completely
541 enclosed within a six foot (6') nonscalable fence that meets the requirements of the Building
542 Code.
- 543 6. Additional standards for outdoor stage or musical venue: **Except for City sponsored events**, any
544 use with a capacity of one hundred (100) seats or more and within one thousand feet (1,000') of
545 a residential zone shall be subject to approval of a conditional use permit. This applies to one
546 time and seasonal events also.
- 547 7. Amusement facilities shall have adequate parking as per chapter 6 of this title.
- 548 8. Amusement facilities shall have Health Department approval for sanitary and washing provisions
549 to meet all the needs of anticipated attendees.
- 550 9. Seasonal or one time events or concession stands not exceeding ten (10) calendar days per
551 event, or forty five (45) calendar days (within 1 year) of intermittent use.
- 552 10. Miniature golf courses or other outdoor amusement facilities can be seasonal in nature the
553 following standards and conditions of this section have been met and that the facility meets all
554 the requirements imposed on it by this chapter.
- 555 a. The course shall be screened from any major thoroughfare so as not to be a distraction to
556 traffic or endanger the traffic with activities.
- 557 b. **Lighting will be pointed downward and away from the road and shall not remain on after**
558 **longer than thirty minutes (30) after closing. Facilities within one thousand feet (1,000') of a**
559 **residential zone shall cease operations after 11:00 p.m.**
- 560 c. Any music or other noise shall be buffered and controlled to maintain an audible impact of
561 less than 50 dBA at the property line.
- 562 d. Parking shall be provided in accordance with Chapter 6.
- 563 e. The course shall not incorporate any large theme park type structures (i.e., dinosaurs, pirate
564 ships, windmills and the like).
- 565 f. Trash receptacle(s) shall be located strategically throughout the facility as to provide
566 adequate refuse collection.
- 567 g. Landscaping shall be an integral part of the site plan to help the facility blend in with the
568 surrounding property and to serve as a natural buffer, and in accordance with Chapter 22,
569 Water Efficient Landscape Regulations.
- 570 h. Any outdoor storage shall be screened from public view.
- 571 11. Ax throwing or other activities which create **unusual or excessive** waste or are dangerous shall
572 be restricted to persons 18 or older unless supervised by a parent or legal guardian. Additional
573 measures shall be provided to accommodate proper disposal of said waste **or e-waste in a**
574 **manner compliant with any local, county, state or federal regulations.**
- 575 **B. Athletic Club, Fitness and Recreational Sports (Tennis, Pickleball, Volleyball, Swimming):**
- 576 1. Size shall be limited by the minimum lot size, coverage, parking and landscaping requirements
577 for the zone.
- 578 2. Required parking:

- 579 a. At least one space for each employee, referee, coach or other support persons on the
580 highest shift;
- 581 b. For each pickleball or tennis court (or similar) a minimum of two (2) parking spaces per court
582 shall be provided;
- 583 c. For each volleyball or basketball court (used for multi-player teams) a minimum of six (6)
584 parking spaces per court shall be provided; and
- 585 d. If the proposed use includes tournaments, performances, or programs with audience
586 attendance, the minimum visitor parking shall include sufficient space to accommodate four
587 (4) parking space for each 100 sq. ft. of viewing or seating area.
- 588 3. An adequate off-street loading and unloading area shall be provided to ensure vehicles are not
589 queuing onto a public or private street.
- 590 4. Commercial outdoor recreation which generates potential noise impacts and is located within
591 three hundred (300') feet of a residential zone or use shall be sufficiently located and buffered to
592 ensure that noise generation is limited to a maximum of 55 dBA at the property line, or as
593 otherwise regulated by Title 10, Chapter 4, Noise Control.
- 594 **C. Production and Distribution, Motion Picture, Video, Television, Music, Including Recording Studios:**
- 595 1. No structure shall be located within 35 feet of any lot line; unless sufficient sound buffering
596 insulation is installed within the building, in which case the minimum setback shall be 10 feet.
- 597 2. Location in multi-tenant buildings shall not be permitted unless adequate sound buffering
598 insulation can be demonstrated an installed.
- 599 **D. Promoters, Performing Arts, Sports or Similar Events with Facilities:**
- 600 1. Such Uses shall not be located any closer to residential districts than three hundred (300) feet, as
601 measured at the closest Property Lines.
- 602 **E. Single Individual Studios, Independent Artists, Writers, and Performers:**
- 603 1. Limited in size to a maximum 5,000 sq. ft. for single individual studios and artists.
- 604 2. Sound proofing shall be required for those uses which will include sound production.
- 605 **F. Theater, Movie, Live Entertainment Venues, Performing Arts Companies, Sports Teams:**
- 606 1. Such Uses shall not be located any closer to residential districts than three hundred (300) feet, as
607 measured at the closest property lines.
- 608 2. All such uses shall include sound proofing insulation to be installed.
- 609 3. Hours of operation shall be limited to 9:00 a.m. to 12:00 a.m. for commercial locations greater
610 than 1,000 feet from a residential use and 9:00 a.m. to 10:00 p.m. for locations located less than
611 1,000 feet from a residential use.

612
613 **10-19-10: GENERAL OFFICE:**
614

615 **A. Call Centers, Information Services, and Data Processing Services:**

- 616 1. Parking shall be provided at a rate of 1 space per employee for the highest shift or 1 space per
617 50 sq. ft. of call center floor area, whichever is greater; and
- 618 2. 1 space per 200 sq. ft. of dedicated private office space.

619 **B. Employment Placement Agencies:**

- 620 1. This Use is limited to the placement of patrons in "office-only" jobs. Where the Use requires
621 patrons to come to the location to view job opportunities and/or receive wages, the following
622 additional requirements apply:
623 a. The Use must be located at least three hundred (300) feet away from any Residential Use, as
624 measured at the closest Property Lines.
625 b. An indoor waiting area, or sufficient size to accommodate all patrons, must be provided.

626 **C. Leasing And Rental, Office Machinery, and Equipment:**

- 627 1. Outdoor storage prohibited.

628
629 **10-19-11: HEALTHCARE:**

630
631 **A. Outpatient Mental Health and Substance Abuse Centers:**

- 632 1. Proof of state licensure shall be required with application for licensure.
633 2. The proposed use must demonstrate compliance with the Americans with Disabilities Act.
634 3. Hours of operation shall be limited to 8:00 a.m. to 9:00 p.m.
635 4. A security plan shall be submitted with application for licensure.

636 **B. Residential Care Facilities, Nursing Care and Assisted Living:**

637 All instances of this use shall comply with and provide, as applicable, the following:

- 638 1. Proof of state licensure for Assisted Living Facility.
639 2. A design, which is residential in character and architecturally compatible with the neighborhood,
640 that adequately screens the use from neighboring lots, providing outdoor living space for the
641 residents and complies with Utah Department of Health standards;
642 3. All outdoor lighting shall be screened lighting to ensure that lighting is contained within the
643 property boundary;
644 4. Signage shall be limited to one sign per street frontage or entrance and may not exceed thirty-
645 two (32) square feet, each; and
646 5. The use shall include a delivery, traffic, and parking plan which adequately mitigates the adverse
647 impacts of increased traffic generation on the neighborhood in which the proposed use is
648 located. The parking plan must propose parking appropriate for the proposed use of the facility
649 and meet the minimum standards in Chapter 6, Parking Regulations.

650
651 **10-19-12: HOSPITALITY:**

652
653 **A. Alcoholic Beverages:** All hospitality uses which permit the sale or consumption of alcoholic
654 beverages shall comply with Title 3, Chapter 2 Alcoholic Beverages

655 **B. Banquet and Reception Centers:**

- 656 1. Shall be located and designed with full consideration of their proximity and effect to adjacent
657 use of property and the surrounding area, and to the reduction of such nuisance factors as lights,
658 traffic and noise.
659 2. Be adequately maintained with housekeeping practices to prevent the creation of a nuisance,
660 including sound proofing to limit the site noise to no more than 55 dBA at the property line.

- 661 3. The facility shall be subject to the health authority requirements for adequate lavatory and hand
662 washing facilities based on the maximum number of guests.
- 663 4. All food preparation and service on the premises will be subject to health authority
664 requirements.
- 665 5. Parking shall be required to be hard surfaced with adequate ingress and egress in accordance
666 with City Standards and Specifications and provided in a quantity required by 10-6-5.
667 Consideration shall be given for shared parking use with the provision of cross access & parking
668 easement agreement on adjacent properties and the proposed operation hours of each use
669 ensures that the minimum parking standard is met during operations for each business.
670 Consideration for off premise parking shall be given in the manner provided for in 10-6-13,
671 which may include the use of valet parking or passenger shuttle services.

672 **C. Food Service Contractors, Caterers, Mobile Food Business, and Commissaries:**

673 This use is limited to on-site food preparation for off-premise consumption and sales.

- 674 1. A minor accessory onsite retail component is allowed.
- 675 2. A facility housing this use:
- 676 a. May be shared among various food processors or food preparers; and
- 677 b. Is limited in size to three thousand (3,000) square feet or less.
- 678 3. Each instance of the use must have:
- 679 a. Designated parking stalls for all food trucks/food trailers located to side or rear of building;
- 680 b. A maximum of fifteen (15) food truck/food trailer operators working out of each location;
- 681 c. Outdoor electrical outlets (one (1) per food truck/food trailer) located in landscaped area;
- 682 d. An onsite operator sign-in roster and require the use of such sign-in roster;
- 683 e. A full commercial kitchen (no exceptions); and
- 684 f. Use an in-ground grease trap system meeting City Engineering Standards and South Davis
685 Sewer District requirements, as applicable.
- 686 4. Food Truck/Food Trailer.
- 687 a. Food trucks and food trailers are prohibited from operation on public property or public
688 right of ways except during City sponsored or licensed special events.
- 689 ~~a-b.~~ Special Events. Food trucks, food trailers, or food truck event organizers, as applicable must
690 have a city special event permit, ~~for operation on public property,~~ on file with the city
691 business license clerk.
- 692 ~~b-c.~~ Licensing. Food truck or food trailer vendors must meet all applicable state and City Code
693 licensing requirements.
- 694 ~~e-d.~~ Permitted Vehicles. All mobile food vending business shall take place in either a food truck or
695 a food trailer.
- 696 ~~d-e.~~ Food trucks or food trailers on private property:
- 697 (1) Food trucks or food trailers shall provide written authorization of the property owner or
698 designee, for operation on private property.
- 699 (2) Food trucks or food trailers that are an accessory use shall not utilize parking that is
700 required to meet the minimum standard for the main use during business hours.
- 701 (3) Excluding private events, food trucks or food trailers within one hundred (100') feet of
702 any residential zone are subject to the following:

- 703 (A) Hours of operation are limited to 10:00 a.m. to 10:00 p.m.
704 (B) Lights attached to the food truck or food trailer or portable lights must not allow
705 light spillover onto **abutting properties or the public right of way.**
706 (4) Food trucks or food trailers shall not be left overnight or stored on the subject property
707 or in a right of way.
708 (5) Mobility. All food trucks or food trailers shall be constructed in a manner to be easily
709 removed on a daily basis and must have functioning wheels.
710 (6) Design. All food trucks or food trailers shall not have a drive-through window and shall
711 be kept in good operating condition.

712 **e.f.** Limits by Location. To assure public safety and limit restrictions or impediments to traffic or
713 pedestrian access, food trucks or food trailers are only allowed in areas specified in this
714 section:

- 715 (1) All food trucks or food trailers must comply with clear view area requirements.
716 (2) All food trucks or food trailers shall be parked on asphalt or concrete.
717 (3) Umbrellas, Canopies and Other Coverings. Each food truck or food trailer may have one
718 (1) umbrella or canopy. Tents or other coverings with opaque walls are not allowed.
719 Alternate shading systems may be proposed to the City and are subject to approval by
720 the Community Development Department.

721 **f.g.** Food trucks and food trailers must comply with all Health Department and Fire regulations.

722 **g.h.** Trash Receptacles. All food trucks or food trailers shall provide at least one (1) trash
723 receptacle meeting Davis County Health Department standards. The trash receptacle shall be
724 removed with the food truck or food trailer on a daily basis.

725 **h.i.** Clean Area. All food trucks or food trailers are required to clean the area occupied by the
726 food truck or food trailer and the surrounding fifty (50)-foot area on a daily basis.

727 **i.j.** Generators: Only generators that produce a noise level less than sixty five (65) dBA
728 measured at thirty (30') feet shall be permitted.

729 **j.k.** Provisions. The sale of any products other than food and beverages for human consumption
730 is prohibited.

731 **k.l.** Signs and Advertising. Food truck or food trailer may have one (1) temporary A-Frame/Post
732 Style Sign with a maximum height of four (4) feet and a maximum sign area of eight (8)
733 square feet. The sign shall not be located in a manner which impedes pedestrian traffic or
734 poses a safety or traffic hazard. Vinyl wraps on food trucks or food trailers shall be allowed
735 without restriction.

736 **l.m.** Lighting. Food trucks or food trailers operating in evening hours may use battery-powered
737 low voltage lighting systems for safety and convenience. All lighting systems shall only be for
738 the purpose of continued operation. Moving, flashing, or other advertising-oriented lights
739 are prohibited.

740 **m.n.** Food Truck Parks.

741 **(1)** Food truck parks are allowed subject to infrastructure improvements being completed,
742 including paving, parking space striping, drainage, landscaping, and lighting.

743 **(2)** All food trucks and food trailers must be separated by a minimum of ten (10) feet
744 between vendor walk up windows.

745 (3) All food trucks parks shall provide one (1) on-site parking stall per food truck or food
746 trailer for customer parking.

747 (4) Food truck parks shall provide electrical services for each truck such that the use of
748 generators for operations is not necessary, except during temporary power outages.

749 ~~n. Food trucks and food trailers are prohibited from operation on public property or public~~
750 ~~right of ways except during City sponsored or licensed special events.~~

751 o. Prohibited Activities. Any violation of the following activities shall be subject to loss of City
752 business license and other penalties of law.

753 (1) Amplified music and the use of any amplified sound system is prohibited.

754 (2) Business operations shall not create any public nuisance, including: (1) noises audible
755 from within an enclosed vehicle or from within an enclosed building; (2) accumulations
756 of litter; (3) obstruction of pedestrian and vehicle access or travel areas; (4) reduction in
757 required parking stalls or other similar activities; and (5) any violation of City or state
758 regulations.

759 p. Review Standards. The Community Development Department shall apply the following
760 review standards:

761 (1) The location of the food truck or food trailer shall not impede access to buildings,
762 parking areas, landscaping, or other facilities.

763 (2) Any reduction in parking stalls resulting in insufficient spaces for existing businesses and
764 the food truck or food trailer's customers would result in the location being unsuitable.

765 **D. Lodging, Hotel and Motel**

766 1. Accessory uses including, but not limited to, restaurants, retail, drinking establishments, and
767 personal services, may be allowed if such uses are completely within the hotel or motel
768 structure. Separate or concurrent approval for sale of alcoholic beverages is required in
769 accordance with the regulations within of Title 3, Chapter 2 Alcoholic Beverages of this code.

770 2. Bed and breakfast establishments. Bed and breakfast establishments shall be required to satisfy
771 all of the following conditions:

772 a. Each premises must be occupied and operated by its owner.

773 b. The proposed use shall not cause a nuisance to adjoining residences due to noise, odor,
774 lighting or traffic.

775 c. No bed and breakfast sleeping room shall be permitted that does not comply with the
776 International Building Code.

777 d. No kitchen or other food preparation area or facilities shall be provided in or available to the
778 rooms in a bed and breakfast operation. Cooking facilities in a dwelling containing a bed and
779 breakfast operation shall be limited to the residential kitchen.

780 e. Bed and breakfast bedrooms shall be a minimum of 120 square feet for the first two
781 occupants and an additional 30 square feet for each additional occupant.

782 f. The stay of bed and breakfast occupants shall be no more than 14 consecutive days and not
783 more than 30 days in any one calendar year.

784 g. The operator of each facility shall keep a list of the names of all persons staying at the bed
785 and breakfast, which list shall be available for inspection by the Building Inspector or village
786 designee.

- 787 h. One bathroom for every three sleeping rooms shall be provided, with a minimum of two
788 bathrooms.
- 789 i. Every bed and breakfast bedroom shall contain a functional smoke detector, and an
790 approved fire extinguisher shall be located on each floor on which such sleeping room is
791 located.
- 792 j. One parking space shall be provided off-street in the side or rear yard area for each bed and
793 breakfast bedroom.
- 794 k. Meals or other services provided on the premises shall only be available to residents,
795 employees and overnight guests of the inn.
- 796 l. Maximum sign size shall be five square feet with a maximum height of six feet. Sign
797 materials are to be compatible with the architecture of the building. Signs must meet
798 setback standards for the district in which they are located. Internal illumination is
799 prohibited.
- 800 m. No exterior alterations to the structure shall be made which would change the residential
801 appearance of the structure.
- 802 n. The applicant shall comply with any fire and life safety requirements imposed by the
803 according to the Building or Fire Codes.

804 **E. Lodging, Recreational Vehicle Parks and Campgrounds:**

- 805 1. Recreational Vehicle Parks and Campgrounds shall meet the applicable standards in Section 13-
806 6-3 of this Code.

807 **F. Restaurants and Coffee Shops:**

- 808 1. Lot area. The minimum lot area shall be 15,000 square feet.
- 809 2. Road frontage and access. All vehicular access shall be directly from an arterial road or collector
810 road.
- 811 3. Setbacks. The following setbacks shall apply to structures, excluding signs, walls and fences:
812 a. Structures shall be setback at least 15 feet from the edge of any road right-of-way;
813 b. Structures shall be setback at least 50 feet from any lot line abutting a residential district or
814 use; and
815 c. Structures shall be setback from any lot line abutting a nonresidential district and use as
816 specified for permitted uses on the subject site.
- 817 4. Enclosure and screening.
818 a. If the subject lot is adjacent to a residential zone or use, all commercial activity shall be
819 completely obscured from the residential zone or use by means of a continuous solid wall or
820 fence six feet in height and a landscaped buffer area.
821 b. Outside dumpsters shall be completely enclosed and obscured by an masonry wall and gate.
- 822 5. Fast food restaurants.
823 a. All patrons served in their vehicles via a drive-through facility shall be provided with
824 adequate off-street standing spaces. No vehicle stacking areas shall cross any maneuvering
825 lane, drive, sidewalk or public right-of-way. A bypass lane or other suitable means of access
826 to a public road shall be provided for automobiles that do not use the drive-through facility.

- 827 b. One illuminated menu board sign per drive aisle shall be allowed in addition to all other
828 signs permitted by Chapter 4. The surface area of the menu board sign shall not exceed
829 thirty-two (32) square feet and the height shall not exceed six feet above grade.
- 830 6. Serving alcohol. All restaurants permitted to serve alcohol shall comply in every respect with the
831 Utah Liquor Control Act and Title 3, Chapter 2 of this Code.
- 832 7. Drive Through Standards:
- 833 a. Purpose. Where drive-up or drive-through uses and facilities are allowed, they shall conform
834 to all of the following standards, which are intended to calm traffic, provide for adequate
835 vehicle queuing space, prevent automobile turning movement conflicts, and provide for
836 pedestrian comfort and safety.
- 837 b. Standards. Drive-up and drive-through facilities (i.e., driveway queuing areas, customer
838 service windows, teller machines, kiosks, drop-boxes, or similar facilities) shall meet all the
839 following standards:
- 840 (1) Prior to the menu board order location, vehicle stacking shall be provided for a minimum
841 distance of eighty (80') feet for a single stacking lane or forty (40') feet per lane when
842 there is more than one service lane.
- 843 (2) Stacking lanes must be designed so that they do not interfere with parking and vehicle
844 circulation and of sufficient length to ensure vehicles are not backing onto a public street
845 and shall be clearly identified using means such as striping, landscaping, or directional
846 low impact signs.
- 847 (3) The Community Development Department may require a traffic, circulation, and parking
848 study addressing both on site and off site traffic and circulation impacts for national
849 chain restaurants with known high traffic counts. The Planning Commission may
850 required additional parking or stacking area based on the study during site plan approval
851 process.
- 852 (4) The design of the stacking area shall allow customers' vehicles to leave the stacking line
853 for emergency reasons.
- 854 (5) Drive-through uses shall be located so that access and egress to the drive-through
855 features are from an on-site drive aisle or other on-site circulation facility, not a public
856 street.
- 857 (6) Communication's sound system shall not exceed a measurement of 55 dBA at any
858 property line.
- 859 (7) Drive-through service windows shall not be located adjacent to the primary or front
860 property line.

861 **G. Sexually Oriented Businesses:**

- 862 1. Conform to Title 3, Chapter 8

863

864 **10-19-13: MANUFACTURING AND ASSEMBLY:**

865 **A. All Manufacturing and Assembly Processes:**

- 866 1. Chemical Storage: Storage of chemicals, pesticides and fertilizers for wholesale, resale or as part
867 of a manufacturing facility shall be subject to the following:

- 868 a. The applicant must furnish evidence that the facility will comply with DEQ or other
869 regulatory agencies.
- 870 b. A buffer may be required within the required setback from property line.
- 871 c. Approved loading and unloading spaces and off street parking facilities will be required.
- 872 d. A secondary retaining area will be required. The secondary retaining area shall be large
873 enough to hold **at least** the amount of the largest tank located in the retaining area.
- 874 e. Setbacks for structures are to be from the secondary containment area.
- 875 f. There shall be **no outdoor storage** of chemicals and/or fertilizers.
- 876 g. Construction of all facilities shall meet the criteria listed in the approved International
877 Building Code.
- 878 2. Bulk Storage of Hazardous or Flammable Liquids and Gases:
- 879 a. **A hazard mitigation plan, outlining precautions and procedures for hazardous substances,**
880 **shall be provided to the City and any other applicable emergency response or regulation**
881 **authority which details the quantities, storage methods and handling procedures for**
882 **accidental releases, spills, exposures, fires, explosions or other emergency conditions that**
883 **could occur and the potential extent of such incidents. The plan shall be reviewed and**
884 **updated at a minimum annually or upon modification of the type or quantities of materials**
885 **stored and utilized by the business.**
- 886 b. **The facility shall comply with all applicable regulations related to the storage and quantity**
887 **limits as determined by the South Davis Metro Fire District or other applicable jurisdictional**
888 **agency.**
- 889 c. The applicant must furnish written documentation showing a review from the appropriate
890 fire district and/or DEQ; listing any conditions placed upon the use and how they will comply
891 with those conditions.
- 892 d. Any facility with outdoor aboveground tanks shall be enclosed by an eight foot (8') high
893 security fence or wall with the entrance and exit through a gate that shall be locked during
894 nonbusiness hours.
- 895 e. When adjacent to a residential zone, all structures or outdoor activity areas shall be located
896 a minimum of three hundred feet (300') from any property line and all tanks shall be located
897 a minimum of one thousand feet (1,000') from a property line adjacent to a residential zone.
- 898 f. Approved loading and unloading spaces and off street parking facilities will be required as
899 listed in code Section **10-6-5**.
- 900 g. Construction will meet the criteria of the International Building Code as adopted.
- 901 h. **Sufficient measures shall be made to ensure no discernable odor is emitted from the facility,**
902 **which may include but is not limited to additional ventilation, insulation, or sealing between**
903 **neighboring units.**
- 904 i. **Access to manufacturing and storage areas of the subject units be physically restricted from**
905 **access by the unauthorized personnel and the general public.**
- 906 j. This section does not apply to retail service stations or convenience stores that also dispense
907 propane unless they are in a residential zone.
- 908 3. Food (human) Preparation: These standards shall apply to on-site food preparation for off-
909 premise consumption and sales.

- 910 a. Minimum operation size shall be greater than three thousand (3,000) square feet in size;
911 b. Must only be used by a single food-processor/food-preparer;
912 c. Must use an in-ground grease trap system meeting City Engineering and Sewer District
913 requirements; and
914 d. May not be used by food truck/food trailer operators or have food truck/food trailers parked
915 on the lot or parcel.
916 e. All structures, loading areas, outdoor activity areas, exclusive of parking shall be located a
917 minimum of three hundred feet (300') from any abutting residential zones.
918 f. The application materials shall include written documentation that the proposed facility
919 meets any applicable Federal, State, or local standards regarding such use including, but not
920 limited to, those of the U.S. Environmental Protection Agency, the U.S. Department of
921 Agriculture, Utah Department of Environmental Quality (DEQ), Utah Department of
922 Agriculture, Utah Department of Water Resources, and Davis County Health Department, as
923 applicable
- 924 4. Where a manufacturing use is allowed in a commercial zone the following apply:
925 a. It shall be wholly enclosed in a building; and
926 b. When the subject site is located within one hundred (100') feet of a residential zone, the use
927 shall be limited to the hours of operation of the use to between seven o'clock (7:00) A.M.
928 and nine o'clock (9:00) P.M. when there are identified impacts regards to noise, traffic, or
929 parking.
- 930 5. Uses classified as light manufacturing/processing shall not:
931 a. Emit from a vent, stack, chimney, or combustion process any smoke that is visible to the
932 naked eye that is a result of the process of manufacturing, processing, creating, repairing,
933 renovating, painting, cleaning, or assembling of goods, merchandise, or equipment.
934 b. Generate noise in the course of manufacturing of greater than 55 dBA as measured at the
935 property line between the hours of 8 a.m. and 7 p.m. Between the hours of 7 p.m. and 8
936 a.m. the City's general noise regulations as coded in Title 4, Chapter 2 Nuisances of this code
937 shall apply.
938 c. Generate any ground transmitted vibration that is perceptible to the human sense of touch
939 measured at the lot line.
940 d. Generate any odor that reaches the "odor threshold" measured at the lot line. For purposes
941 of this section, the ODOR THRESHOLD is defined as the minimum concentration in air of a
942 gas, vapor, or particulate matter that can be detected by the olfactory systems of a panel of
943 healthy observers.
944 e. Require for its operations a daily average of more than 200 gallons of water per employee.
945 f. Create any electrical disturbance that adversely affects any operations or equipment other
946 than those of the creator of such disturbance, or otherwise causes, creates, or contributes to
947 the interference with electronic signals (including television and radio broadcasting
948 transmissions) to the extent that the operation of any equipment not owned by the creator
949 of such disturbance is adversely affected.

- 950 g. Store materials necessary for the manufacturing or processing activity in a location where
951 such materials are visible from beyond the boundaries of the property on which the
952 manufacturing/processing facility is located.
- 953 h. Semi-trucks or tractor trailers may be used to deliver or pick up materials but may not
954 remain on the premises continuously for more than 48 hours. Such trucks or trailers may not
955 be used as a means to store materials necessary for the manufacturing or processing activity
956 or finished products of the manufacturing activity.
- 957 6. Sand Blasting, power assisted propelling of solids or liquids or any similar methods:
958 a. All operations for the removal of paint, stain or similar coatings from surfaces by sand
959 blasting, power assisted propelling of solids or liquids, or any similar methods, shall be
960 performed in accordance with the following regulations:
961 (1) No such operation shall take place outside the hours of 8:00 a.m. and 6:00 p.m.
962 (2) No operation shall take place outside of an enclosed building.
963 (3) All operations shall be conducted in a well-ventilated building which is equipped with an
964 exhaust ventilation system to capture dust.
965 (4) All such operations shall be operated in a manner to prevent vapor, dust and debris from
966 causing a nuisance by falling on pedestrians, vehicles, public thoroughfares and
967 adjoining property.
968 (5) Outdoor storage of sand is prohibited. Sand shall be stored in a container which ensures
969 that no fugitive dust will be created from wind.
970 (6) All operations shall comply with state and federal regulations.

971 **B. Asphalt and Concrete Service Batching Plants:**

- 972 1. Asphalt or concrete batching plant for producing asphalt or concrete products used in
973 construction activities are subject to the following standards:
974 a. The batching plant site shall comply with all applicable provisions of City, State and Federal
975 laws.
976 b. The batching plant shall not be located within six hundred feet of a residence.
977 c. Hours of operation will be limited to Monday through Friday, seven a.m. to seven p.m.
978 d. No portion of the batch plant or its operation shall be located on a public street.
979 e. Compliance with all applicable City regulations regarding noise, dust, odor and glare.
980 f. All plants shall be compliant with state and federal regulations and obtain any necessary
981 permits prior to commencing operations.
- 982 2. Temporary batch plants:
983 a. Temporary batch plant used in construction activities on the same or nearby sites shall be
984 limited to operations for up to six months, with a single renewal of a six-month time period
985 permitted by the Community Development Director.
986 b. The batch plant shall only furnish concrete, asphalt, or both, to a specific project. The
987 placement of a temporary batching plant for a private project is restricted to the site of the
988 project.
989 c. Temporary plant site must be clear of all equipment, material and debris upon completion.
990 d. All public improvements that are damaged during the operation of the temporary batching
991 plant must be repaired or replaced within thirty days of completion of the project.

992 e. At termination and/or removal of the plant operation, the operator shall have the person
993 responsible walk the site with the building official or his/her designee to verify the site
994 meets City approval.

995 **C. Food: Breweries, Distilleries, Wineries**

- 996 1. No outside storage of raw materials;
997 2. No outside storage of spent grain. Accumulated grains must be disposed of within 24 hours after
998 a batch is finished;
999 3. No drive-through windows;
1000 4. Ability to provide off-street loading and unloading for all materials;
1001 5. For microbreweries: Size is usually determined by the number of barrels produced each year.
1002 Microbreweries are limited to no more than 15,000 barrels per year;
1003 6. Discharge into the Sewer District's wastewater system must be pre-approved by the South Davis
1004 Sewer District and the wastewater treatment plant operator;
1005 7. For distilleries: all distillery facilities be located in a standalone building whereby they are the
1006 only occupants in order to protect against fire and/or explosion; and
1007 8. "Distillery" shall not include industrial distilleries, such as for the production of ethanol for use
1008 as a fuel.
1009 9. Parking. Parking shall be provided as follows:
1010 a. One space for each 500 square feet of floor space, plus one space for each employee; and
1011 b. All other requirements of parking in Chapter 4 of this chapter must be met.
1012 10. Retail or Restaurant Component:
1013 a. An accessory retail or restaurant component shall only be permitted in conformance and
1014 subject to licensure and regulations of the Utah State Department of Alcoholic Beverages
1015 Services.
1016 b. All accessory retail or restaurant is subject to the standards outline in **Title 3, Chapter 2,**
1017 **Alcoholic Beverages** of this code.
1018 c. Additional parking shall be provided in conformance with **Section 10-5-3.**

1019 **D. Refinery, Oil And Gas:**

- 1020 1. All operations shall be a minimum of one thousand (1,000') feet from any residential land use.
1021 2. All uses shall have vehicular access to an arterial or collector road.
1022 3. Minimum lot size shall be one hundred (100) acres.
1023 4. All structures shall be located at least 150 feet from all property lines.
1024 5. Maximum lot coverage shall be 60%.
1025 6. A minimum twenty-five (25) foot landscaped buffer strip shall be provided along all frontage
1026 property lines.
1027 7. All outside storage of raw material shall be completely enclosed by an eight-foot-high fence and
1028 screened from adjoining properties and roads. No outdoor storage is permitted within the
1029 required buffer strip.
1030 8. All storage facilities, conveying apparatuses, drying or wetting chambers and axial ventilation
1031 fans shall be set back a minimum of 150 feet from all property lines.
1032 9. Operational Requirements.

- 1033 a. Machinery, Equipment and Operations. All machinery, equipment and materials used in
1034 refining; all processing and manufacturing operations; and all hauling of refined products
1035 must be maintained, operated, or conducted in such a manner that:
1036 (1) Flying objects and debris are not thrown.
1037 (2) All emissions comply with state and federal air quality regulations.
1038 (3) There is no appreciable noise, vibration, dust, or mist.

1039 **10. A hazard mitigation plan, outlining precautions and procedures for hazardous substances, shall**
1040 **be provided to the City and any other applicable emergency response or regulation authority**
1041 **which details the chemical and materials quantities, storage methods and handling procedures**
1042 **for accidental releases, spills, exposures, fires, explosions or other emergency conditions that**
1043 **could occur and the potential extent of such incidents. The plan shall be reviewed and updated**
1044 **at a minimum annually or upon modification of the type or quantities of materials stored and**
1045 **utilized by the business.**

1046 **E. Repair, Commercial and Industrial Machinery and Equipment:**

- 1047 1. All commercial and industrial machinery repair shall be completed within an enclosed building.
1048 2. No outdoor storage shall be permitted.

1049
1050 **10-19-14: MINING AND SUPPORT ACTIVITIES:**

1051
1052 **A. Mineral Extraction:**

- 1053 1. See SR Zone, Title 10 Chapter 17

1054 **B. Mineral, Oil, Gas Extraction and Refining Support Activities:**

- 1055 1. Where outdoor storage is permitted as an accessory use, any outdoor storage shall be compliant
1056 with Section **10-19-3(E)**.

1057
1058 **10-19-15: PERSONAL SERVICES:**

1059
1060 **A. Animal Care, Boarding, Day Care and Kennels, Pet Services, and Veterinary Services:**

- 1061 1. All animal care services shall comply with Title 5, Chapter 4, Animal Control, as applicable
1062 2. Additionally, all outdoor play areas shall be located a minimum of one hundred feet (100') from
1063 any residential land use.
1064 3. Waste disposal is prohibited to City or County Storm Drain
1065 4. Veterinary clinics shall comply with all State and local regulations relative to such an operation
1066 and shall maintain adequate housekeeping practices designed to prevent the creation of a
1067 nuisance and to reduce to a minimum the factors of noise and odor.
1068 5. Pet boarding and day care services in the CS Zone shall be limited to:
1069 a. Small pets (25 lbs. or less)
1070 b. A maximum size of 2,000 sq. ft.
1071 c. A maximum of 10 dogs at any one time.

1072 **6. The facility shall be mitigated or buffered for noise to ensure that the maximum noise impact**
1073 **does not exceed 55 dBA at the property line.**

1074 7. Facilities shall be equipped with noise buffering insulation where located in a multi-tenant
1075 building or where located within one-hundred feet of a residential use.

1076 **B. Appliance, Electronic, and Small Engine Repair and Maintenance:**

1077 1. No outdoor storage

1078 **C. Exterminating and Pest Control Services:**

1079 1. A hazard mitigation plan, outlining precautions and procedures for hazardous substances, shall
1080 be provided to the City and any other applicable emergency response or regulation authority
1081 which details the quantities, storage methods and handling procedures for accidental releases,
1082 spills, exposures, fires, explosions or other emergency conditions that could occur and the
1083 potential extent of such incidents. The plan shall be reviewed and updated at a minimum
1084 annually or upon modification of the type or quantities of materials stored and utilized by the
1085 business.

1086 **D. Funeral Homes and Mortuaries:**

1087 1. This use cannot share space or any common wall with another use.

1088 **E. Janitorial, Laundry, and Linen Supply Services:**

1089 1. All operations shall ensure the safe storage, use, and disposal of any detergents or chemicals in
1090 accordance with all state and federal regulations, as well as any fire district and sewer district
1091 regulations, which may include pre-treatment of wastewater.

1092 2. A hazard mitigation plan, outlining precautions and procedures for hazardous substances, shall
1093 be provided to the City and any other applicable emergency response or regulation authority
1094 which details the quantities, storage methods and handling procedures for accidental releases,
1095 spills, exposures, fires, explosions or other emergency conditions that could occur and the
1096 potential extent of such incidents. The plan shall be reviewed and updated at a minimum
1097 annually or upon modification of the type or quantities of materials stored and utilized by the
1098 business.

1099 3. Laundry services are prohibited within the City's designated drinking water source protection
1100 zones.

1101 **F. Pharmacies and Drugstores:**

1102 1. Medical cannabis pharmacy are subject to licensing procedures required by the State of Utah.

1103 a. License Required: No medicinal cannabis pharmacy shall be established, operated, or
1104 maintained within the city without a valid license issued by the Utah Department of Health,
1105 and without a valid business license issued by the city.

1106 b. As required by Utah Code Chapter 26-61a, a medicinal cannabis pharmacy shall be located at
1107 least:

1108 (1) Two hundred feet (200') from a community location (public or private school, licensed
1109 child care facility or preschool, church, public library, public playground or public park);

1110 or

1111 (2) Six hundred feet (600') from an area zoned primarily residential.

1112 c. The proximity requirements described in Subsection C.1 shall be measured as required in
1113 Chapter 26-61a, Utah Code, as amended.

1114 d. Signs: Signs shall be subject to the dimensional requirements per Sections 26-61a-505 and 4-
1115 41a-403, Utah Code, as amended.

1116 e. Conflict of Laws: If any regulation in this section, regarding medicinal cannabis is in conflict
1117 with Utah Code, the provisions of Utah Code shall prevail.

1118 **G. Personal And Household Goods Repair, and Maintenance:**

1119 1. No outdoor storage shall be permitted.

1120 **H. Salons, Hair, Nail, Lashes, Permanent Cosmetics, Tattoos:**

1121 1. Tattoo parlors:

1122 a. Tattoo parlors shall operate only between the hours of seven (7:00) a.m. and eleven (11:00)
1123 p.m.

1124 b. Service of alcohol, marijuana based substances, or other controlled substance shall not be
1125 permitted in conjunction with a tattoo parlor use.

1126 c. The entrance door and storefront window glazing shall be 75 percent (75%) clear and free of
1127 obstructions such as signs, window tinting, shelving, or racks.

1128 d. The operator of the approved use shall prevent loitering and loud noises around the subject
1129 site during and after the hours of business operation.

1130 e. A sign stating, "No tattoo service will be provided for anyone under the age of 18," shall be
1131 visible at all times on the door of the front entrance.

1132 f. The applicant shall comply with all applicable State and County Health and Human Services
1133 regulations.

1134

1135 **10-19-16: RELIGIOUS, GRANT MAKING, CIVIC, PROFESSIONAL, AND SIMILAR ORGANIZATIONS:**

1136

1137 **A. Religious Organizations, Churches**

1138 1. Development Standards:

1139 a. Parcel Size: No minimum parcel size is required, however, the parcel chosen for a church
1140 must be adequate to meet all of the development standards to be listed below that include,
1141 but are not limited to, setbacks, landscaping, parking, improvements, and dedications.

1142 b. Building Setbacks:

1143 (1) Commercial Zones:

1144 (A) Front: Thirty feet (30') from property line. (If project fronts on more than 1 street,
1145 setback applies to all street frontages.)

1146 (B) Side and rear: Minimum ten feet (10') unless located adjacent to a Residential Zone.
1147 In this case, the minimum setback must be thirty feet (30').

1148 (2) Residential Zones:

1149 (A) Front: Thirty feet (30') from front property line. (If project is on a corner lot, setbacks
1150 are 30 feet on 1 street and 20 feet on the other.)

1151 (B) Side and rear: Follow setbacks required according to zone property is in.

1152 c. Building Height: Maximum building height shall follow zoning that the project is in. Thirty
1153 five feet (35') is the maximum height in a Residential Zone or in any zone adjacent to a
1154 Residential Zone (not including chimneys, steeples and the like).

1155 d. Landscaping Setbacks:

1156 (1) Front: Thirty feet (30') minimum from property line. (If on a corner lot in a Residential
1157 Zone, 20 feet on shorter setback side.)

- 1158 (2) Sides and rear: Five feet (5') minimum.
- 1159 (3) Landscaping in the front areas shall also include the park strip adjacent to the curb
- 1160 including street trees (minimum 2 inch caliper and spaced 30 feet on center).
- 1161 (4) Landscaping shall also be required within the parking lot itself where large expanses of
- 1162 asphalt occur. There shall be a minimum of one 10-foot wide planter within the parking
- 1163 lot area where over one hundred twenty five (125) linear feet of asphalt occurs.
- 1164 (5) Landscaping shall be in accordance with Title 10, Chapter 22, Water Efficient Landscape
- 1165 Standards.
- 1166 e. Fencing: Acceptable fence types shall include vinyl, precast concrete, decorative iron,
- 1167 architecturally designed brick or block.
- 1168 f. Parking:
- 1169 (1) All parking for church facilities shall be on site.
- 1170 (2) No parking is permitted within the front landscape setback.
- 1171 (3) Parking shall be required at a rate and design as established in Chapter 6, Off Street
- 1172 Parking
- 1173 g. Trash Enclosures and Accessory (Maintenance Or Storage) Buildings:
- 1174 (1) All trash bins shall be surrounded with six foot (6') high masonry or precast enclosures to
- 1175 match the main building with solid metal gates. Trash enclosures may be combined with
- 1176 accessory (maintenance or storage) buildings. The setback of such structure shall be at
- 1177 least the same as the minimum required front landscape setback, but in no case shall
- 1178 trash enclosures be located any closer than ten feet (10') to a Residential District lot line
- 1179 or five feet (5') to a Commercial District lot line.
- 1180 (2) Accessory (maintenance or storage) buildings shall be built of the same materials as the
- 1181 main building (siding and roofing) so as to blend in with the entire project. Minimum
- 1182 setbacks to the front property line(s) shall be the same as the main building. Buildings
- 1183 adjacent to a side or rear property line (other than a street side of the property), which
- 1184 are built of one hour fire rated construction, can be considered an accessory structure
- 1185 and may be set back as close as three feet (3') to a side or rear property line.
- 1186 h. Lighting: All lighting for church buildings, parking lots, and accessory uses, if applicable, shall
- 1187 be downlit and minimize any adverse impact on adjacent residential areas.
- 1188 i. Ancillary Uses: Ancillary uses such as parks, ball diamonds, pavilions, etc., shall not count
- 1189 toward landscaping on the church site but shall stand alone and be considered as a separate
- 1190 site and subject to separate land use approval. Any such ancillary uses are subject to, but not
- 1191 limited to, the standards of this Code (if applicable).

1192

1193 **10-19-17: RESIDENTIAL:**

1194 **A. Accessory Dwelling Units: (EXISTING to be moved from section 10-1-44)**

- 1195 1. Definition of Accessory Dwelling Unit: A subordinate dwelling, which has its own eating,
- 1196 sleeping, and sanitation facilities which is: 1) within or attached to a single-family residential
- 1197 building, or 2) within a detached accessory structure associated with a single-family dwelling.
- 1198 2. Purpose and Intent: The purpose and intent of this section is to recognize the residential
- 1199 character of the City of North Salt Lake and to provide for supplementary living accommodations

1200 in the community, as well as provide for supplementary income opportunities of property
1201 owners. These provisions are intended to provide for affordable housing with reasonable
1202 limitations to minimize the impact on neighboring properties and neighborhoods, and to
1203 promote the health, safety, and welfare of the property owners and residents of accessory
1204 dwelling units.

1205 3. Owner Occupied: No accessory dwelling unit shall be created, established, or occupied in a
1206 single-family dwelling unless the owner of the property occupies either a portion of the main
1207 dwelling or a detached accessory unit on the same single-family lot. For the purpose of this
1208 section, the term "owner occupied" shall be defined as full time residency within the home by
1209 the bona fide property owner(s) as shown on the Davis County tax assessment rolls. Owner
1210 occupancy for a dwelling with an accessory dwelling unit shall not be required when:

1211 a. The owner cannot live in the dwelling because of a bona fide temporary absence of three
1212 years or less for a temporary job assignment, sabbatical, or voluntary service;

1213 b. The owner was living in the dwelling immediately prior to leaving for the temporary job
1214 assignment, sabbatical, or voluntary service; and

1215 c. The owner intends to make the dwelling his/her primary place of residence upon returning
1216 from the temporary job assignment, sabbatical or voluntary service.

1217 4. Dwelling Unit Occupancy: The occupants of an accessory dwelling unit shall be limited by one of
1218 the following family categories:

1219 a. One person living alone; or

1220 b. Two (2) or more persons all related by blood, by marriage, by adoption; by legal
1221 guardianship or foster children; or

1222 c. Up to four (4) unrelated persons living as a single housekeeping unit.

1223 d. Any of the above categories plus a temporary guest. A "temporary guest" is defined as a
1224 person who stays with a family for a period of less than thirty (30) days within any rolling
1225 one year period and does not utilize the dwelling as a legal address for any purpose.

1226 e. For purposes of the definition of family, the term "related" shall mean a spouse, parent,
1227 child, stepchild, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, first
1228 cousins, great-grandparent, and great-grandchild. The term "related" does not include other,
1229 more distant relationships.

1230 5. Zones: An accessory dwelling unit which meets ordinance requirements may be allowed in a
1231 single-family dwelling unit or in a detached accessory structure within any zone upon a single
1232 family lot. No accessory dwelling unit may be allowed in any multi-family dwelling or multi-
1233 family lot, or on any lot that cannot satisfy the parking, setback, or lot coverage requirements.

1234 6. Number Of Accessory Dwelling units: A maximum of one accessory dwelling unit shall be
1235 allowed in each owner occupied single-family dwelling, or in a detached accessory structure
1236 associated with a single-family dwelling.

1237 7. Location & Type:

1238 a. Within or Attached to Main Dwelling: Accessory dwelling units may be allowed within or
1239 attached to the main residential dwelling (basement or addition), over the garage (attached
1240 or detached), or in a detached accessory structure (cottage home, guest house, or tiny
1241 home).

ADU-Basement



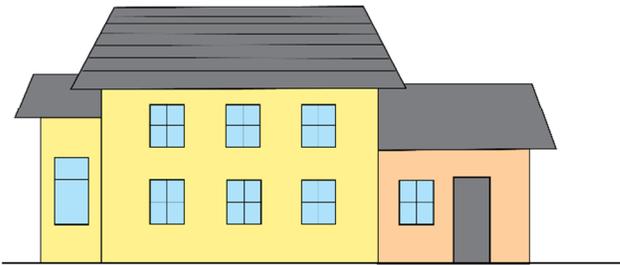
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- b. Setback Standard Compliance: Accessory dwelling units as an addition to a primary dwelling shall meet all minimum setback standards required for the primary dwelling.

ADU-Attached



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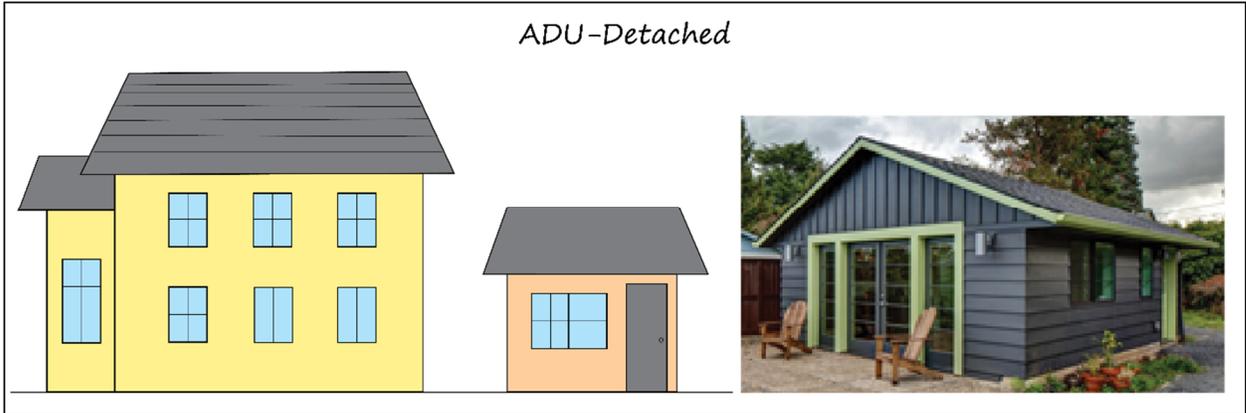
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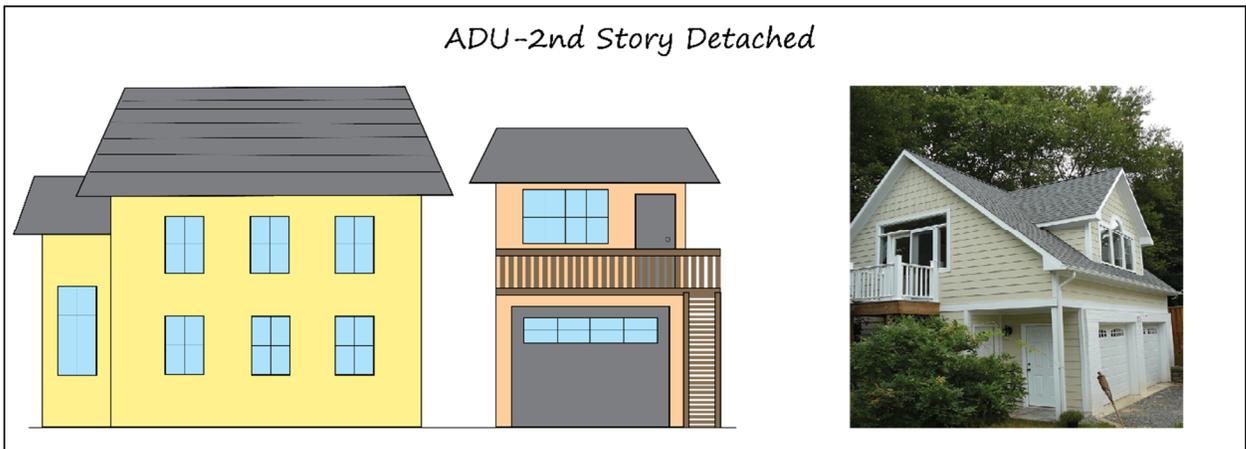
- c. Behind the Primary Dwelling: An accessory dwelling unit within an accessory structure must meet the minimum of side yard required by the zone for the primary dwelling and a rear yard setback of ten (10) feet, unless no windows, doors, or other openings are adjacent to the property line, in which case the allowed setback shall be five (5) feet.
- d. Adjacent to the Primary Dwelling: An accessory dwelling unit within the side yard of the primary dwelling are required to meet the same front, side, and rear yard setback as the primary dwelling.



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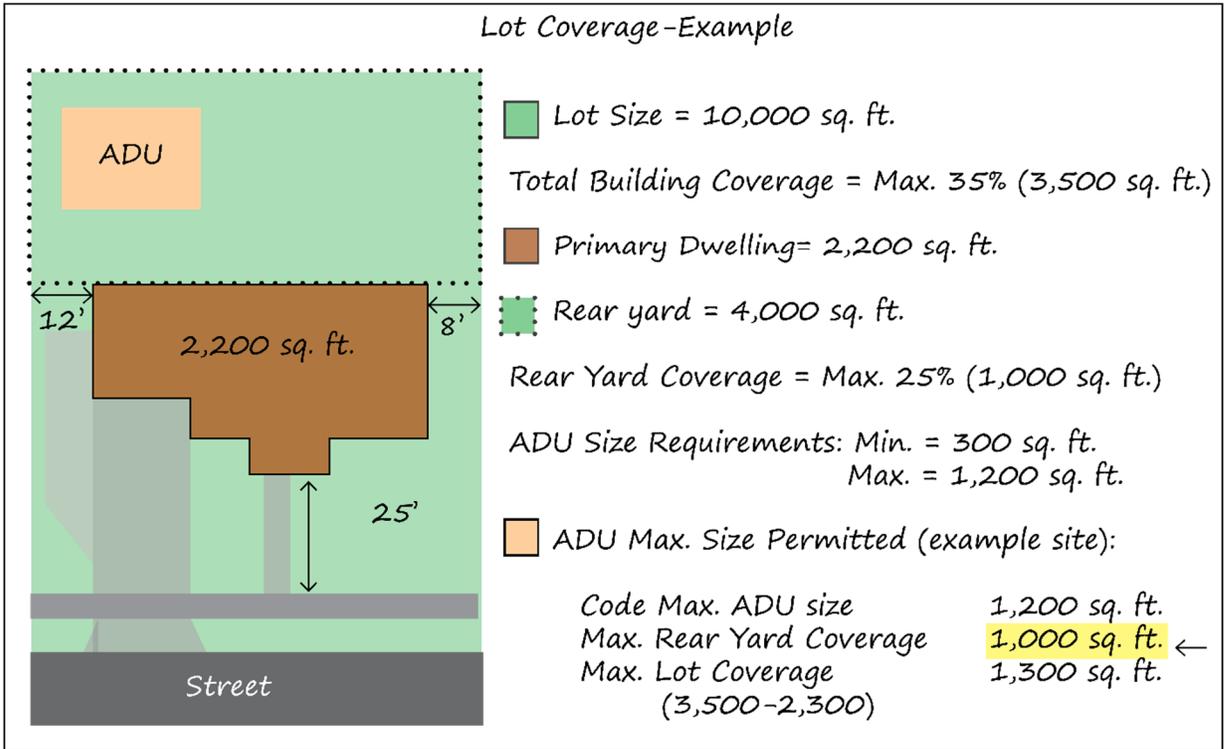
- e. Second Story Accessory Dwelling Units: An accessory dwelling unit located in an accessory structure may only be located on a second story if the structure meets the same minimum standards in the zone for height, as well as front, side, and rear setback as the primary dwelling.



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- 8. Appearance: Single family residences with interior accessory dwelling units shall retain the appearance of a single family home. An accessory dwelling unit in an accessory structure shall be designed so that, to the degree reasonably feasible, the appearance of the building is compatible with the architectural components of the primary dwelling unit (e.g., exterior materials, color, and roof pitch).
- 9. Size:
 - a. Basement Dwelling Units: Shall be permitted to occupy the entirety of the basement of the primary home regardless of area or bedroom count.
 - b. Accessory Dwelling Units (Detached Structures): The size of an accessory dwelling unit shall be at least three hundred (300) square feet and shall not exceed twelve hundred (1200) square feet and be limited to no more than two (2) bedrooms.
- 10. Lot Coverage: The combined building coverage for the detached accessory dwelling units, main dwelling and additional accessory buildings may not be larger than the maximum coverage allowed in the zone for the lot and rear yards per **section 10-10-3**.



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11. Building Entrances: A new single-family structure approved with an accessory dwelling unit attached to or detached from the main dwelling unit, shall have a separate, accessible entrance or stairway. An accessory dwelling unit approved in an existing structure may use existing entrances on any side of the structure that faces a street, or a side or rear entrance. Dwellings with two (2) front doors side by side may not be used to provide separate entrances for each unit with the exception of dwellings where the second door provides direct access to the dwelling basement. The purpose of this requirement is to preserve the single-family residential appearance of the building.

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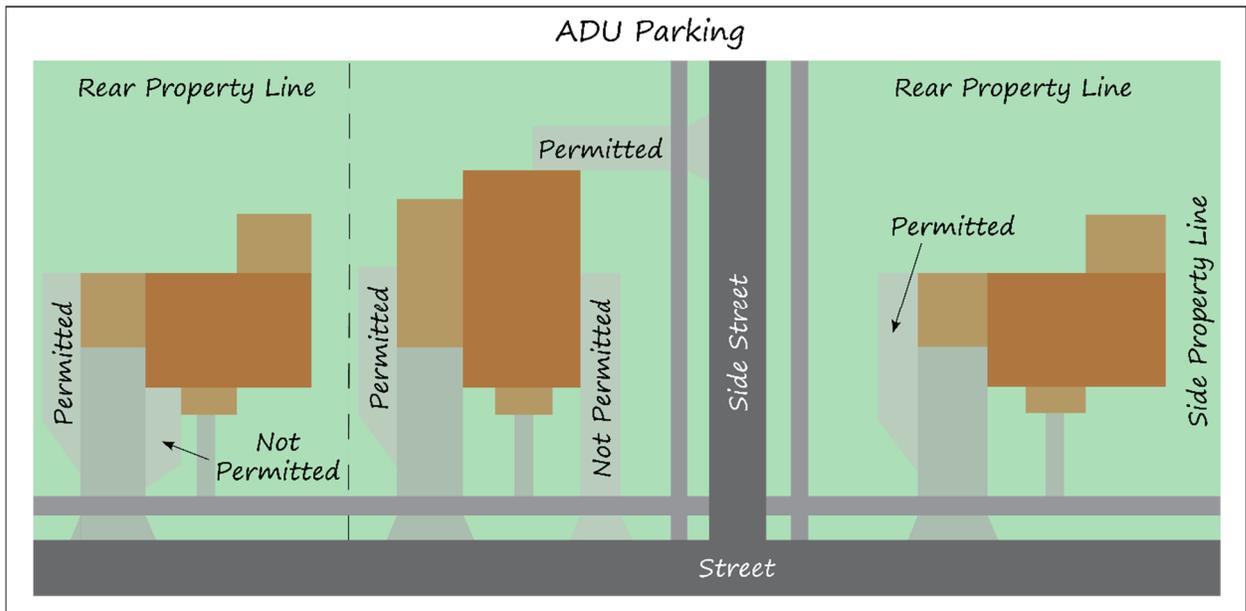
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- 1283 12. Address: The principal dwelling unit and the accessory dwelling unit shall have the same address
 1284 number, but shall refer to the accessory dwelling unit as unit B. Addresses must be located in a
 1285 visible location on the street frontage side of the home.
 1286 13. Parking:
 1287 a. A single-family dwelling with an accessory dwelling unit shall provide at least one (1)
 1288 additional off street parking spaces for the accessory unit, above the minimum spaces
 1289 required for a single family dwelling. Accessory dwelling unit parking may not be in tandem
 1290 with required parking of the main dwelling. One additional off street parking space shall be
 1291 required accessory dwelling units with 2 or more bedrooms. ADU's located within one-
 1292 quarter (1/4) mile of a bus rapid transit route shall be permitted to reduce the parking
 1293 requirement by one (1) space for the main dwelling unit.
 1294 b. No parking spaces may be located within the front or side yard setbacks adjacent to a street,
 1295 except for within an approved driveway.
 1296 c. The minimum width of parking areas and driveways shall be paved with concrete or asphalt,



- 1297
- 1298 14. Separate Living Areas: An accessory dwelling unit must provide living areas for eating, sleeping
 1299 and sanitation facilities separate from the principal dwelling unit.
 1300 15. Building Code: All construction and remodeling shall comply with building codes and ordinance
 1301 requirements in effect at the time of construction or remodeling, in accordance with Utah state
 1302 code section 10-9a-511.5, changes to dwellings - egress windows.
 1303 16. Utility Meters: A single-family dwelling with an accessory dwelling unit may have separate
 1304 meters for each water, gas, and electricity utility service. Each utility meter shall be in the
 1305 property owner's name and the property owner shall be responsible for payment of all utilities.
 1306 No additional water development or connection fee shall be required, unless a separate utility
 1307 connection is requested and installed by the property owner.

- 1308 17. Interior Access: An interior access between the main living area and an attached accessory
1309 dwelling unit must be maintained, unless sufficient means of egress have been determined
1310 during an inspection by the fire department.
- 1311 18. Not Intended For Sale: The accessory dwelling unit shall not be intended for sale or detached by
1312 deed and shall only be rented.
- 1313 19. Accessory Dwelling Unit Permit: Any person owning an existing accessory dwelling unit that has
1314 not previously been permitted by the city, or any person constructing or causing the construction
1315 of a residence that has an accessory dwelling unit, or any person remodeling or causing the
1316 remodeling of a residence for an accessory dwelling unit, shall obtain a land use permit for the
1317 accessory dwelling unit from the community development department. This shall be in addition
1318 to any required building permit for the work to be performed. In order to meet the requirements
1319 of the land use permit, the applicant shall:
- 1320 a. Submit a completed application form including a site plan that shows property lines and
1321 dimensions, the location of existing buildings and building entrances, proposed buildings or
1322 additions, dimensions from buildings or additions to property lines, the location of parking
1323 stalls, and utility meters,
- 1324 b. Include detailed floor plans with labels on rooms indicating uses or proposed uses,
- 1325 c. Pay building permit fees, if applicable, for the construction of a new dwelling, or the
1326 remodeling of an existing dwelling, in accordance with the established fees and charges,
- 1327 d. Make all corrections identified as necessary to comply with building code requirements, as
1328 identified by the chief building official or his designee, and provide photos of the life safety
1329 items required by building code, including carbon monoxide detectors, smoke detectors, and
1330 earthquake strapping on water heaters, and
- 1331 e. Demonstrate and affirm that their property is otherwise in compliance with all other
1332 provisions of the zoning ordinance.
- 1333 20. Exceptions to Standards: The Planning Commission may issue a conditional use permit for ADU's
1334 which modify the requirements for an ADU with respect to maximum size, minimum parking, or
1335 setback.
- 1336 a. In approving a conditional use permit the Planning Commission may require additional
1337 conditions to mitigate the impact of the ADU on surrounding properties. Specifically the
1338 Planning Commission may require:
- 1339 (1) For ADU's that exceed the maximum size of 1,200 sq. ft.: increased setbacks, privacy
1340 fencing, limitation on windows and doors adjacent to abutting property lines, and
1341 additional parking.
- 1342 (2) For ADUs with reduced or no additional parking: restrictions on occupancy to tenants
1343 without vehicles.
- 1344 (3) For ADU's with reduced setbacks: privacy fencing and limitation on windows and doors
1345 adjacent to abutting property lines.
- 1346 21. Failure To Complete ~~To~~ Obtain A Land Use Permit: If the property owner does not obtain a
1347 land use permit as outlined above, the accessory dwelling unit shall not be considered legal nor
1348 approved. Failure to obtain a land use permit for an existing accessory dwelling unit ~~within two~~

1349 ~~(2) years of the passing of this section~~ may result in a citation for a code violation as governed by
1350 the process in North Salt Lake City Title 12, Administrative Code Enforcement Hearing Program.

1351 22. Home Occupation Businesses: Home occupation businesses in an accessory dwelling unit shall
1352 be restricted to a home office use which creates no customer traffic. No home occupation
1353 business shall be established within an accessory dwelling unit without the express written
1354 permission of the property owner.

1355 23. Accessory Dwelling Units, Tiny Homes:

1356 a. Only one tiny home shall be permitted as an accessory dwelling unit per residential lot.

1357 b. The tiny home shall be ~~permanently properly~~ connected to water and sewer facilities and
1358 approved for all required utilities.

1359 c. The tiny home dwelling structure must be located on a dedicated parking location of asphalt
1360 or concrete and have the wheels and axel underbody skirted from view. ~~attached to a site~~
1361 ~~built permanent foundation which meets the building code. The type of foundation could be~~
1362 ~~a slab on grade or a perimeter foundation~~.

1363 d. Building inspections are required for construction of the foundation, as well as to ensure the
1364 correct installation of the structure, and to approve the correct connection to the utilities.

1365 e. All manufactured home running gear, tongues, axles and wheels must be removed at the
1366 time of installation.

1367 f. The dwelling structure shall be constructed with materials that are weather resistant and
1368 aesthetically consistent with the main dwelling.

1369 g. The community development director may approve deviations from the architectural
1370 standards on the basis of a finding that the architectural style proposed provides
1371 compensation design features and that the proposed dwelling will be compatible and
1372 harmonious with existing structures in the vicinity.

1373 h. The parking shall be the same as **subsection 13** of this section.

1374 **B. Residential Short Term Rental (STR): (EXISTING to be moved from section 10-1-45)**

1375 1. Purpose: This section is established to provide regulations and design standards for residential
1376 short-term rentals (STRs) related to single family and multi-family neighborhoods. These
1377 standards seek to allow for STRs while also protecting the safety and general welfare of North
1378 Salt Lake residents and preserving the residential character of City neighborhoods. In allowing
1379 STRs, it provides existing property homeowners economic relief who might otherwise be forced
1380 to leave a neighborhood, thus promoting and preserving affordable housing in the City of North
1381 Salt Lake. This section also intends to stabilize neighborhoods by promoting home ownership
1382 and preserving long term rental housing in the market.

1383 2. Residential Short Term Rental (STR): A STR is prohibited in all residential dwellings, Residential
1384 Districts, and Residential P Districts without first obtaining a STR land use permit as regulated in
1385 this section and issued a valid business license. The following are exempt and shall not be
1386 subject to the provisions of this section:

1387 a. A residential lease of thirty (30) or more consecutive days.

1388 b. Bed and breakfasts, RV parks, campgrounds, hotels, and motels, as described and regulated
1389 in the North Salt Lake Land Development Code shall not be subject to the provisions of this
1390 section.

- 1391 3. General Standards ~~And-and~~ Requirements: A STR use may be allowed within any existing legal
1392 residential dwelling by an administrative land use permit from the Community Development
1393 Department, wherein the application demonstrates compliance with requirements found in the
1394 North Salt Lake Land Development Code and all of the following standards and requirements:
- 1395 a. Application: A completed application form as provided by the City.
- 1396 b. Property Description: A detailed written description and/or drawing of the property that
1397 identifies the use of each room of the dwelling and defines the portions of the dwelling to be
1398 used for a STR shall be provided. Only one designated STR area is allowed for a property.
- 1399 c. Single and Two Family Dwellings:
- 1400 (1) Only one designated STR area is allowed per property.
- 1401 (2) Owner Occupancy: The owner of the subject property must reside therein as their
1402 primary residence.
- 1403 ~~Owner Occupancy: The owner of the subject property shall live in the primary dwelling in~~
1404 ~~which a STR is desired, and must reside therein as their primary residence.~~
- 1405 ~~(1)(3)~~ (3) An individual shall prove ownership of the property as evidenced by a copy of a
1406 transfer deed listing the applicant as the fee title owner. Fee title owner may be an
1407 individual or trustor of a family trust that possesses fifty percent (50%) or more
1408 ownership of the proposed STR. Fee title owner may not be a corporation, partnership,
1409 limited liability company, or similar entity.
- 1410 ~~(2)(4)~~ (4) To establish that the property is the owner's primary residence, the owner shall:
- 1411 (A) Present a government issued identification document listing the address of the
1412 property as the address of the owner; and
- 1413 (B) A signed affidavit sworn before a notary public shall be provided by the owner
1414 stating that the proposed property is the primary residence of the owner, wherein
1415 they reside at least one hundred eighty three (183) days per calendar year.
- 1416 ~~e.d.~~ d. Occupancy During Rental Period: The subject property shall comply with the following
1417 occupancy restrictions:
- 1418 (1) The applicant shall provide the maximum renter occupancy proposed and demonstrate
1419 that sufficient parking has been provided off street at a rate of one-half (1/2) space per
1420 bedroom or sleeping area.
- 1421 (2) The property shall not be rented to more than one renter at any given time, and the
1422 owner shall not divide and rent out portions of the dwelling to multiple renters at the
1423 same time.
- 1424 (3) A property shall not be exclusively rented as a STR for more than one hundred eighty
1425 two (182) nights per year.
- 1426 (A) The owner may reside on the property while it is occupied by a renter.
- 1427 (B) The property shall only be rented for a minimum duration of one night and a
1428 maximum of forty five (45) consecutive nights.
- 1429 (4) A two family dwelling or property with a valid land use permit for an accessory dwelling
1430 unit may use and rent one of the dwelling units as a STR ~~and have the accessory dwelling~~
1431 ~~unit be rented~~ for up to three hundred sixty five (365) nights per year.

1432 ~~(4)(5)~~ Conflict Of Private Restrictions: The owner shall provide a signed affidavit sworn
1433 before a notary public that certifies to the City that the subject property has no existing
1434 private covenants, conditions, or restrictions prohibiting STRs.

1435 e. Multifamily Dwellings:

1436 (1) One half (1/2) of the total legal dwelling units on a single property may be permitted as
1437 a STR, with a maximum of ten (10) units. The entire dwelling unit which is permitted as
1438 an STR must be rented. It is prohibited to rent a single room or portion of a dwelling unit
1439 on a multifamily property as a STR.

1440 (2) A dwelling unit may not be rented to more than one renter at any given time. The
1441 dwelling unit shall only be rented for a minimum duration of one night and a maximum
1442 of forty five (45) consecutive nights. The dwelling unit may be used and rented as a STR
1443 for up to three hundred sixty five (365) nights per year.

1444 (3) A long term renter may not sublease their dwelling unit as a STR.

1445 (4) For multifamily properties, the fee title owner may be a corporation, partnership, limited
1446 liability company, or similar entity.

1447 (5) An owner of the property is not required to reside therein as their primary residence if a
1448 designated employee, manager, or professional management company is available to
1449 immediately respond twenty four (24) hours/day, three hundred sixty five (365)
1450 days/year by telephone, and when necessary, be able to physically respond within one
1451 hour of any legitimate complaint.

1452 d.f. Parking Plan: A detailed written description and/or a drawing of an off-street parking plan
1453 must be provided to ensure that all occupants of the ~~home~~ dwelling unit(s) and STR can be
1454 accommodated on-site at all times. Parking shall be limited to the existing garage, driveway,
1455 and dedicated parking spots of the residential unit and may not include any on-street
1456 parking. Shared guest parking as part of a P-District or multi-family dwelling shall only be
1457 permitted upon express written approval of the HOA or property management, as
1458 applicable. Any proposed parking improvements shall also be included in the off-street
1459 parking plan, and must be completed prior to issuance of a STR business license. All
1460 elements of the parking plan must be in compliance with all other requirements of this
1461 section.

1462 ~~e.a. Conflict Of Private Restrictions: The owner shall provide a signed affidavit sworn before a~~
1463 ~~notary public that certifies to the City that the subject property has no existing private~~
1464 ~~covenants, conditions, or restrictions prohibiting STRs.~~

1465 f.g. Urgent Response: The owner, or a designated representative, shall be available to
1466 immediately respond twenty four (24) hours/day, three hundred sixty five (365) days/year by
1467 telephone, and when necessary, be able to physically respond within one hour of any
1468 legitimate complaint. If the owner is unreachable after three (3) attempted contacts by the
1469 City of North Salt Lake, a notice of violation will be issued.

1470 g.h. Property Maintenance Requirements: All short-term rentals shall adhere to all City
1471 ordinances, including, but not limited to:

1472 (1) Maintenance: Owners must adhere to the property maintenance regulations in title 4,
1473 "Health And Sanitation" of this Code, as amended, including, but not limited to,

1474 requirements for weed abatement, landscaping, garbage removal, structure
1475 maintenance, and fence/wall maintenance.

1476 (2) Snow Removal: Owners shall remove all snow from the sidewalks of the property within
1477 twenty four (24) hours after snowfall in accordance with section 7-1-2 of this Code, as
1478 amended.

1479 i. Noise And Nuisance Control: Owners shall ensure that renters adhere to the noise control in
1480 title 4, chapter 4 of this Code, as amended.

1481 (1) If an Officer of the Law, Ordinance Enforcement Officer, or designee responds to more
1482 than three (3) verified noise complaints in a twelve (12) month time period the STR land
1483 use permit and business license may be revoked or otherwise suspended for two (2)
1484 years from the date of the third verified complaint.

1485 ~~h.~~(2) Should a renter violate the noise control chapter more than once in any given
1486 72-hour period they shall be immediately evicted from the property by the owner. or
1487 designated representative. If the owner or designated representative fails to evict said
1488 renter, the STR permit and license may be revoked and the owner fined per this code.

1489 i.j. Noticing And Posting Requirements: A renter informational packet must be maintained in a
1490 highly visible place within the dwelling or STR area, and must include all of the following:

1491 (1) City issued STR business license.
1492 (2) 24/7 owner, or a designated representative, contact information.
1493 (3) Parking requirements, including site map of approved designated parking areas.
1494 (4) Maximum occupancy.
1495 (5) The noise ordinance of the City of North Salt Lake.
1496 (6) Garbage pick-up dates, and a written description of where garbage receptacles must be
1497 placed for pick-up.
1498 (7) Contact information for the North Salt Lake City Police and South Davis Metro Fire
1499 District.
1500 (8) Other contact information or information related to other regulations or conditions of an
1501 approval through the land use permit process, as required by the Community
1502 Development Department.

1503 4. Violations: It shall be a violation for any person to operate a STR:
1504 a. Without first obtaining a STR land use permit, as regulated in this section, and issued a valid
1505 STR business license; or
1506 b. That does not comply with the requirements of this section, the revised ordinances of North
1507 Salt Lake, or the North Salt Lake City Land Development Code.

1508 5. Enforcement And Fines: Upon a determination that a violation exists, the ~~Code Enforcement~~
1509 ~~Officer~~Ordinance Enforcement Officer, ~~or~~ Community Development Director, or designee, will
1510 contact the owner or designated representative requiring such owner or representative to halt,
1511 eradicate, destroy, remove, or otherwise cure the ~~violation within forty eight (48) hours, or such~~
1512 ~~later time the Director, or designee, may determine.~~

1513 a. Each day that a violation occurs or continues is a separate violation.
1514 b. For any violation of this section, the issuing officer may issue a written citation or notice of
1515 violation to the owner, specifying the violation and the penalty to be imposed.

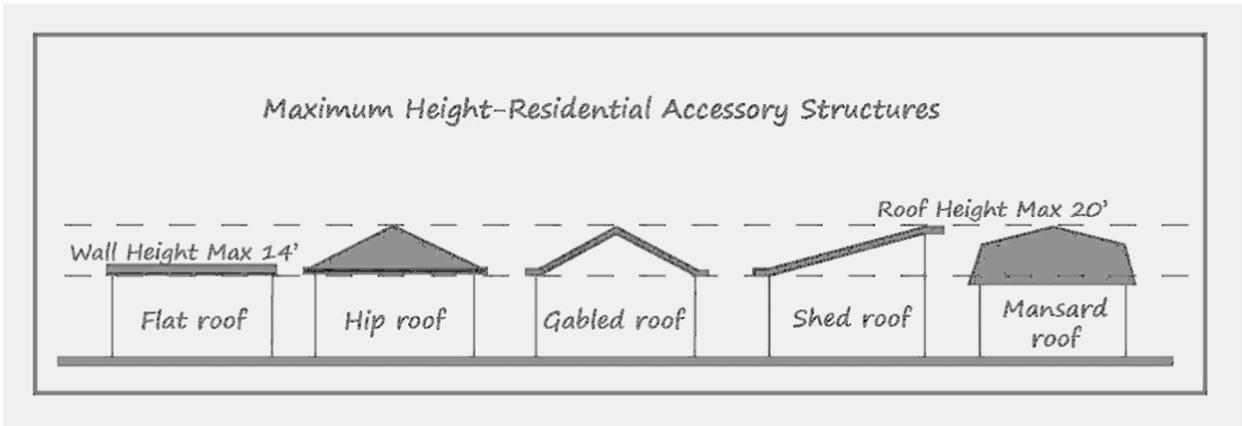
- 1516 (1) For the first violation within any 12-month period, the penalty shall be five hundred
1517 dollars (\$500.00).
1518 (2) For a second violation within any 12-month period, the penalty shall be seven hundred
1519 fifty dollars (\$750.00).
1520 (3) For a third violation within any 12-month period the penalty shall be one thousand
1521 dollars (\$1,000.00) and revocation of the STR business license and land use permit. The
1522 owner shall be ineligible for a STR land use permit and a STR business license for a
1523 period of two (2) years from the date of the third notice of violation.
1524 (4) For any violation within any 12-month period following the third violation, the penalty
1525 shall be one thousand dollars (\$1,000.00) and the STR owner shall be banned from
1526 receiving a STR land use permit and a STR business license. (Ord. 2019-02, 3-19-2019)

1527 c. Permit Revocation: Pursuant to the provisions of this code or any ordinance of the City, a STR
1528 permit may be revoked by the Community Development Director or designee for the
1529 following:

- 1530 (1) Three (3) verified violations within a twelve (12) month period related to noise, property
1531 maintenance, parking, nuisance, and any threat to public health and safety.
1532 (2) One (1) verified violation that results in or constitutes the following:
1533 (A) An owner or designated representative fails to evict a renter who has violated the
1534 noise control chapter more than once in any given 72-hour period.
1535 (B) An owner or designated representative of the STR knowingly or intentionally
1536 housing a sex offender, allowing offenses related to adult-oriented businesses,
1537 sexual offences, or prostitution.
1538 (C) An owner or designated representative of the STR knowingly or intentionally
1539 allowing the use of the STR for retail, restaurant, banquet space, or other similar
1540 use.
1541 (3) The property owner and designated representative shall be notified in writing of any
1542 verified violations, fines, and permit revocation.
1543 (4) As provided in City Code section 10-2-2, appeal may be made to the City's designated
1544 Appeal Authority (Hearing Officer) from any decision, determination or requirement of
1545 the Community Development Director or designee under this title by filing with the City
1546 Recorder a notice thereof in writing within fifteen (15) days after such decision,
1547 determination, or requirement is made. Such notice shall set forth in detail the action
1548 and grounds upon which the owner, or other interested person, is aggrieved.
1549 (5) The City Recorder or designee, shall set the appeal for hearing before the City's
1550 designated Appeal Authority, as provided in City Code section 10-2-2 , to be held within
1551 a reasonable time from the date of receipt of the appeal. The appellant shall be notified
1552 of the appeal hearing date at least seven (7) days prior to the hearing. After hearing the
1553 appeal, the Hearing Officer may affirm, modify, overrule the decision, determination or
1554 requirement appealed, or remand the decision to the Administrative Land Use Authority
1555 for additional review and enter any such order or orders. The filing of an appeal shall
1556 stay all proceedings and actions in furtherance of the matter appealed, pending a
1557 decision of the Hearing Officer.

1558 **C. Residential Structures**

- 1559 1. Minimum Height Of Dwellings: (Existing moved from 10-1-27)
- 1560 No dwelling or structure containing a dwelling shall be erected to a height less than one story
- 1561 above grade. (Ord. 2018-11, 10-2-2018)
- 1562 2. Maximum Height And Floor Area Of Accessory Buildings: (Existing moved from 10-1-28)
- 1563 No building which is accessory to a one-family, two-family, three-family or four-family dwelling
- 1564 shall be erected to a height greater than one story, fourteen feet (14') to the top of the wall plate
- 1565 and no higher than twenty feet (20') to the highest point of the building roof or coping, nor be
- 1566 taller than the primary structure. The maximum square foot floor area of an accessory building is
- 1567 fifty percent (50%) of the footprint of the principal building to which it is accessory.
- 1568



- 1569
- 1570 7. Area Of Accessory Buildings: (Existing moved from 10-1-29)
- 1571 No accessory building or group of accessory buildings in any Residential District shall cover more
- 1572 than twenty five percent (25%) of the rear yard. (Ord. 2018-14, 11-20-2018)

1573

1574 **10-19-18: RETAIL TRADE:**

1575

1576 **A. Retail, General**

- 1577 1. General merchandise & groceries within the CS zone shall be limited to a maximum size of
- 1578 10,000 sq. ft.

1579 **B. Retail, Specialty**

- 1580 1. Car washes, see [section 10-19-5\(C\)](#)
- 1581 2. Home and nursery centers
- 1582 a. Outdoor mechanical equipment, including, but not limited to, heaters and fans, shall not be
- 1583 located within five feet (5') of a property line. To facilitate reduction of noise, permanently
- 1584 mounted mechanical equipment shall be enclosed to the maximum extent possible.
- 1585 b. Long term outdoor storage shall be screened from adjacent property and shall not be
- 1586 located within the required setback, parking, loading or unloading areas, and may not
- 1587 impede vehicle or pedestrian traffic
- 1588 3. Passenger vehicle fueling stations (gasoline, electric, natural gas, etc.)

- 1589 a. The pump islands of the convenience store may be erected in the front yard area provided
1590 the pumps are set back at least twenty-four (24) feet from the right-of-way of any street.
- 1591 b. Hard-Surfaced driveways leading to and from a pump island and other properly located
1592 service facilities permitted on the property shall be allowed in the front yard area provided
1593 that the driveways shall be defined by the construction of a concrete curb on the side
1594 adjoining the sidewalk. The area between the curb and the sidewalk shall be landscaped to
1595 comply with Chapter 22.
- 1596 c. The site shall be designed and provide for the delivery by fueling trucks, such that delivery is
1597 completed entirely off-street and no entry is blocked during delivery.
- 1598 d. A ten-foot distance shall be maintained between a driveway and the property line with
1599 which it is parallel or approximately parallel.
- 1600 e. All Parking Areas on the convenience store Lot shall maintain the required landscaped Front
1601 Yard as required in Chapter 22 and shall be bordered by concrete curbing.
- 1602 4. Tobacco specialty businesses:
- 1603 a. Tobacco specialty business licenses shall only be permitted within the MD Zone and may not
1604 be located within:
- 1605 (1) One thousand feet (1,000') of a community location;
- 1606 (2) Six hundred feet (600') of another retail tobacco specialty business;
- 1607 (3) Six hundred feet (600') from property used or zoned for residential uses; or
- 1608 (4) as otherwise defined by Utah State Code Section 10-8-41.6, as amended.
- 1609 b. For purposes of this section, the proximity requirements shall be measured in a straight line
1610 from the nearest entrance of the tobacco specialty business to the nearest property
1611 boundary of the community location, or agricultural or residential use or zone, without
1612 regard to intervening structures, roadways, City boundaries, or zoning districts.
- 1613 c. As used in this section "community location" means: a public or private kindergarten,
1614 elementary, middle, junior high, or high school; a licensed childcare facility or preschool; a
1615 trade or technical school; a church; a public library; a public playground; a public park; a
1616 youth center or other space used primarily for youth oriented activities; a public recreation
1617 facility; a public arcade; or as otherwise defined by Utah State Code Section 10-8-41.6, as
1618 amended.
- 1619 d. All sales of tobacco products shall conform to state and federal regulations.
- 1620 e. In addition to these guidelines, the following will also be required: The color of the building
1621 shall be restricted to earth tones or shall match the design theme of the center in which it is
1622 a part.
- 1623 f. At least twenty five percent (25%) of the first floor facade that faces a public street or
1624 sidewalk shall be windows or doors of clear or lightly tinted glass that allows views into and
1625 out of the building at eye level.
- 1626 g. The use of bars, chains, or similar security devices that are visible from a public street or
1627 sidewalk shall be prohibited.
- 1628 h. The use of neon lighting shall be prohibited on the building exterior exclusive of building
1629 signage.
- 1630 i. Tobacco specialty businesses shall conform to the sign regulations as described in this Code.

1631 j. Tobacco specialty businesses shall be limited to one specialty tobacco business per ten
1632 thousand (10,000) in population to include all residents in the City. The total population
1633 figures shall be based on the U.S. Census Bureau's annual estimates. For the purposes of this
1634 section, population estimates shall be rounded down to the nearest ten thousand (10,000).

1635 **C. Retail, online and other:**

- 1636 1. No outdoor storage shall be permitted.
1637

1638 **10-19-19: SOCIAL SERVICES:**

1639
1640 **A. Daycare Services, Child or Adult (Commercial):** *Existing Language from 10-1-46*

- 1641 1. Scope: This section is established to provide regulations and standards for commercial
1642 daycare centers and businesses that care for groups of adults with disabilities, vulnerable
1643 persons, or children, for the purpose of protecting health, safety, and general welfare of
1644 patrons and the general public.
- 1645 2. Requirements And Conditions: Adult or child daycare services are permitted in all
1646 commercial zones with the following standards:
- 1647 a. All drop off and pick up areas shall be designed in a manner that shall allow vehicles to
1648 enter and exit from a public street by forward motion only;
 - 1649 b. Stacking or queuing of vehicles shall not interrupt traffic flow on the public or private
1650 street; and
 - 1651 c. Parking shall be provided in compliance with Chapter 10-6 of this title.
- 1652 3. Business License: Prior to issuance of a business license for any commercial daycare facility
1653 the applicant must first submit the following to be reviewed in compliance with City code.
- 1654 a. The ratio of the standard and maximum quantity of employees and persons to be cared
1655 for on premise, to be compliant with State regulations;
 - 1656 b. Proof of State licensing, where applicable;
 - 1657 c. A site plan outlining traffic flow during peak drop off and pick up times; and
 - 1658 d. A safety protocol plan that outlines the procedures to be followed by the daycare facility
1659 in the event that a patron leaves the premise unsupervised. This plan shall be reviewed
1660 by the North Salt Lake Police Chief. (Ord. 2022-01, 4-5-2022; amd. Ord. 2022-01, 4-5-
1661 2022)

1662 4. Childcare centers shall provide a design which includes appropriate playground facilities; and

1663 5. Adult Daycare shall not include any overnight residential use

1664 4-6. Facilities in the C-S zone shall be limited in size to 1,500 sq. ft.
1665

1666 **10-19-20: TEMPORARY USES:**

1667 **A. Use Limitations.**

- 1668 1. Temporary Uses include firework stands, Christmas tree lots, and other similar seasonal Uses.
1669 2. Temporary Use Permit. Temporary Uses shall obtain a separate business license and Land Use
1670 Permit for each use and location.
- 1671 3. Time Limitations. Land Use Permits may be allowed for up to a six (6) month period with the
1672 following exceptions:

- 1673 a. Firework Stands. Restrictions shall follow the public sales and display limitations found in
1674 state code.
- 1675 b. Christmas Tree Lots. Shall only be permitted from November 1 through December 31.
- 1676 4. Hours of Operation. Temporary Uses may be open from eight (8) a.m. to ten (10) p.m. unless
1677 provided otherwise under state code.
- 1678 5. Signage. Permanent signs are prohibited for Temporary Uses. All Signs shall follow the
1679 requirements of **Chapter 6**.
- 1680 6. Regulations by Other Agencies. This Section does not exempt the applicant or operator from
1681 acquiring any other required permit for operation.
- 1682 7. Liability Insurance. The applicant must obtain adequate liability insurance to cover all activities
1683 related to the Use for the duration of the permit, prior to issuance of the Temporary Use permit.
1684 A copy of the liability insurance policy shall be submitted to the City with the business license
1685 Application.
- 1686 B. Site Improvements.
- 1687 1. Temporary Uses shall meet the following requirements:
- 1688 a. If the Temporary Use is located on an unimproved Parcel, the following shall apply:
- 1689 (1) Based on the scope of the operation, the land-use authority may require the installation
1690 of a minimum road base or gravel surface for parking, to assure the safe passage of
1691 vehicles on adjacent roadways, and the safety of patrons.
- 1692 (2) Sufficient off-Street parking shall be provided to meet the needs of the operation and of
1693 any existing Uses on the property.
- 1694 (3) Structures, displays, and other activities must be located sufficient distance from any
1695 Street to provide for public safety and clear view area requirements as found in **Chapter**
1696 **1**.
- 1697 (4) If any part of the temporary use becomes a nuisance or safety hazard, the land-use
1698 authority may require changes or discontinuance of the operation.
- 1699 (5) All activities and displays shall take place in accordance with the standards for outside
1700 business activities found elsewhere in this Title.
- 1701 b. If the temporary use is located on an improved lot or parcel, the following shall apply:
- 1702 (1) Sufficient off-Street parking shall be provided to meet the needs of the operation and
1703 any existing Uses on the property as determined by the land use authority.
- 1704 (2) Structures, displays, and other activities must be located sufficient distance from Streets
1705 to provide for public safety and clear view requirements as found in **Chapter 1**.
- 1706 (3) If any part of the operation becomes a nuisance or safety hazard, the land use authority
1707 may require changes to or discontinuance of the operation.
- 1708 (4) In addition to the foregoing, all activities and displays shall take place in accordance with
1709 the standards for outside business activities found elsewhere in this Title.
- 1710 (5) Permanently located businesses that operate a temporary use shall meet the design
1711 standard and site improvement requirements found in **Section 10-1-43**
- 1712 C. Site Restoration. The site must be restored to its original condition upon expiration of the Temporary
1713 Use Permit. The site may not be used for storage of any temporary use or structures.

1714 D. Temporary Structures. All Temporary Structures must be approved by the land-use authority. In
1715 order to avoid damage to adjacent Uses or property, all temporary structures shall be properly
1716 secured or anchored to the ground to prevent the structure from being moved. The City may require
1717 additional securing or anchoring upon finding that the method of securing is inadequate.
1718

1719 **10-19-21: TRANSPORTATION & FREIGHT:**

1720 **A. All Transportation and Freight Uses:**

- 1721 1. All outdoor vehicle storage subject to section 10-19-3(E).
1722 2. No outdoor vehicle repair shall be permitted.

1723 **B. Freight And Commodities Transportation:**

- 1724 1. Terminal, Freight Or Truck:
1725 a. The use shall be located with direct access on a principal arterial or near an interstate
1726 interchange, and with no access through residential streets.
1727 b. No outdoor activity area shall be located within three hundred feet (300') from any
1728 residential zone.
1729 c. Accessory uses directly related to the maintenance and fueling of vehicles (including, but not
1730 limited to, truck and trailer washing, fuel pumps, garages for minor repair) are allowed
1731 within an enclosed structure only.
1732 d. Installation of fuel tanks shall require approval from the Utah Division of Environmental
1733 Quality and the fire district.
1734 2. Rental, moving trucks
1735 a. See section 10-19-5
1736

1737 **10-19-22: UTILITIES, PUBLIC SERVICES, WASTE MANAGEMENT, & REMEDIATION SERVICES:**

1738
1739 **A. Communications, Towers and Facilities:** cellular

- 1740 1. Small wireless cellular facilities, see section 7-8-1, Article B
1741 2. Cellular Towers and Facilities:
1742 a. Shall be a conditional use in any residential zone
1743 3. The Planning Commission may require in or near residential areas the use of a stealth tower
1744 structure to blend into the existing environment.
1745 4. Height by zone:
1746 a. Residential Zones (60 feet)
1747 b. CG Zone (80 feet)
1748 c. MD & MG Zone (100 Feet)
1749 d. Prohibited in CS, CH, P-Districts
1750 e. Cellular antenna or towers attached to buildings shall not exceed the maximum height for
1751 the zone.
1752 5. Outdoor yard areas shall be secured and screened in accordance with section 10-19-3(E).
1753 6. Lights, beacons or strobes of any kind shall not be permitted on any tower, antenna, or facilities
1754 unless required by the Federal Aviation Administration.

- 1755 7. Setback requirements. Towers shall be located no closer than fifty 50 feet to a public street right
1756 of way and no closer to any property lines than 25% of the height of the proposed tower unless
1757 an exception is granted by the Planning Commission.
1758 8. No more than one tower may be located on a parcel.
1759 9. No advertisement of any kind shall be installed on telecommunication towers and/or facilities.
1760 10. The towers shall be painted a non-contrasting gray or similar color minimizing their visibility,
1761 unless otherwise required by the Federal Communications Commission or Federal Aviation
1762 Administration. The Planning Commission may require an alternative (stealth) tower structure to
1763 blend into the existing environment. The towers and accessory structures shall be well
1764 maintained.

1765 **B. Energy Distribution and Storage Facilities, Electric Or Natural Gas:**

- 1766 1. Facilities shall be required to screen the property in accordance with Section 10-19-3(E).
1767 2. Landscaping and sound buffers shall be provided for a minimum distance of thirty (30) feet for
1768 property lines adjacent to a residential zone or use.
1769 3. Facilities shall not exceed noise levels greater than forty (40) decibels at the property line.
1770 4. Facilities shall be designed to allow adequate access by emergency vehicles and in conformance
1771 with separation requirement for battery storage by the building and fire code.
1772 5. A hazard mitigation plan, outlining precautions and procedures for emergencies, shall be
1773 provided to the City and any other applicable emergency response or regulation authority which
1774 details procedures for fires, explosions or other emergency conditions that could occur and the
1775 potential extent of such incidents. The plan shall be reviewed and updated at a minimum
1776 annually or upon modification of the type or quantities of materials stored and utilized by the
1777 business

1778 **C. Pipeline Distribution and Facilities:**

- 1779 1. Private pipelines:
1780 a. Natural gas and petroleum pipelines located on properties with sensitive areas including, but
1781 not limited to, wetlands, steep slopes, woodlands, or floodplains may be subject to the
1782 following special use standards in order to minimize construction impacts:
1783 (1) Entrance And Exit To Property: Prior to the pipeline's installation, the applicant and
1784 landowners/tenants shall reach an acceptable agreement on the route that will be used
1785 for entering and exiting the right of way and other construction areas. The affected
1786 property owners/tenants shall be notified of the project intent and approximate
1787 scheduling of the construction.
1788 (2) Location: All pipelines greater than ten inches (10") in diameter that transport
1789 flammable or hazardous material shall be located a minimum of five hundred feet (500')
1790 from any occupied principal structure.
1791 (3) Land Cover: Except for aboveground piping facilities, the pipeline shall be buried with:
1792 (A) A minimum of three feet (3') of top cover; or
1793 (B) Substantially the same top cover as an existing parallel pipeline, but not less than
1794 three feet (3'), where an existing pipeline is within one hundred feet (100')
1795 perpendicular to the new pipeline.
1796 (4) Replacement Of Topsoil:

- 1797 (A) Existing topsoil depths shall be restored.
- 1798 (B) Replacement shall be undertaken in a manner as to minimize settling and the mixing
- 1799 of topsoil with subsoil materials. In no instance shall the topsoil materials be used
- 1800 for any other purpose.
- 1801 (C) As the topsoil is replaced, all rocks greater than three inches (3") in dimension shall
- 1802 be removed.
- 1803 (5) Restoration Of Ground Cover And Field Tiles:
- 1804 (A) All conservation practices such as terraces or grassed waterways that are damaged
- 1805 by the pipeline's construction shall be restored to their preconstruction condition.
- 1806 Vegetation in sensitive areas shall be restored to their preconstruction state.
- 1807 (B) All existing field tiles shall be identified before construction and repaired or replaced
- 1808 at the conclusion of construction.
- 1809 b. A hazard mitigation plan, outlining precautions and procedures for emergencies, shall be
- 1810 provided to the City and any other applicable emergency response or regulation authority
- 1811 which details procedures for leaks, spills, fires, explosions or other emergency conditions
- 1812 that could occur and the potential extent of such incidents. The plan shall be reviewed and
- 1813 updated at a minimum annually or upon modification of the type or quantities of materials
- 1814 stored and utilized by the business

D. Public Utility Station & Wireless Communication Accessory Structures:

- 1816 1. Applicability: When it is desired to create a new lot or parcel of property and its primary use is to
- 1817 be a public utility station structure or structures, these standards shall apply.
- 1818 2. Subdivision Of Property:
- 1819 a. Lot Size And Dimensions: Upon review and approval by the Planning Commission, the
- 1820 minimum size and dimensions of a lot or parcel shall be sufficient to meet the needs of the
- 1821 public utility station structure.
- 1822 b. Frontage: Lots and parcels are not required to have street frontage if there is a recorded
- 1823 perpetual access easement across adjoining property connecting to a dedicated and
- 1824 improved street right-of-way that is sufficient width to meet the needs of the public utility,
- 1825 as determined by the Planning Commission at the time of approval and that satisfies the
- 1826 requirements of public safety agencies.
- 1827 c. Creation Of Lot Or Parcel: Unless otherwise prohibited by Utah State Code, lots or parcels
- 1828 may be created as a lot or parcel within a recorded subdivision plat, or created by a recorded
- 1829 deed that describes the property by metes and bounds legal description.
- 1830 3. Development Standards: The following development standards shall apply to all lots or parcels
- 1831 created for public utility stations:
- 1832 a. Location: A public utility station shall be located no closer than thirty feet (30') from any
- 1833 existing habitable structure or street. The station may not be located in the path of any
- 1834 planned street, as illustrated on the North Salt Lake master street plan or General Plan.
- 1835 b. Building Setbacks & Height:
- 1836 (1) The maximum height shall be fifteen feet (15') high.
- 1837 (2) The minimum setback from property line:
- 1838 (A) Thirty feet (30') from street right-of-way.

- 1839 (B) Ten feet (10') for landlocked properties and all other property lines.
- 1840 c. Fencing:
- 1841 (1) For lots or parcels with street frontage the following standards apply:
- 1842 (A) For site obscuring fencing, a minimum eight foot (8') decorative, nonclimbable wall
- 1843 shall be constructed a minimum of twenty five feet (25') from a public street, and
- 1844 along all property lines; or
- 1845 (B) For non-site obscuring fencing, a minimum eight (8') foot decorative, non-climbable
- 1846 metal fencing shall be constructed a minimum of ten (10') feet from a public street,
- 1847 and along all property lines.
- 1848 (C) Fencing shall include appropriate warning signage as required by the FCC.
- 1849 (2) For lots or parcels without street frontage, a minimum six foot (6') wall or decorative
- 1850 metal fencing and nonclimbable screening fence and gate(s) shall be constructed along
- 1851 all property lines.
- 1852 d. Architectural Standards: Public utility stations shall be painted or constructed of materials
- 1853 with earth tone colors and shall be architecturally compatible with surrounding structures.
- 1854 e. Landscaping: All areas within public view are required to provide landscaping under the
- 1855 standards of the respective zone in which they are located and in accordance with Title 10,
- 1856 Chapter 22, Water Efficient Landscape Standards. Properties with street frontage shall
- 1857 provide landscaped plantings between the fencing and street in accordance with outdoor
- 1858 storage screening standards in Section 10-19-3(E). Areas within enclosed fencing are not
- 1859 required to be landscaped, but all open areas shall be maintained clear of all weeds and
- 1860 debris.
- 1861 f. Enclosure: All unenclosed elements of the facility that are not housed in a building, and
- 1862 isolated minor elements such as pad mounted transformers, telephone pedestals, metering
- 1863 stations, and other equipment vital to the operation of the public utility station shall be
- 1864 contained within the screened portion of the lot or parcel.
- 1865 4. Other Uses: Other uses of the site, and accessory uses, including the storage of materials outside
- 1866 of an enclosed building, are prohibited.

1867 **E. Septic Tank, Portable Toilet and Related Services:**

- 1868 1. All portable toilets shall be cleaned, sanitized, and emptied prior to being stored on the
- 1869 property;
- 1870 2. In addition to complying with the requirements for outdoor storage in Section 10-19-3(E), all
- 1871 portable toilets shall be stored a minimum of twenty-five feet from any property line;
- 1872 3. Repair and maintenance of portable toilets shall be done within an enclosed building;
- 1873 4. No waste disposal shall be permitted on the storage site;
- 1874 5. No secondary waste storage or transfer shall be permitted on site;
- 1875 6. Any waste collection vehicles shall be emptied and cleaned prior to returning to the site for
- 1876 parking or overnight storage.

1877 **F. Sewage Treatment Facilities:**

- 1878 1. All sewage treatment facilities shall be approved and operated in accordance with Utah State
- 1879 Law and rules established by the Utah Division of Environmental Quality.
- 1880 2. No facility shall be located within 1,000 feet of a residential zone or residence.

- 1881 3. All structures and facilities shall be setback a minimum of 50' from any property line.
1882 4. All facilities shall have a minimum landscape buffer of 20 feet along all property lines and
1883 frontages.

1884 **G. Utilities Transmission Lines and Control:**

- 1885 1. Applications for transmission lines installation shall contain the approving signatures of all
1886 landowners that the transmission line sets on or crosses. An owner signed letter of intent or
1887 easement is acceptable.
1888 2. Electric substations and other utility structures shall be deemed outdoor storage areas and shall
1889 meet the standards in section 10-19-3(E) of this chapter.
1890 3. Towers for the purpose of communicating from the substation to remote devices shall be
1891 deemed an accessory use to an approved substation; provided, that the pole and antenna are no
1892 taller than maximum tower height permitted in the zone, see section 10-19-22(A).

1893 **H. Waste, Nonhazardous: treatment, disposal, or recycle:**

- 1894 1. The site shall be screened from the street(s) by a sight obscuring fence. The fence shall be of
1895 sufficient height so that no storage containers shall be visible above the required screening and
1896 be in accordance with section 10-9-3(E).
1897 2. All grounds and facilities shall be maintained in an orderly manner so as not to create a public
1898 nuisance.
1899 3. All mechanical equipment emissions; power driven processing; and/or other outdoor activity
1900 areas shall be located a minimum of three hundred feet (300') from any abutting residential
1901 zones.
1902 4. All driveways into and through the facility and any open area with a driving surface shall be
1903 surfaced with an asphalt or concrete. All driveways shall be kept open and passable by
1904 emergency vehicles.
1905 5. Additional standards for recycling centers:
1906 a. Any container provided for after hour donation of recyclable materials shall be a minimum of
1907 fifty feet (50') from any abutting residential zone, shall be of sturdy construction and shall
1908 have sufficient capacity to accommodate materials collected.
1909 b. Except for after hour donation containers, no unsorted material shall be stored outside.

1910 **I. Waste, Materials Recovery Facilities:**

- 1911 1. Composting facilities may not accept hazardous waste, as defined in federal regulations at 40
1912 CFR Part 261 and derivative state regulations.
1913 2. Requirements for all size composting facilities
1914 a. All facilities shall be managed by an individual or group of individuals professionally trained
1915 by the US Composting Council or a similar entity.
1916 b. During the notification and/or permit application process a responsible party for the facility
1917 shall be identified; and certification shall be presented that the facility meets any and all
1918 other applicable local and/or state organic material facility permitting requirements, and/or
1919 in absence of such rules shall operate in accordance with best management practices
1920 c. Compliance with all applicable federal, state and local regulations, including, without
1921 limitation, those pertaining to permitting, operations, maintenance and site closure is
1922 required.

- 1923 d. A statement listing remediation plans for potential odor, pest control, and traffic should be
1924 an addendum to the zoning application shall be included in the zoning application.
- 1925 e. All operations shall be conducted in a controlled manner to minimize the creation of
1926 nuisances, such as odors, dust, noise, runoff, vectors, and fire.
- 1927 (1) Nuisances must be undetectable at the property line for facilities located in Urban
1928 Residential Zones.
- 1929 (2) Nuisances must be mitigated to comply with best practices in all other zones.
- 1930 f. Operations shall be subject to municipal engineering review to ensure adequate emergency
1931 access has been provided.
- 1932 g. Protection of existing water infrastructure, water bodies, groundwater, and floodplains must
1933 be prioritized. A survey shall be provided to ensure compliance.
- 1934 (1) There shall be no standing water on site.
- 1935 (2) If composting activities are permitted to occur within a designated floodplain, they shall
1936 be conducted using protective measures as required by the state or local jurisdiction.
1937 Composting operations shall be located and designed so that water which comes in
1938 contact with the material processing, will not run off into public or private streets, storm
1939 sewers, drainage ditches, water retention basins, streams or lakes. [Refer to your state or
1940 local regulations]
- 1941 (3) Setback from water wells: at a minimum of 100'
- 1942 (4) Setback from municipal water supplies or wells at a minimum of 250' (does not apply to
1943 Small Composting Facilities)
- 1944 (5) Setback from down gradient surface water bodies at a minimum of 250'
- 1945 (6) Setback from up gradient surface water bodies at a minimum of 100'
- 1946 h. Composting activities shall occur in accordance with applicable local and/or state
1947 enforcement agency rules and regulations, and/or in absence of such rules, in accordance
1948 with best management practices, including site monitoring and frequent temperature checks
1949 to certify minimum safety precautions are met
- 1950 3. Maximum of 25,000 cubic yards of compost may be on site at any one time
- 1951 4. Tipping area / pad, shall ideally be a concrete or asphalt surface, and able to contain all incoming
1952 materials for mixing, blending and/or sorting.. Organic material within a tipping area shall not
1953 exceed ten (10) feet in height at any time.
- 1954 5. All incoming off-site food residuals and feedstocks ideally (ie manure, wood chip, leaves etc)
1955 shall be incorporated into a composting windrow or other composting process within twenty-
1956 four (24) hours of receipt at the facility, or any shorter period of time as determined by the local
1957 public health authority. All other incoming organic material shall be incorporated into a
1958 composting windrow or other composting process within five (5) days of receipt at the facility.
- 1959 6. Maximum 10,000 cubic yards of compost shall be on site at any one time.
- 1960 7. No final disposal may occur at a consolidation facility. Any transfer of materials will be from
1961 container to container or container to equipment.
- 1962 8. Public drop-off areas shall have adequate space for safe access for pedestrians and adequate
1963 parking for employees or volunteers.

- 1964 9. Drop-off containers used for food waste collection must be leak-proof and have well-fitting lids
1965 to prevent access by vermin.
1966 10. Any waste collection trucks used must be fitted with a leak-proof bed.
1967 11. Any material stored on site, whether for temporary drop-off times or for permanent sites, must
1968 be removed within seven (7) days or sooner as required by local or state regulations.
1969 12. Facility operator shall provide a list in the zoning application of materials to be accepted at such
1970 sites. The operator shall institute signage, for both temporary or permanent sites, indicating
1971 acceptable items.
1972 13. If permitted and water/sewer access is available, rinsing of containers may be allowed.
1973 14. Food waste processing can include depackaging equipment or equipment that grinds, heats,
1974 dehydrates and/or pelletizes food waste into another material. The operator shall ensure that
1975 the process generates no nuisances such as odors, vectors, leachate or runoff and maintains all
1976 material on site.
1977 15. Prohibited Materials: wastewater treatment discharge or other related biosolids, fats, oils,
1978 grease, animal mortalities, animal processing byproducts, or organic materials that pose health
1979 and safety hazards, such as diapers, sanitary products, pet wastes or animal carcasses, or any
1980 other organic material prohibited as determined by best management practices for the scope
1981 and scale of the composting methodology.

1982 **J. Waste, Remediation Services:**

- 1983 1. All equipment used in association with the business shall be cleaned, sanitized, and emptied
1984 prior to being stored on the property;
1985 2. In addition to complying with the requirements for outdoor storage in Section 10-19-3(E), all
1986 equipment shall be stored a minimum of twenty-five feet from any property line;
1987 3. No waste from remediation sites shall be permitted on the property;
1988 4. No transfer of waste from remediation sites shall be permitted on site;
1989 5. Any waste collection vehicles shall be emptied and cleaned prior to returning to the site for
1990 parking or overnight storage.

1991 **10-19-23: WAREHOUSING & WHOLESALE TRADE:**

1992 **A. Wholesale, Trade, Durable Goods (Permitted):**

- 1993 1. No permitted use shall utilize outdoor storage.
1994 2. Outdoor cargo container storage and handling facilities:
1995 a. Minimum Lot Size: The minimum size of property required for establishment of such facility
1996 shall be five (5) acres.
1997 b. Stacking more than 3 containers high is prohibited and shall be screened and setback from
1998 property lines in accordance with section 10-19-3(E).
1999 c. No stacking of cargo containers is permitted.
2000 d. Cargo containers shall not be used for:
2001 (1) Refrigeration.
2002 (2) Residential use of any kind.
2003 (3) Storage or housing of animals.

- 2004 e. Any container stored or kept on property shall be safe, structurally sound, stable, and in
2005 good repair.
- 2006 f. Any cargo container that becomes unsound, unstable, or otherwise dangerous shall be
2007 immediately repaired or removed from the property where kept.
- 2008 g. Any cargo container stored or kept in violation of the unified development ordinance shall
2009 be deemed a dangerous condition and a public nuisance and may be subject to civil
2010 enforcement including abatement as per Title 12, Administrative Enforcement.
- 2011 h. Number Of Containers: The land use permit shall be issued for a specific maximum number
2012 of cargo containers based upon capacity, setback, and adequate egress for emergency
2013 vehicles.

2014 **3. Wholesale, Trade, Rental, Durable Goods, (Conditionally Permitted):**

2015 Wholesale trade and rental of durable goods shall require a conditional use permit with the
2016 following standards:

- 2017 a. All outdoor storage of goods shall be in accordance with section 10-19-3(E).
2018 b. All outdoor storage shall be upon hard surface of concrete or asphalt.

2019 **B. Wholesale Trade, Nondurable Goods (Permitted):**

- 2020 1. No permitted use shall utilize outdoor storage.

2021 **C. Wholesale Trade, Nondurable Goods, (Conditionally Permitted):**

- 2022 1. Bulk Storage of Hazardous or Flammable Liquids and Gases for wholesale trade:
- 2023 a. The facility for aboveground tanks shall be enclosed by an eight foot (8') high security fence
2024 or wall with the entrance and exit through a gate that shall be locked during nonbusiness
2025 hours.
- 2026 b. When adjacent to a residential zone, all structures or outdoor activity areas shall be located
2027 a minimum of three hundred feet (300') from any property line and all tanks shall be located
2028 a minimum of one thousand feet (1,000') from a property line adjacent to a residential zone.
- 2029 c. The applicant must furnish written documentation showing a review from the appropriate
2030 fire district and/or DEQ; listing any conditions placed upon the use and how they will comply
2031 with those conditions.
- 2032 d. Approved loading and unloading spaces and off street parking facilities will be required as
2033 listed in this title.
- 2034 e. Construction will meet the criteria of the current Building Code as adopted.
- 2035 f. A hazard mitigation plan, outlining precautions and procedures for hazardous substances,
2036 shall be provided to the City and any other applicable emergency response or regulation
2037 authority which details the quantities, storage methods and handling procedures for
2038 hazardous materials addressing accidental releases, spills, exposures, fires, explosions or
2039 other emergency conditions that could occur and the potential extent of such incidents. The
2040 plan shall be reviewed and updated at a minimum annually or upon modification of the type
2041 or quantities of materials stored and utilized by the business
- 2042 g. This section does not apply to retail service stations or convenience stores that also dispense
2043 propane unless they are in a residential zone

2044 **10-19-24: WAREHOUSING, STORAGE FACILITIES:**

2045 **A. General Warehousing and Storage Facilities**

- 2046 1. All structures shall be setback a minimum of 100 feet from any adjacent property with an
2047 existing residential use or adjacent residentially zoned property.
- 2048 2. All warehousing shall be conducted within an enclosed structure except where outdoor storage
2049 is permitted and in conformance with Section 10-19-3(E)
- 2050 3. A hazard mitigation plan, outlining precautions and procedures for hazardous substances, shall
2051 be provided to the City and any other applicable emergency response or regulation authority
2052 which details the quantities, storage methods and handling procedures for hazardous materials
2053 addressing accidental releases, spills, exposures, fires, explosions or other emergency conditions
2054 that could occur and the potential extent of such incidents. The plan shall be reviewed and
2055 updated at a minimum annually or upon modification of the type or quantities of materials
2056 stored and utilized by the business.

2057 **B. Self-Storage Units**

2058 All self-service storage facilities and recreational vehicle storage facilities shall be designed,
2059 constructed, operated and occupied in accordance with the following:

- 2060 1. Self-storage units shall only be permitted within the Storage Unit Overlay Zone;
- 2061 2. Accessory caretaker residences shall only be approved subject to the standards in section 10-19-
2062 3(A):
- 2063 3. All structures shall comply with all design standards found in section 10-1-44;
- 2064 4. All goods and wares shall be stored within an enclosed building, except that boats, travel
2065 trailers, motor homes and automobiles in running order, may be stored in screened exterior
2066 areas which shall have shown on the site plan and approved for that purpose and shall only be
2067 permitted on asphalt or concrete surfaces;
- 2068 5. No individual units shall be larger than twelve by fifty (12x 50) feet;
- 2069 6. Any storage of partially dismantled, wrecked or inoperable vehicles, trailers, campers, motor
2070 homes or junk is prohibited;
- 2071 7. Any repair, construction, reconstruction or manufacturing is prohibited;
- 2072 8. Any storage of hazardous materials including but not limited to gasoline, paint, paint remover
2073 and similar flammable or hazardous materials is prohibited;
- 2074 9. Self-storage facilities shall include screening in accordance with section 10-19-(C) Outdoor
2075 Storage. Such screening shall be in compliance with the Chapter 22 Water Efficient Landscaping.
2076 Screening shall be maintained in good condition with no advertising thereon, except as
2077 permitted by the Chapter 6 signage regulations.
- 2078 10. All self-storage facilities shall include a barrier wall extending the full length of the property line.
- 2079 11. Where the barrier is to be provided by the building facade, said facades shall be in accordance
2080 with the setback requirements applicable to the zone in which it is located;
- 2081 12. Access to the site shall be sufficient for traffic, emergency and fire vehicles and meet the
2082 minimum driveway aisle width for two way traffic provided in Chapter 4 Parking standards and
2083 include sufficient turning radii for emergency vehicles;
- 2084 13. No facility shall be approved without adequate fire protection;

- 2085 14. No individual units shall be supplied with water or sewer facilities;
2086 15. The design and improvement of the facility shall make adequate provision for storm water and
2087 snow removal;
2088 16. All outdoor lighting shall screens lighting to mitigate its impact on surrounding uses;
2089 17. The applicant shall provide an operations plan which addresses the following:
2090 a. On-site management and security;
2091 b. Accumulation, disposal, and transportation of solid waste; and
2092 c. Loading and services, including fire access.

2093 **C. Self-Storage Facility, Indoor Climate Controlled.**

- 2094 1. Indoor self-storage facilities shall meet the same standards for Self-Storage units in Subsection B
2095 above with the following exception:
2096 a. No outdoor storage shall be permitted; and
2097 b. No screening shall be required, but the site shall be landscaped in accordance with the
2098 standards for the underlying zone and shall be in accordance with Chapter 22 Water Efficient
2099 Landscape Design.

1 Title 10
2 Chapter 4
3 Signs
4

5 SECTION:

6 10-4-1: Title

7 10-4-2: Purpose

8 10-4-3: Scope

9 10-4-4: Interpretation

10 10-4-5: Definitions:

11 ~~10-4-5~~10-4-6: General Regulations

12 ~~10-4-6~~10-4-7: Inspections

13 ~~10-4-7~~10-4-8: Enforcement

14 ~~10-4-8~~10-4-9: Notice Requirements

15 ~~10-4-9~~10-4-10: Sign Permit And Permit Fee Required

16 ~~10-4-10~~10-4-11: Reinspection Fee

17 ~~10-4-11~~10-4-12: Sign Overlay Zoning Districts

18 ~~10-4-12~~10-4-13: Codes And Symbols

19 ~~10-4-13~~10-4-14: Sign Types, Effects, Dimensions, Number And Locations By
20 Overlay Districts

21 ~~10-4-14~~: Definitions

22 10-4-15: Billboards

23 10-4-16: On Premise Interstate Signs

24 10-4-17: Electric Signs

25 10-4-18: Prohibited Signs on Private Property

26 10-4-19: Free Speech Zone

27

28 **10-4-1: TITLE:**

29 The regulations contained in this chapter shall be known and may be cited as the
30 *SIGN REGULATIONS OF NORTH SALT LAKE CITY* and its land use management
31 and development code. (Ord. 04-1, 2-17-2004)

32 **10-4-2: PURPOSE:**

33 A. The purpose of sign regulations set forth in this title shall be to coordinate the type,
34 placement and physical dimensions of signs within the city; to recognize the
35 various commercial communication requirements of all sectors of the business
36 community; to encourage the innovative use of design; to promote both renovation
37 and proper maintenance; to allow for special circumstances; and to guarantee
38 equal treatment under the law through accurate recordkeeping and consistent
39 enforcement. These objectives shall be accomplished by regulation of display,
40 erection, use and maintenance of signs. The use and location of signs are
41 regulated according to zoning district. The placement and physical dimensions of
42 signs are regulated primarily by type. (Ord. 04-1, 2-17- 2004)

43 B. Further purposes of sign regulations are to protect and promote the health, safety
44 and general welfare of the City residents and businesses by regulating the design,
45 materials, size, construction, installation, location and maintenance of signs and
46 sign structures in a content neutral manner that does not favor any type of speech
47 over another. These sign regulations minimize potential hazards to motorists and
48 pedestrians; to encourage signs which, by their design, are integrated with and
49 harmonious to the buildings and sites which they occupy; to encourage sign
50 legibility through the elimination of excessive and confusing sign displays; to
51 reduce driver inattention; to preserve and improve the appearance of the city as a
52 place in which to live and to work and as an attraction to nonresidents who come
53 to visit or trade; to safeguard and enhance property values; to limit or forbid signs
54 which interfere with solar access of adjacent properties; to protect public and
55 private investment in buildings and open spaces; and to supplement and be a part
56 of the regulations imposed under the zoning authority of the city. (Ord. 04-1, 2-17-
57 2004; amd. 2012 Code)

58 **10-4-3: SCOPE:**

59 These regulations shall not relate to building design, nor shall this chapter regulate
60 official traffic or government signs; the copy and message of signs; signs not intended
61 to be viewed from a public right of way; window displays; product dispensers and
62 point of purchase displays; scoreboards on athletic fields; flags of any nation,
63 government or noncommercial organization; gravestones; barber's poles; religious
64 symbols; holiday decorations; commemorative plaques; the display of street
65 numbers; or any display or construction not defined in this title as a "sign". (Ord. 04-1,
66 2-17-2004)

67 **10-4-4: INTERPRETATION:**

68 In interpreting and applying the provisions of this title, the sign regulations contained
69 herein are declared to be the minimum standards allowable for the purpose set forth.
70 The types of signs allowed by this title shall be plenary and sign types not specifically
71 allowed as set forth within this title shall be prohibited. It is not intended by this
72 chapter to interfere with nor abrogate nor annul any easement, covenant or other
73 agreement between private parties existing at the effective date hereof; provided,
74 however, that where this title imposes a greater restriction upon signs, and the
75 location thereof requires or imposes other conditions than those required or imposed
76 by other laws, ordinances or restrictions, the provisions of this title shall control. (Ord.
77 04-1, 2-17-2004)

78 **10-4-5: DEFINITIONS:**

79 The following words and phrases as used in this sign code shall have the following
80 meaning:

81 **Abandoned Sign:** A sign that no longer identifies or advertises an ongoing lawful
82 business product, location, service, idea, or activity conducted on the premises on
83 which the sign is located.

84 **Alteration:** Any change in the placement, size or shape of an existing sign.

85 **Animated Sign:** A sign employing actual motion, the illusion of motion or light
86 and/or color changes achieved through mechanical, electrical or electronic means, a
87 balloon or inflatable sign, a lighter-than-air, gas-filled balloon tethered to a fixed
88 location, a banner sign, a sign made of fabric or other non-rigid material with no
89 enclosing framework, a changeable copy sign, a sign or a portion thereof on which
90 the copy or symbols change either automatically through electrical or electronic
91 means (for example, time and temperature units), or manually through placement of
92 letters or symbols on a panel mounted in or on a track system.

93 **Awning:** A structure constructed of fabric or metal placed so as to extend outward
94 from the building, providing a shield for doors, windows and other openings, with
95 supports extending back to the building, supported entirely by the building.

96 **Awning Sign:** A sign that is painted on or otherwise made part of the awning
97 material.

98 **Billboard:** A free standing ground sign located designed or intended to direct
99 attention to a business, product, or service that is not sold, offered or existing on the
100 property where the sign is located.

101 **Bench Sign:** A sign that is painted on or attached to any part of the surface of a
102 bench, seat or chair placed outside of the main structure of a property, or on or
103 adjacent to a public sidewalk, roadway or other public right-of-way.

104 **Canopy:** A structure constructed of fabric or other material placed so as to extend

105 outward from the building, providing a protective shield for doors, windows and other
106 openings, with supports extending to the ground as well as attached to the building.

107 **Canopy Sign:** A sign that is painted or otherwise made part of the canopy material.
108 Signage is limited to the vertical portions of the canopy; the sides and the front
109 valance. No signage shall protrude beyond the vertical face.

110 **Commercial Sign:** Any sign with wording, a logo or other representation that
111 directly or indirectly names, advertises or calls attention to a business, product,
112 service, profession, commodity, commercial event, or other commercial activity, or
113 otherwise contains commercial speech.

114 **Commercial Speech:** Any message proposing a commercial transaction or related
115 to the economic interests of the speaker or its audience.

116 **Convert:** To change, remodel, or rehabilitate any existing billboard sign face to an
117 electronic or digital format.

118 **Directional Signs:** Any sign located on private property at or near the public right-
119 of-way, directing or guiding vehicular or pedestrian traffic onto the property and/or
120 toward parking or other identified locations on the property.

121 **Facia Sign:** See Wall Sign

122 **Freestanding Sign:** A sign supported by one or more upright poles or braces placed
123 in or upon the ground surface and not attached to any building. Examples of
124 freestanding signs are a monument sign and a pole sign.

125 **Interchange Or Intersection:** Any area and its approach where traffic is channeled
126 off or onto an interstate route, excluding the deceleration lanes, acceleration lanes or
127 feeder systems, from or to another federal, state, county, city or other route.

128 **Low Profile Sign:** A freestanding sign erected near ground level less than 30 inches
129 in height, limited to 6 sq. ft. used to identify the name of a building or used for
130 directional purposes for commercial parking circulation.

131 **Main Traveled Way:** The through traffic lanes, including auxiliary lanes, acceleration
132 lanes, deceleration lanes and feeder systems, exclusive of frontage roads and
133 ramps. For a divided highway, there is a separate main traveled way for the traffic in
134 each direction.

135 **Marquee Sign:** A sign attached to a hood or awning of permanent construction
136 without pillars or posts which is supported from a building wall and extends beyond
137 the building, building line, or property line.

138 **Monument Sign:** A free standing ground sign mounted on a base but not attached
139 to any building or wall.

140 **Noncommercial Sign:** Any sign that is not a commercial sign.

141 **Noncommercial Speech:** Any message which is intended for the purpose of
142 supporting or opposing a candidate, proposition or other measure at an election or
143 for any other noncommercial expression not related to the advertisement or
144 promotion of any product, service or the identification of any business.

145 **Nonconforming Sign:** A sign that legally existed at the time that it was installed
146 under the regulations in effect at that time, but does not conform to the current
147 applicable regulations of the area in which it is located and has been maintained
148 continuously since the time the applicable regulations changed to render it
149 nonconforming.

150 **Off Premises Sign:** A commercial sign that displays any message directing
151 attention to a business, product, service, profession, commodity, commercial activity,
152 commercial event, or other commercial message that is generally conducted, sold,
153 manufactured, produced, offered or occurs elsewhere than on the premises where
154 such sign is located.

155 **On Premises Sign:** A commercial sign that identifies the name, occupation and/or
156 profession of the occupants of the premises on which the sign is located.

157 **Permanent Sign:** Any sign that is legally placed and which is intended to be and is
158 so constructed as to be of a lasting and enduring condition, remain unchanged in
159 character and condition beyond normal wear and tear, and positioned in a
160 permanent manner fixed to the ground, wall or building.

161 **Point Of Widening:** The point of the gore or the point where the intersecting lane
162 begins to parallel the other lanes of traffic, but the point of widening may never be
163 greater than two thousand six hundred forty feet (2,640') from the centerline of the
164 intersecting highway of the interchange or intersection at grade. (Ord. 05-10, 7-12-
165 2005)

166 **Pole Sign:** A free standing sign that is mounted atop one or more poles and not
167 attached or braced by any other structure.

168 **Portable Sign:** Any moveable or hand held sign not permanently attached to the
169 ground and easily removable using ordinary hand tools.

170 **Projecting Sign:** A sign that projects from and is supported by a wall or parapet of
171 the building with the display surface of the sign in a plane perpendicular to or
172 approximately perpendicular to the wall.

173 **Roof Sign:** Any sign erected upon a roof, parapet, or roof mounted equipment
174 structure and extending above a roof, parapet, or roof mounted equipment structure
175 of a building or structure.

176 **Sign:** Any object, device, display, or structure, or part thereof, that is used to
177 advertise, identify, display, direct or attract attention to an object, person, institution,
178 organization, business, product, service, event, or location by any means, including,
179 but not limited to, words, letters, figures, designs, symbols, fixtures, colors,

180 illumination, or projected images. The term “sign” shall also include the sign
181 structure, supports, lighting system, and any attachments, ornaments, or other
182 features used to attract such attention as described above.

183 **Snipe Sign:** A temporary or permanent sign tacked, nailed, posted, pasted, glued or
184 otherwise attached to trees, poles, stakes, fences or other objects.

185 **Temporary Sign:** Any sign not permanently attached to the ground or a structure
186 that is installed or placed for a limited duration and intended to be displayed before,
187 during or after an event to which the sign relates.

188 **Vehicle Sign:** Any sign permanently or temporarily attached to or placed on a
189 vehicle or trailer.

190 **Wall Sign:** Any sign attached to or painted on the wall of a building or structure in a
191 plane, parallel or approximately parallel to the plane of said wall.

192 **Window Sign:** Any sign viewable through or affixed in any manner to a window or
193 exterior glass door such that it is viewable from the exterior, including signs located
194 inside a building but visible primarily from the outside of the building.

195 **10-4-610-4-5: GENERAL REGULATIONS:**

196 A. Compliance Required: Except as provided in this title, no sign shall be erected,
197 raised, moved, placed, reconstructed, extended, enlarged or altered, or have the
198 text of the sign changed, except in conformity with the regulations herein
199 specified for the use district in which it is located. No permit is required for the
200 maintenance of a sign or for a change of copy on painted, printed or changeable
201 copy signs. (Ord. 04-1, 2-17-2004)

202 B. Code And Licensing Compliance: All signs hereafter erected in the city shall
203 comply with the current standards of the national electrical code, the international
204 building code, and all other ordinances of the city. No sign shall be placed on
205 public property or within a public right of way except when expressly licensed by
206 the city council or state department of transportation. (Ord. 04- 1, 2-17-2004;
207 amd. 2012 Code)

208 C. Maintenance Of Signs: All signs shall be maintained in good condition. Exposed
209 parts of signs shall be painted or treated chemically in such a manner as to
210 preserve the condition, aesthetics and life of such signs; moving parts shall be
211 maintained in operable condition; and signs designed to be lighted shall be
212 maintained with a full complement of the lighting facilities required by the design of
213 each such sign.

214 D. Removal Upon Discontinuance Of Use: All signs identifying a discontinued use
215 on the property shall be removed by the sign owner from the property within
216 thirty (30) calendar days of the time the use was discontinued.

217 E. Prohibited signs: The following signs and any sign not otherwise authorized

218 under the terms of this code, are prohibited in the city:

219 1. Abandoned Signs

220 2. Animated Signs

221 3. Balloon Signs

222 4. Snipe Signs

223 5. Signs on vehicles or trailers if the vehicle or trailer is parked off premises,
224 outside of designated parking stalls, or in other locations not normally
225 expected of such vehicles and for the primary purpose of advertising a
226 product, service, business or other activity. This section is not intended to
227 apply to standard business logos or identification on vehicles primarily and
228 actively used for business purposes which are otherwise legally parked.

229 6. Signs located on trees, utility poles, public benches or any other form of
230 public property or within any public right-of-way.

231 D.

232 E.F. Illumination Restrictions: Unless otherwise specified in this chapter, all signs
233 may be illuminated. However, no sign may utilize:

234 1. An exposed incandescent lamp with an external reflector without a sun
235 screen or comparable diffusion;

236 2. Any exposed incandescent lamp in excess of fifteen (15) watts unless a screen
237 is attached;

238 3. Any revolving beacon light.

239 F.G. Changeable Copy: Unless otherwise specified in this chapter, any sign
240 herein allowed may use manual or automatic changeable copy.

241 G.H. License Required; Indemnification; Insurance: No person may engage in the
242 business of erecting, altering, relocating, constructing or maintaining signs without
243 a valid state contractor's license and valid city business license. All persons
244 involved in the maintenance, installation or relocation of signs near or upon the
245 public right of way or property shall agree to hold harmless and indemnify the city,
246 its officers, agents and employees, against any and all claims of negligence
247 resulting from such work insofar as this title has not specifically directed the
248 placement of a sign. Such persons shall also maintain insurance to indemnify the
249 city against any form of liability to a minimum of one million dollars
250 (\$1,000,000.00).

251 H.I. Nonregulated Signs: Signs not regulated by this chapter:

252 1. On premises advertising signs that are attached to windows or walls and are
253 clearly of a temporary nature, and which promote specific sales or events for
254 short periods of time and not to exceed fifteen percent (15%) of street facing wall
255 and/or windows.

256 2. Signs which are associated with school or church events and functions
257 which are clearly of a temporary nature for short periods of time.

258 3. Interior signs.

259 4. Real estate company "for sale" signs and owner placed "for sale" or "for rent"
260 signs advertising specific property for sale or rent and are erected temporarily
261 on that specific property.

262 5. Temporary election campaign signs, yard sale signs, night crawlers for sale
263 signs, snipe signs, etc.

264 6. Directional signs (i.e., BLM, DWR, etc.). Church nameplate signs, etc.

265 7. Nameplate signs less than one hundred fifty (150) square inches in size.

266 8. Construction signs for each street of frontage of a construction project, not to
267 exceed forty five feet (45') in area. Such signs may be erected ten (10) days
268 prior to beginning of construction and shall be removed one day following
269 completion of construction.

270 9. Identification signs designed as a necessary part of a project approved in
271 a conditional use permit.

272 ~~40-J.~~ Temporary off premises residential development, directional and freeway
273 oriented signs. All temporary off premises residential development, directional
274 and freeway oriented signs are only for developments or master planned
275 communities within the boundaries of the city.

276 a. A maximum of three (3) temporary off premises signs announcing a
277 residential development may be permitted for each development. Such
278 signs will only be allowed ~~by conditional use permit~~ in any ~~sign S-2 or S-3~~
279 overlay zoning district under the provisions of sections [10-4-12](#) and [10-4-13](#) of this
280 chapter.

281 b. In addition to the temporary off premises residential development signs,
282 each development may be permitted two (2) temporary off premises
283 directional signs. Such signs will only be allowed by ~~conditional use permit~~
284 in any ~~sign S-2 or S-3~~ overlay zoning district under provisions of sections
285 [10-4-11](#), [10-4-12](#) and [10-4-13](#) of this chapter.

286 c. In addition to the temporary off premises residential development and
287 directional signs, a master planned community exceeding three hundred
288 (300) lots may be permitted one temporary freeway oriented residential

289 development sign. Said sign will only be allowed ~~by conditional use permit~~
290 in the S-2 and S-3 sign overlay zoning districts under provisions of
291 sections 10-4-11, 10-4-12 and 10-4-13 of this chapter.

292 d. Temporary off premises residential development shall be permitted upon
293 the main entrances to the residential development in any zone, with a
294 maximum of 1 sign per road frontage.

295 e. Temporary off premises residential development directional signs may be
296 permitted as a conditional use in zones other than the sign overlay zones
297 upon approval by the Planning Commission limited to a maximum
298 duration of two (2) years from the date of the approval of the conditional
299 use permit or within 30 days of completion of the final dwelling unit
300 construction. Upon request, a time extension of one (1) year may be
301 granted by the Planning Commission. Said temporary signs shall not be
302 permitted within the public right of way, nor shall they impede safe
303 vehicular traffic, or violate any clear area of an intersection and must be
304 located upon private property. Signs shall be kept in good repair and will
305 be subject to removal within 30 days of notice of disrepair.

306 d.f. All temporary off premises residential development, directional and
307 freeway oriented signs shall be removed within three (3) years from the
308 date when the conditional use permit was granted. Upon request, a time
309 extension not to exceed two (2) additional years may be granted by the
310 planning commission.

311 e.g. Prior to approval and installation of any temporary off premises
312 residential development, directional or freeway oriented signs, the applicant
313 must first provide the city with written authorization from the legal property
314 owner, or its representative, granting permission for the sign location and
315 duration of the sign posting.

316 f.h. Temporary off premises residential development, directional and freeway
317 oriented signs are to identify the development or the developer only. They are
318 not intended for builders or contractors within the development. (Ord. 04-1,
319 2-17-2004)

320 ~~10-4-6~~**10-4-7: INSPECTIONS:**

321 The ~~building official~~Community Development Department shall have the following
322 duties with regard to sign inspections:

- 323 A. Initial Inspection: ~~The Building Official shall~~To make an initial inspection of
324 any sign upon the completion, erection, reconstruction or remodeling of the
325 same and notification of said completion, erection, reconstruction or
326 remodeling. This inspection shall be made to assure compliance with the
327 provisions of these regulations, other ordinances of the city and conditions
328 precedent to the issuance of a conditional use permit, if applicable.

329 B. Complaint Of Noncompliance: In accordance with Title 12 for Administrative
330 Code Enforcement, the designated enforcement official shall ~~To~~ inspect each
331 sign for which a complaint of noncompliance with local ordinances is made in
332 writing to the ~~building official~~City.

333 C. Routine Spot Checks: To make routine spot checks of all signs to assure
334 compliance with these regulations, and other ordinances of the city and
335 conditions precedent to the issuance of a conditional use permit, if applicable.
336 (Ord. 04-1, 2-17-2004)

337 **10-4-710-4-8: ENFORCEMENT:**

338 The ~~zoning administrator~~Community Development Department of North Salt Lake
339 City is hereby vested with the duty of enforcing the sign regulations of this title and
340 in the performance of such duty is empowered and directed to:

341 A. Issue Permits: Issue permits to construct, alter or repair signs which conform to
342 the regulations of the city.

343 B. Ascertain Conformance: Ascertain that all signs, including construction of, or
344 maintenance of any signs, are in conformance with regulations of the city and the
345 conditions imposed precedent to the issuance of a conditional use permit, if
346 applicable.

347 C. Issue Notice Of Violation: Issue a notice of violation to the person having charge
348 or control or benefit of any sign found by the zoning administrator to be unsafe
349 or dangerous, or in violation of the ordinances of the city.

350 D. Institute Proceedings: Institute any appropriate action or proceedings in any case
351 where any sign is erected, constructed, reconstructed, altered, repaired, converted
352 or maintained, or in any case where any sign is used in violation of any ordinance
353 of the city, including, but not limited to, this title, to accomplish the following
354 purposes:

355 1. To prevent such unlawful erection, construction, reconstruction, alteration,
356 repair, conversion, maintenance or use; and

357 2. To restrain, correct or abate such violation.

358 E. Unsafe, Dangerous Sign Removal:

359 1. Abate and remove any unsafe or dangerous sign which is not repaired or made
360 safe within five (5) working days after giving appropriate notice to the person having
361 charge, control or benefit of any such sign. In such an event, the person having charge,
362 control or benefit of such sign shall pay to the city the costs incurred in such removal
363 within thirty (30) calendar days after written notice is mailed to such person.

364 2. Upon failure to pay the costs incurred in abating an unsafe or dangerous sign,
365 the city may, by action of its city council, place a lien against the property

366 owned by the person having charge, control or benefit of such sign to assure
367 compliance with this provision. This provision for abatement and removal shall
368 not apply to any sign for which a notice of violation is presently being
369 appealed under the provisions of ~~chapter 2 of this title~~Title 12 of this Code.

370 F. Illegal Sign Removal: Abate and remove any illegal sign other than unsafe or
371 dangerous signs which is not made conforming within sixty (60) working days after
372 giving appropriate notice to the person having charge, control or benefit of any
373 such sign. In such event, the person having charge, control or benefit of such sign
374 shall pay to the city the costs incurred in such removal within thirty
375 (30) calendar days after written notice is mailed to such person. Upon failure to
376 pay the costs incurred in abating and removing an illegal sign, the city may, by
377 action of its governing body, place a lien against property owned by the person
378 having charge, control or benefit of such sign to assure compliance with this
379 provision. This provision is for abatement and removal and shall not apply to any
380 sign for which a notice of violation is presently being appealed under the
381 provisions of ~~chapter 2 of this title~~Title 12 of this Code.

382 G. Nonmaintained Or Abandoned Sign Removal: Abate and remove any
383 nonmaintained or abandoned sign which is not repaired or put into use within ten
384 (10) working days after giving appropriate notice to the person having charge,
385 control or benefit of any such sign. In such an event, the person having charge,
386 control or benefit of such sign shall pay to the city the costs incurred in such
387 removal within thirty (30) calendar days after written notice is mailed to such
388 person. Upon failure to pay the costs incurred in abating and removing a
389 nonmaintained or abandoned sign, the city may, by action of its city council, place
390 a lien against property owned by the person having charge, control or benefit of
391 such sign to assure compliance with this provision. This provision for abatement
392 and removal shall not apply to any sign for which a notice of violation is presently
393 being appealed under the provisions of ~~chapter 2 of this title~~Title 12 of this Code.
394 (Ord. 04-1, 2-17-2004)

395 ~~10-4-8~~10-4-9:NOTICE REQUIREMENTS:

396 Notification by the city to persons having charge, or control or benefit of any sign
397 found ~~by the zoning administrator~~ to be unsafe or dangerous or in violation of this title
398 or other ordinances of the city, and where the city is contemplating removal of said
399 sign, shall be accomplished by the city utilizing written notice as provided in Title 12
400 of this Code. sent through the registered mail. Any such notice shall state the exact
401 nature of the violation, the exact time and date by which the noncomplying condition
402 or use must be remedied, and the appeals procedure by which the person having
403 charge, control or benefit of such sign may appeal the decision of the zoning
404 administrator. (Ord. 04-1, 2-17-2004)

405 ~~10-4-9~~10-4-10: SIGN PERMIT AND PERMIT FEE REQUIRED:

406 All signs hereafter erected within the city shall be erected, reconstructed or remodeled
407 only in accord with the authority authorized by the sign permit issued by the city.

408 Application for a sign permit shall be made to the ~~zoning administrator~~Community
409 Development Department and shall be accompanied by an administrative fee to
410 defray the expenses to the city incurred in the administration of this chapter. Such fee
411 shall be established by resolution of the city council. Large signs which require a
412 building permit for structural or electrical elements shall be assessed a permit fee in
413 accordance with valuation as provided by Building Code. –A sign permit shall be
414 issued ~~by the zoning administrator~~ if the proposed sign is found ~~by the zoning~~
415 ~~administrator~~ to be in compliance with the provisions of this title and other ordinances
416 of the city. (Ord. 04-1, 2-17-2004)

417 ~~10-4-10~~10-4-11: **REINSPECTION FEE:**

418 In the event that a notice of violation is issued, a reinspection fee shall be charged to
419 defray the costs of reinspection. Said reinspection fee shall be charged for each
420 inspection required until applicable regulations of the city are complied with. The
421 amount of the fee shall be established by resolution of the city council. (Ord. 04-1, 2-
422 17-2004)

423 ~~10-4-11~~10-4-12: **SIGN OVERLAY ZONING DISTRICTS:**

424 There are hereby created three (3) overlay zoning districts (S-1, S-2 and S-3) to
425 regulate the sign type, sign effects and copy content, sign dimensions, number of
426 signs, and sign location in the city. Refer to special zoning map for description of
427 districts. (Ord. 04-1, 2-17-2004)

428 ~~10-4-12~~10-4-13: **CODES AND SYMBOLS:**

429 In the following section, the sign type, sign effects and copy content, sign
430 dimensions, number of signs, and sign location which are allowed in the various
431 districts are shown as "permitted" indicated by a "P" in the appropriate column
432 (headed by the overlay zoning district designation), or as "conditional uses",
433 indicated by a "C" in the appropriate column. If a regulation applies in a given
434 district, it is indicated in the appropriate column by a numeral to show the linear or
435 square feet required; ~~or by the letter "M" to indicate maximum building height~~
436 ~~allowed in a particular district; or by the letter "B" to indicate the actual height of the~~
437 ~~building to which a sign is affixed or the height of the sign; or by the letter "S" to~~
438 ~~indicate the required building setback, whichever is applicable.~~ If the regulation does
439 not apply, or if it is not allowed in a given district, ~~it is either not named in the use list~~
440 ~~or~~ it is indicated in the appropriate column by an a dash "-". "NA" Not Applicable or
441 "N" Not Permitted. (Ord. 04-1, 2-17-2004)

442 _____

443 **10-4-14: SIGN TYPES, EFFECTS, DIMENSIONS, NUMBERS AND LOCATIONS**
 444 **BY OVERLAY DISTRICTS:**

Sign Type	S-1	S-2	S-3
On premises signs:			
<u>Awning, Canopy, & Marquee</u>	<u>GP</u>	P	P
Fascia <u>or Wall</u>	P	P	P
Freestanding <u>(Pole or Pylon)</u>	P	P	P
Freeway oriented	<u>N-</u>	<u>-N</u>	C
Low profile	P	P	P
<u>Multi-tenant</u>	<u>N</u>	<u>P</u>	<u>P</u>
Projecting wall	P	P	P
Roof	<u>-N</u>	<u>-N</u>	<u>-N</u>
<u>Window</u>	<u>P</u>	<u>P</u>	<u>P</u>
Temporary	<u>GP</u>	<u>GP</u>	<u>GP</u>
Off premises signs:			
<u>Billboard (Freestanding)-see 10-4-15</u>	<u>N-</u>	<u>-N</u>	<u>GP</u>
Fascia <u>or Wall</u>	<u>-N</u>	<u>-N</u>	<u>GN</u>
Roof	<u>-N</u>	<u>-N</u>	<u>-N</u>
Temporary residential development	<u>GN</u>	<u>GP</u>	<u>GP</u>
Temporary residential directional	<u>GN</u>	<u>PG</u>	<u>GP</u>
Temporary freeway oriented residential development	<u>N-</u>	<u>GP</u>	<u>GP</u>
Sign Effects And Copy Content			
On premises signs:			
Identification	P	P	P
Illuminated	<u>GP</u>	<u>GP</u>	<u>GP</u>
Rotating	<u>GN</u>	<u>GN</u>	P
Flashing	<u>-N</u>	<u>GN</u>	<u>GN</u>
Changeable copy	P	P	P
Animated	<u>NG</u>	<u>GN</u>	P

Sign Type	S-1	S-2	S-3
Off premises signs:			
Illuminated	<u>NA</u>	<u>NA</u>	<u>GP</u>
Rotating	<u>-NA</u>	<u>-NA</u>	<u>-N</u>
Flashing	<u>-NA</u>	<u>-NA</u>	<u>GN</u>
Changeable copy	<u>-NA</u>	<u>-NA</u>	<u>GP</u>
Animated	<u>-NA</u>	<u>-NA</u>	<u>GN</u>
Message center	<u>GNA</u>	<u>GNA</u>	<u>GP</u>
Sign Dimensions			
Sign height (in feet) freestanding pole or pylon: includes: freestanding, projection from wall, marquee, fascia, canopy, under canopy, awning (electric), temporary	20	30	45
<u>Awing, Canopy, and Marquee</u>			
Low profile <u>height (inches)</u>	<u>430</u>	<u>430</u>	<u>430</u>
Maximum sign area on premises (in square feet per face)	35	<u>15050</u>	<u>20075</u>
Fascia or wall signs not to exceed <u>3015%</u> of available wall space <u>or</u> <u>sq. ft.</u>	<u>A100</u>	<u>A100</u>	<u>A100</u>
<u>Window sign area (percentage of ground floor windows only)</u>	<u>30</u>	<u>30</u>	<u>50</u>
Maximum sign area off premises (in square feet)- Billboards with minimum space of 1,500 feet	-	-	<u>672</u>
Temporary off premises residential development signs:			
Sign area (in square feet)	64	64	64
Sign height (in feet)	<u>2010</u>	20	20
Temporary off premises residential directional signs:			
Sign area (in square feet)	32	32	32
Sign height (in feet)	20	20	20
Temporary off premises freeway oriented residential development sign:			
Sign area (in square feet)	200	200	200
Sign height (in feet)	30	30	30
Number of Signs:			
On premises signs:			
<u>Awning, Canopy, & Marquee (per storefront entrance)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Fascia or Wall (per façade, limited maximum % wall space)</u>	<u>=</u>	<u>=</u>	<u>=</u>

Sign Type	S-1	S-2	S-3
Freestanding <u>(Pole or Pylon) per street frontage</u>	1	1	1
Marquee <u>Freeway Oriented</u>	1	1	1
Projecting wall <u>Low Profile</u>	<u>15</u>	<u>15</u>	<u>15</u>
Roof <u>Multi-Tenant per street frontage</u>	0	<u>01</u>	<u>01</u>
<u>Fascia Per window</u>	1	1	1
<u>Canopy Temporary per street frontage/per business</u>	1	1	1
Off premises signs:			
<u>Billboard (Freestanding)</u>	-	-	<u>€1</u>
Roof	0	0	0
Temporary residential development: Total number of allowed signs is 3	<u>€0</u>	<u>€3</u>	<u>€3</u>
Temporary residential directional: Total number of allowed signs is 2	<u>€0</u>	<u>€3</u>	<u>€3</u>
Temporary freeway oriented residential development: Total number of allowed signs is 1	<u>€0</u>	<u>€1</u>	<u>€1</u>
Location of Signs			
Minimum clearance under sign (in feet):			
<u>Freestanding, projecting from wall, marquee, fascia, canopy</u>	10	10	10
<u>Under canopy, awning (electric)</u>	8	8	8
<u>Low profile, temporary</u>	-	-	-
Minimum setback from public right of way (in feet)	<u>25</u>	<u>25</u>	<u>25</u>
Off premises "billboards" minimum spacing in linear feet ¹ <u>Maximum setback for off premises "billboards" from public right of way (in feet)</u>	--	--	<u>1,500</u> ¹⁰
Minimum distance between signs	€	€	€
Off premises "billboards" minimum spacing in linear feet	-	-	<u>1,500</u>
Off premises "billboards" minimum distance from interchange in feet	-	-	<u>500</u>
Temporary off premises residential development signs: Minimum spacing in linear feet	400	400	400
Temporary off premises residential directional signs: Minimum spacing in linear feet	400	400	400
Temporary off premises freeway oriented residential development sign: Minimum spacing in linear feet	-	1,500	1,500
Overhang of public right of way	<u>-N</u>	<u>-N</u>	<u>-N</u>

446 **10-4-15: BILLBOARD STANDARDS:**

447 **A. Location Notes:**

- 448 1. ~~1.~~ Billboards may only be erected along a highway which is an interstate. No
449 ~~sign billboard~~ may be erected more than 100 feet on the perpendicular from the
450 edge of the right of way of an interstate ~~highway or primary highway~~, except
451 where a ~~noncontrolled highway or~~ railroad right of way runs contiguous and
452 adjacent to the edge of the ~~controlled highway interstate~~. The 100 foot corridor
453 shall then be measured from a point on the perpendicular not to exceed 200 feet
454 from the edge of the right of way of the interstate ~~highway or primary highway~~. In
455 no case may the outer edge of the corridor exceed 350 feet from the ~~controlled~~
456 ~~interstate~~ right of way.
- 457 2. No billboard may be erected closer than 500 feet from an interstate highway
458 interchange.
- 459 3. No billboard may be erected within 1,500 feet of another billboard.
- 460 4. Billboards subject to relocation provided within State Code or interstate highway
461 expansion may be located in locations closer than 1,500 only by agreement and
462 as approved by the City Council.
- 463 5. Billboard signs may not extend over any street right of way and shall be setback
464 a minimum of five (5) feet from the right of way line.
- 465 6. Billboard signs shall have a minimum separation distance of ten (10) feet from
466 any structure or building.

467 **B. Height:**

- 468 1. The maximum height of a billboard shall be forty-five (45) feet above existing
469 grade. If the interstate, which is within one hundred (100) feet of the billboard
470 measured from the interstate at the point at which the billboard is perpendicular
471 to said interstate, is on a different grade than the billboard, then the highest point
472 of the billboard may be twenty-five (25) feet above the pavement elevation or any
473 barrier wall at that location of the interstate.

474 **C. Size:**

- 475 1. Maximum sign area for a billboard shall be six hundred seventy-two (672) square
476 feet in area, sixty (60) feet in width or twenty (20) feet in height.

477 **D. Lighting:** Lighting shall be confined to the sign face of a billboard and not illuminate
478 the night sky. Electronic signs shall conform to the provisions provide in Section 10-
479 4-17.

480 **10-4-16: ON PREMISE INTERSTATE SIGNS:**Additional Provisions:

481 A. 1.—On premise interstate signs shall be permitted Notwithstanding the above, for
482 any property that: a) is within the S-3 overlay zoning district, and b) has at least on
483 properties with a minimum of four hundred (400) linear feet of frontage along
484 Interstate Highways 15 or 215, shall be permitted to construct one (1) on premises
485 interstate sign.

486 B. The with maximum sign area shall not to exceed three hundred (300) square feet.

487 C. No on premise interstate sign may be located greater than fifty (50) feet from the
488 interstate right of way line and no closer than five (5) feet of the interstate right of
489 way line.

490 D. The maximum height of an on premise interstate sign shall be forty-five (45) feet
491 above existing grade. If the interstate within one hundred (100) feet of the sign,
492 measured from the interstate at the point at which the sign is perpendicular to said
493 interstate, is on a different grade than the sign, then the highest point of the sign
494 may be twenty-five (25) feet above the pavement elevation or any barrier wall at that
495 location of the interstate.

496 E. Only businesses located and licensed upon the premise may be advertised on an on
497 premise interstate sign.

498 F. Lighting: Lighting shall be confined to the sign face of the sign and not illuminate the
499 night sky. Electronic signs shall conform to the provisions provided in Section 10-4-
500 16.

501 **10-4-17: ELECTRONIC SIGNS:**

502 2.—The following regulations shall apply to all electronic message signs:

503 A. a.—An electronic message sign shall only be constructed as part of a
504 permitted freestanding (pole), wall, or monument sign.

505 B. b.—An electronic message sign shall not be constructed in a location
506 that interferes with a regulatory device, as determined by the city engineer.

507 C. e.—An electronic message sign shall be equipped with a sensor or
508 other device that automatically determines the ambient illumination and must be
509 programmed to automatically dim according to ambient light conditions.

510 D. d.—Additional conditions may be imposed by the planning commission
511 including hours of sign operation or setbacks from property lines to mitigate the
512 impacts on nearby residential properties, to protect critical viewsheds as
513 established in the general plan, or to prevent potential traffic hazards.

514 E. e.—Duration of each display shall be a minimum of 8 seconds.

515 F. f.—Transition time between messages shall be no greater than 3
516 seconds.

517 G. g.—An electronic message sign shall only be constructed in a location
518 and in a manner permitted by this title.

519 (Ord. 04-1, 2-17-2004; amd. Ord. 05-10, 7-12-2005; Ord. 2016-04, 3-15-2016)

520 **10-4-18: SIGNS PROHIBITED ON PUBLIC PROPERTY:**

521 Signs are not permitted on public property, within the public right of way, or above the
522 public right of way without express license from the ~~city~~City council or and state
523 department of transportation, as applicable. Also note that signs are not permitted in the
524 residential districts, except as expressly described in these regulations. (Ord. 04-1, 2-
525 17-2004; amd. Ord. 05-10, 7-12-2005)

526 **10-4-14: DEFINITIONS:**

527 ~~The following words and phrases used in this chapter shall have the following meaning~~
528 ~~unless a different meaning clearly appears from the context:~~

529 ~~INTERCHANGE OR INTERSECTION: Any area and its approach where traffic is~~
530 ~~channeled off or onto an interstate route, excluding the deceleration lanes,~~
531 ~~acceleration lanes or feeder systems, from or to another federal, state, county, city~~
532 ~~or other route.~~

533 ~~MAIN TRAVELED WAY: The through traffic lanes, including auxiliary lanes,~~
534 ~~acceleration lanes, deceleration lanes and feeder systems, exclusive of frontage~~
535 ~~roads and ramps. For a divided highway, there is a separate main traveled way for~~
536 ~~the traffic in each direction.~~

537 ~~POINT OF WIDENING: The point of the gore or the point where the intersecting lane~~
538 ~~begins to parallel the other lanes of traffic, but the point of widening may never be~~
539 ~~greater than two thousand six hundred forty feet (2,640') from the centerline of the~~
540 ~~intersecting highway of the interchange or intersection at grade. (Ord. 05-10, 7-12-~~
541 ~~2005)~~

542 **10-4-19: FREE SPEECH ZONE:**

543 A. Establishment: The mayor, or designee, may establish a content neutral free speech
544 zone for any event which the establishment of a free speech zone would serve a
545 substantial government interest such as traffic flow, crowd control or public safety on
546 public property. All free speech zones established shall be content neutral and
547 appropriately marked as a free speech zone. All free speech zones shall provide
548 ample opportunity for protestors to communicate their messages and be of ample
549 size to accommodate the number of persons reasonably anticipated that will
550 exercise the free speech rights during the event.

551 B. Designation of Area and Duration: For each event in which a free speech zone has
552 been designated, the City shall make available to the public at least twenty four (24)
553 hours before the event a map and description of the location of the event,
554 boundaries of the event, location of the free speech zone, boundaries of the free
555 speech zone, the hours of the regulations on free speech, and any other restrictions.
556 The free speech zone, duration of the protest regulations, and other restrictions shall
557 be narrowly tailored to meet the legitimate government interest of crowd control,
558 traffic control, or public safety.

559 C. Definitions:

- 560 1. Free Speech Zone: The area in which protesting is allowed.
- 561 2. Protest: Any demonstration, picketing, speechmaking, marching, vigil or religious
562 service, and all other like forms of conduct which involve the communication or
563 expression of views or grievances.
- 564 3. Unlawful Protest: Protest at an event designated with a designated free speech
565 zone, except in the designated free speech zone or use of sound amplification
566 devices at any event that the mayor has restricted or prohibited the use of such
567 mechanical or sound amplification devices.

568 D. Restrictions: In any area designated as a free speech zone area, protestors may not
569 engage in activities that obstruct or impede pedestrians or vehicles or harass
570 bystanders with physical contact. Protestors may not tie, nail, or otherwise physically
571 attach any banners, signs, pictures, instructional materials, symbols, or other
572 personal property to any City property or private property.

573 E. Sound Amplification Devices: The City may restrict or prohibit the use of mechanical
574 loudspeakers or sound amplification devices in the free speech zone, including, but
575 not limited to, megaphones, bullhorns, and electric amplifiers, if determined that the
576 use of sound amplification devices will substantially interfere with the event or will
577 substantially interfere with crowd control, traffic control, or public safety and that the
578 protestors have a reasonable opportunity to communicate their message without
579 sound amplification.

580 F. Penalties: A person is guilty of unlawful protest for refusing to comply with the lawful
581 order of the police to protest in the free speech zone or for refusing to comply with
582 the lawful order of the police regarding the use of any mechanical loudspeaker or
583 sound amplification device at an event for which such use has been restricted or
584 prohibited. Unlawful protest is a class C misdemeanor, which offense is punishable
585 by imprisonment for a term not to exceed ninety (90) days and a fine not exceeding
586 seven hundred fifty dollars (\$750.00) or by both the fine and the term of
587 imprisonment, if the offense continues after a request by the police to desist.
588 Otherwise, unlawful protest is an infraction, which offense is punishable by a fine in
589 an amount not exceeding seven hundred fifty dollars (\$750.00).

1 CITY OF NORTH SALT LAKE
2 PLANNING COMMISSION MEETING
3 CITY HALL-10 EAST CENTER STREET, NORTH SALT LAKE
4 FEBRUARY 25, 2025

5
6 **DRAFT**
7

8 Commission Chair Larson called the meeting to order at 6:30 p.m.
9

10 PRESENT: Commission Chair BreAnna Larson
11 Commissioner Ron Jorgensen
12 Commissioner Johnathan Marsh
13 Commissioner Irene Stone via Zoom
14 Commissioner Brandon Tucker
15 Commission Vice Chair William Ward
16

17 EXCUSED: Commissioner Ryan Holbrook
18

19 STAFF PRESENT: Sherrie Pace, Community Development Director; Caden Baines, Planning
20 Intern.
21

22 OTHERS PRESENT: Dee Lalliss, Mont Mickleson, Herb Henderson, Martin Campbell,
23 residents.
24

25 1. PUBLIC COMMENTS
26

27 There were no public comments.
28

29 2. PUBLIC HEARING: CONSIDERATION OF AN AMENDMENT MODIFYING TITLE
30 10, CHAPTER 11 LAND USE TABLE; CHAPTER 1, GENERAL AND
31 SUPPLEMENTARY PROVISION; CHAPTER 19, SPECIFIC USE STANDARDS;
32 AND CHAPTER 4, SIGNS
33

34 Sherrie Pace provided information on noise decibels per the last Planning Commission meeting.
35 She shared that continued overexposure of sound at 85 dBA was harmful to the human ear. She
36 said while the Federal Noise Control Act coordinated research and provided public information,
37 the State and local governments had the primary responsibility to regulate noise
38 emission/reduction. She noted the World Health Organization noise level guidelines to protect
39 against unwanted noise:
40

- 41 • moderate annoyance not to exceed 50 dBA
- 42 • seriously annoyed not to exceed 55 dBA
- 43 • nighttime/outdoor levels not to exceed 45 dBA

44

45 Ms. Pace reviewed a decibel sound level chart and gave examples: a clothes dryer (60 dBA),
46 vacuum cleaner (80 dBA), pickleball court (40-70 dBA), truck backup alarm (97-112 dBA), etc.
47 She mentioned that truck backup alarms were required by OSHA but said alternatives were white
48 noise focused pulse. She shared the distance and sound rule and gave the example of a 97 dBA at
49 a distance of one foot from the source would be 57 dBA at 100 feet from the source. She
50 provided ordinance recommendations:

51

52 Needs to be Defined:

- 53 • Unit of measure “A-weighted sound pressure level”
- 54 • ”Noise”: -sound which annoys or disturbs humans or is unwanted and causes adverse
55 psychological effect
- 56 • “Noise disturbance”-any sound which endangers or injures the health of humans or
57 disturbs a reasonable person of normal sensitivities

58

59 Ambient noise (differentiating background)

- 60 • Establishing maximum noise levels for fixed delineated areas within the community,
61 which are related to particular zoning classifications and time periods;
- 62 • Including in the ordinance’s definition of “ambient noise level” a provision for onsite
63 determination; and
- 64 • Establishing quantitative noise levels in relation to the ambient noise level

65

66 Specific prohibited acts, if they create a noise disturbance:

- 67 • Radios
- 68 • Television sets
- 69 • Musical instruments
- 70 • Loudspeakers
- 71 • Animals
- 72 • Loading operations
- 73 • Construction
- 74 • Horns and signaling devices

75

76 Noise level restrictions for:

- 77 • Designated times
- 78 • In specific land use zones

79

80 Ms. Pace shared the Ogden City noise ordinance which included standards for measuring
81 (humidity, wind, etc.) and reporting (ambient noise, date, time, location, etc.). She then made the
82 following suggestions to the City ordinance:

83 Specific Use Standards:

- 84 • Limit most uses to 55 dBA at the property line
- 85 • Increase setbacks for uses that produce noise
- 86 • Landscape buffers
- 87 • Hours of operation

88

89 Future:

- 90 • Update City Noise Ordinance in Title 4 similar to Ogden ordinance

91

92 Chair Larson asked about music at City events. Sherrie Pace spoke on regulations such a limiting
93 the time of day, exemptions for City events (firework show), and location of speakers adjacent to
94 residential areas.

95

96 Commissioner Tucker commented that the City should implement the noise ordinance prior to
97 the UDOT I-15 reconstruction. He mentioned that the City's noise ordinance would apply to
98 State construction contracts.

99

100 Sherrie Pace reviewed specific use standards:

- 101 • 50 dBA (outdoor music at amusement centers)
- 102 • 55 dBA (athletic clubs, reception centers, drive thru speakers, manufacturing, animal
103 care)
- 104 • 65 dBA ("quiet" food truck generators)

105

106 Sherrie Pace asked for feedback on Chapter 10 and whether amusements centers (axe throwing,
107 escape room, arcade) and general office (service related) should be allowed in the Commercial
108 Shopping (CS) zone with size restrictions.

109

110 Commissioner Marsh asked about size restrictions. Sherrie Pace recommended restrictions of
111 under 5,000 square feet.

112

113 Commissioner Stone questioned limiting similar uses or the type of use in the CS zone. Sherrie
114 Pace responded that those restrictions may seem unfair or limiting.

115

116 Sherrie Pace then reviewed Chapter 19- Specific Use Standards and clarified existing language,
117 proposed changes, and changes since the last meeting. She detailed the changes and updates
118 including parking standards, food truck requirements (signage, parking, authorization, food truck
119 parks), and restaurants/coffee shop (drive thru standards). She noted the addition of language
120 related to hazard mitigation to manufacturing areas as recommended by Commissioner
121 Jorgensen. She said other additions to manufacturing included not emitting discernable odors,
122 limiting access, and physical restrictions to unauthorized individuals. Ms. Pace shared that the
123 hazard mitigation requirements were also added to refineries, exterminating/pest control,
124 janitorial, laundry and linen supply services, energy and distribution storage facilities, and
125 pipeline distribution and facilities. She also noted additions to pet services, accessory dwelling
126 units (ADU), short term rentals, gas stations, daycare, cellular towers, sewage treatment
127 facilities, waste remediation services, and warehousing facilities.

128
129 Commissioner Marsh mentioned multifamily short term rentals and the proposal to limit this to
130 ten units at 50%. He suggested that rather than a cap that there be a requirement for 80% AMI
131 units long term rentals and to let the market determine this while providing adequate housing
132 stock. Sherrie Pace commented that this may be difficult to regulate or enforce.

133
134 Sherrie Pace reviewed Chapter 4, Signs including prohibited signs (animated, feather, balloon,
135 snipe, changeable, trailer, attached to poles or other, etc.) and permitted signage (wall, window,
136 pole, pylon, low profile, monument).

137
138 **Chair Larson opened the public hearing at 7:27 p.m.**

139
140 Mont Mickleson, resident, addressed short term rentals (STR) and how they impacted
141 neighborhoods. He mentioned unintended consequences and what benefits there would be in
142 allowing STR in the City. He said issues included complaints related to STR that weren't being
143 addressed by the City, lack of background checks, frequent turnover, nuisances, and changing the
144 feel of a neighborhood.

145
146 Chair Larson commented on the potential issues of short term rentals including noise, parking,
147 owner notification and that implementing City code regulations related to STR would allow for
148 code enforcement, etc.

149
150 Sherrie Pace noted that there would continue to be short term rentals in the City whether they
151 were allowed or not. She said regulation would allow for identification, better code enforcement,
152 and rules for operation.

153

154 Herb Henderson, resident, commented that he had been unable to reach staff on the telephone.
155 Sherrie Pace provided him with information to more easily access staff.

156
157 Mont Mickleson questioned when the City Council would review or approve the short term
158 rental recommendation. Sherrie Pace replied that the Planning Commission would further review
159 the topic on March 11th and staff tentatively proposed that the item would be reviewed by the
160 City Council on March 18th.

161
162 Dee Lalliss, resident, commended staff on modifying City code. He then spoke on short term
163 rentals and said they were usually processed through companies such as Airbnb and Vrbo. He
164 shared that the difference between short and long term rentals was price and length of time. He
165 noted the need for regulation and how fines could help ensure better rentals.

166
167 Mont Mickleson commented that he was not against short term rentals but in allowing them
168 retroactively as well as other types of rentals that may change the neighborhood.

169
170 **Chair Larson closed the public hearing at 8:02 p.m.**

171
172 Commissioner Jorgensen thanked those who provided public comment. He spoke on providing
173 enforcement and restrictions related to short term rentals and requested additional information on
174 the code section.

175
176 Commissioner Marsh questioned the minimum size and location of community gardens. Sherrie
177 Pace replied that staff did not feel there should be a minimum lot size and could be utilized for
178 parcels that did not meet the minimum size. She said that the community garden could be
179 allowed in residential and commercial zones.

180
181 The Commission was in favor of not having a minimum lot size for a community garden.

182
183 **3. REPORT ON CITY COUNCIL ACTIONS ON ITEMS RECOMMENDED BY**
184 **PLANNING COMMISSION**

185
186 Sherrie Pace reported on the authorization to apply for a \$250,000 grant from Utah Outdoor
187 Recreation for recreation facilities. She noted that if the City was awarded the fund that it would
188 be used towards pickleball courts. She said the City Council also approved the recommendation
189 from the Parks and Arts Board to establish a mural program in the City. She mentioned that a
190 public hearing was scheduled for March 4th City Council meeting related to the railroad quiet
191 zone. She shared the reason why the original quiet zone had been removed.

192

193 4. APPROVAL OF MINUTES

194

195 The Planning Commission meeting minutes of February 11, 2025 were reviewed and approved.

196 **Commissioner Jorgensen moved to approve the meeting minutes for the February 11, 2025**

197 **Planning Commission meeting as drafted. Commissioner Marsh seconded the motion. The**

198 **motion was approved by Commissioners Jorgensen, Larson, Marsh, Stone, Tucker, and**

199 **Ward.** Commissioner Holbrook was excused.

200

201 5. ADJOURN

202

203 Commission Chair Larson adjourned the meeting at 8:23 p.m.

204

205 *The foregoing was approved by the Planning Commission of the City of North Salt Lake on*

206 *Tuesday, March 11, 2025 by unanimous vote of all members present.*

207

208

209

210 _____
Wendy Page, City Recorder

PLANNING COMMISSION MEETING

March 11, 2025

6:30 p.m.



CITIZEN COMMENT

PUBLIC HEARING

Plat Amendment

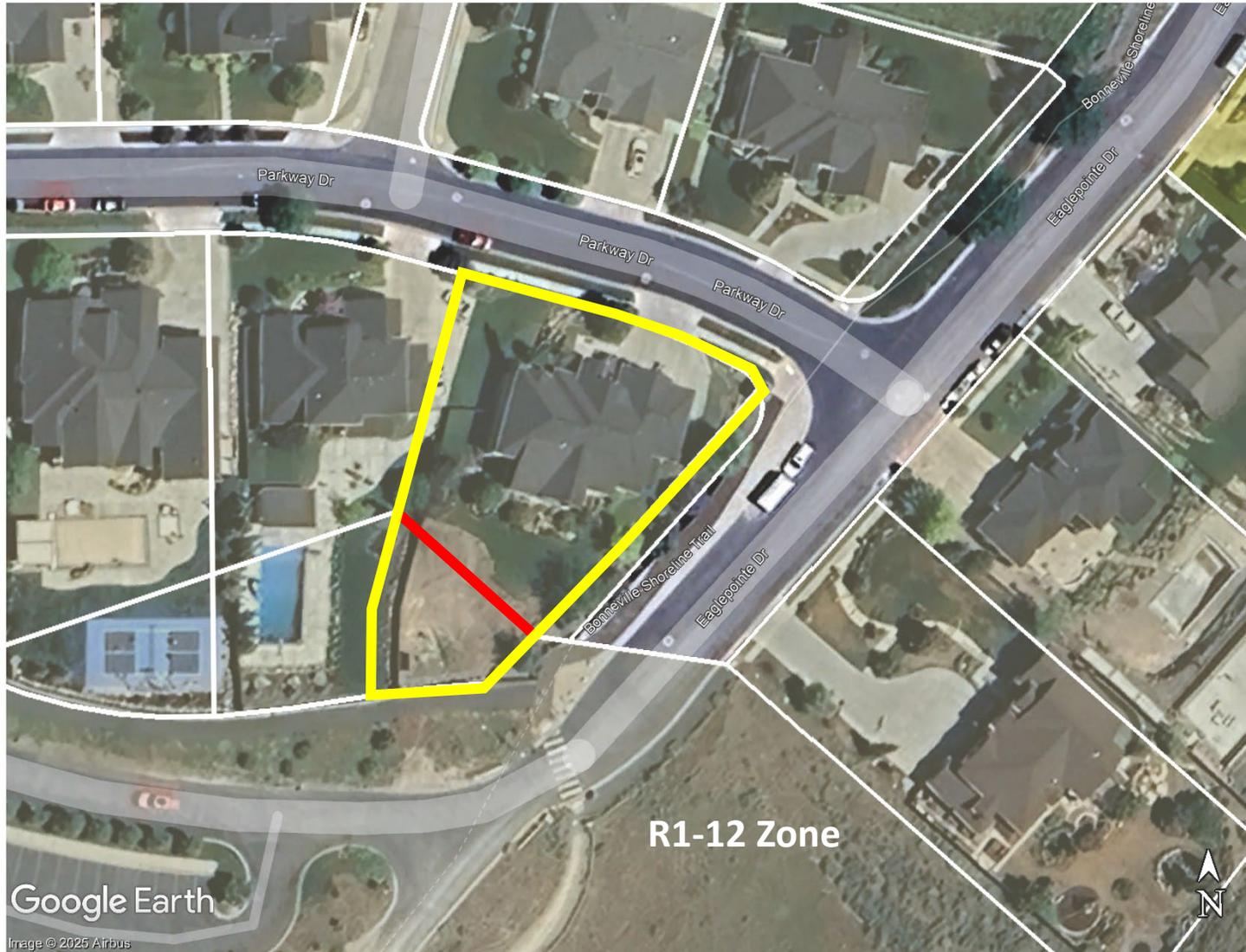
Lot 1511, Eaglepointe Estates Ph. 15

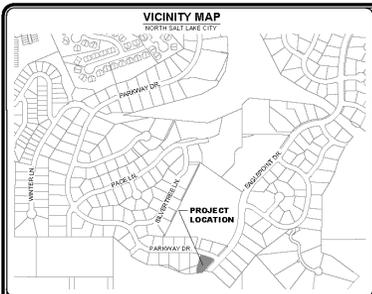
1030 South Parkway Drive

Kami Weston



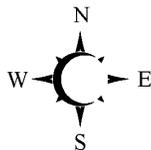
Plat Amendment
Lot 1511, Eaglepointe Estates Ph. 15
1030 South Parkway Drive
Aerial/Zoning





EAGLEPOINTE ESTATES PHASE 15 - LOT 1511 AMENDED

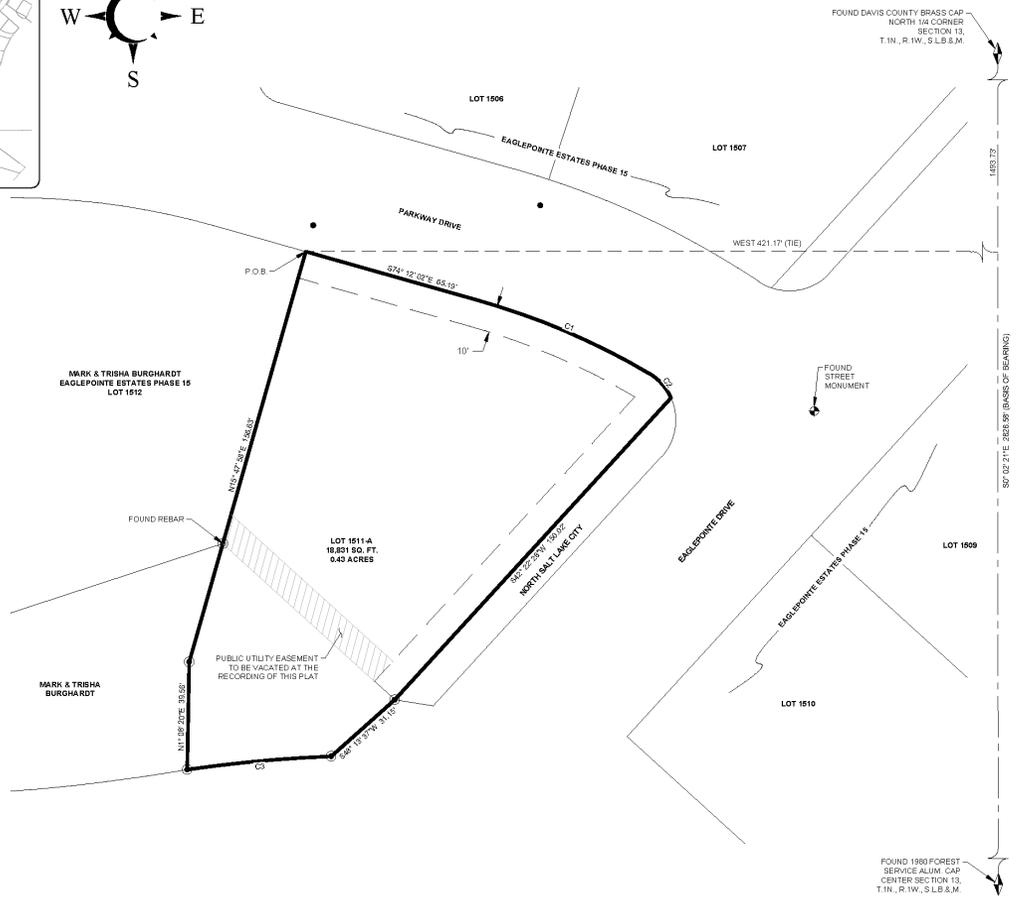
LOCATED IN THE NORTHWEST QUARTER OF SECTION 12,
TOWNSHIP 4 SOUTH, RANGE 21 EAST
SALT LAKE BASE AND MERIDIAN.



- LEGEND**
- = FOUND SECTION CORNER
 - = SE 1/4 REBAR AND CAP L.S. 7173588
 - = EXISTING PROPERTY CORNER
 - = EXISTING STREET MONUMENT
 - = EXISTING PLUG
 - = SECTION LINE
 - = PROPERTY LINE
 - = ADJACENT PROPERTY LINES
 - = PUBLIC UTILITY EASEMENT
 - = VACATED PUBLIC UTILITY EASEMENT

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	68.58	295.27	14° 45' 45"	S66° 47' 39"E	68.39
C2	12.34	20.00	36° 20' 06"	S41° 42' 51"E	12.14
C3	53.00	523.80	0° 47' 52"	S84° 40' 39"W	52.98

- NOTES**
- APPROVAL OF THIS SUBDIVISION PLAT BY NORTH SALT LAKE CITY DOES NOT CONSTITUTE ANY REPRESENTATION AS TO THE ADEQUACY OF SUBSURFACE SOIL CONDITIONS OVER THE LOCATION OF DEPTH OF GROUND WATER TABLE.
 - NOTES FROM EAGLEPOINTE ESTATES PHASE 15, EN TRY NO. 2272420, DAVIS COUNTY RECORDER, ARE APPLICABLE TO THIS PLAT.



SURVEYOR'S CERTIFICATE

I, DAN E. KNOWLDEN, JR. DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 7173588 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, TOGETHER WITH EASEMENTS, HEREINAFTER TO BE KNOWN AS **EAGLEPOINTE ESTATES PHASE 15 - LOT 1511 AMENDED** AND THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.

(SEE SEAL BELOW)

BOUNDARY DESCRIPTION

BEGINNING AT A POINT SOUTH 09°02'21" EAST 1493.73 FEET ALONG THE QUARTER SECTION LINE AND WEST 421.17 FEET FROM THE NORTH QUARTER CORNER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, RUNNING THENCE SOUTH 14°12'02" EAST 65.18 FEET, THENCE ALONG THE ARC OF A 265.27 RADIUS CURVE TO THE RIGHT 68.58 FEET (CHORD BEARS SOUTH 66°47'39" EAST 68.39 FEET), THENCE ALONG THE ARC OF A 20.00 RADIUS CURVE TO THE RIGHT 12.34 FEET (CHORD BEARS SOUTH 41°42'51" EAST 12.14 FEET), THENCE SOUTH 42°22'06" WEST 160.02 FEET, THENCE SOUTH 48°19'37" WEST 31.15 FEET, THENCE ALONG THE ARC OF A 523.80 RADIUS NON-TANGENT CURVE TO THE LEFT 53.00 FEET (CHORD BEARS SOUTH 84°40'39" WEST 52.98 FEET), THENCE NORTH 01°08'20" EAST 39.56 FEET, THENCE NORTH 16°47'58" EAST 156.63 FEET TO THE POINT OF BEGINNING.

NARRATIVE

VALLEY LAND SURVEYING WAS CONTRACTED BY RAUL WESTON TO COMBINE LOT 1511 EAGLE POINTE ESTATES PHASE 15 WITH AN ADJACENT PARCEL PURCHASED FROM NORTH SALT LAKE TO CREATE 1 LOT. THE RECORD LOCATION FOR EAGLE POINT PHASE 15 WAS MOVED (NO ROTATION) SOUTH 43°06'39" EAST 0.90 FEET FROM THE NORTH QUARTER CORNER TO FIT EXISTING PROPERTY CORNERS AND CENTERLINE MONUMENTS THAT WERE FOUND WHILE DOING THE FIELD WORK. THE BASIS OF BEARING FOR THIS SURVEY IS SOUTH 09°02'21" EAST BETWEEN THE NORTH QUARTER AND THE CENTER QUARTER CORNER OF SECTION 13 AS SHOWN.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED IS THE OWNER OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY GIVES THE SAME TO BE DIVIDED INTO LOTS AND PARCELS, AND STREETS TOGETHER WITH EASEMENTS AS SET FORTH TO BE HEREINAFTER KNOWN AS

EAGLEPOINTE ESTATES PHASE 15 - LOT 1511 AMENDED

AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL RIGHTS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

EXECUTED THIS _____ DAY OF _____, 2020

BY: RAULK WESTON _____ BY: KAMIL WESTON _____

ACKNOWLEDGEMENT

State of Utah)
County of Utah)

ON THE _____ DAY _____, 20____, PERSONALLY APPEARED BEFORE ME, RAULK, & KAMIL WESTON, WHO DULY ACKNOWLEDGE TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH _____

SURVEYOR'S SEAL: Dan E. Knowlden, Jr., 7173588
CITY/COUNTY ENGINEER SEAL: _____
CLERK/RECORDER SEAL: _____

PROJECT # VA 1089
DESIGNER: DEK
DATE: 10/21/2024
SCALE: HORIZ: 1"=20'

PROJECT NAME:
EAGLEPOINTE ESTATES PHASE 15 - LOT 1511 AMENDED

PROJECT LOCATION:
**1030 SOUTH PARKWAY DRIVE
NORTH SALT LAKE, UTAH**

SHEET TITLE: **FINAL PLAT DRAFT** SHEET: **1 of 1**

RECOMMENDED FOR APPROVAL:
RECOMMENDED THIS _____ DAY OF _____, 2024.
BY: _____
CITY OF NORTH SALT LAKE ATTORNEY

RECOMMENDED FOR APPROVAL:
RECOMMENDED THIS _____ DAY OF _____, 2024.
BY: _____
CITY OF NORTH SALT LAKE ENGINEER

CITY COUNCIL'S APPROVAL
PRESENTED TO THE CITY COUNCIL OF THE CITY OF NORTH SALT LAKE, UTAH, ON THIS _____ DAY OF _____, 2024 AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.
CITY RECORDER ATTEST: _____
MAYOR: _____

DAVIS COUNTY RECORDER
ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD & RECORDED THIS _____ DAY OF _____, 2024
AT TIME _____ IN BOOK _____ OF OFFICIAL RECORDS PAGE _____
DAVIS COUNTY RECORDER _____ BY: DEPUTY RECORDER _____

Code Amendment

Title 10

Chapter 11 Land Use Table

Chapter 1 General and Supplementary Provisions

Chapter 19 Specific Use Standards

Chapter 4 Signs

Short Term Rental History:

- ORD2019-02 adopted March 19-2019
 - Legislature required cities to adopt standards, doing nothing would make the permitted without standards
 - Previously the code didn't have any regulations for STRs
 - Concurrent with Accessory Dwelling Units as a strategy for affordable housing options and to get existing basement apartments licensed, permitted, and accounted for Census
 - No amendments to date
- Current Ordinance
 - Owner Occupancy 180 days/year
 - Max. 45 days
 - Additional parking
 - HOA approval as applicable
 - Urgent Response Contact
 - Property Maintenance
 - Noise and Nuisance Control
 - Max Occupancy
 - Violations escalate

Short Term Rentals

- Proposed Amendments
 - Allow in apartments without owner occupancy
 - 50% of units, with max 10 units
 - Max occupancy 45 days (Chief of Police has requested change to 30 days to be consistent with state code)
 - Urgent Contact
 - New penalties for Noise
 - 3 or more verified noise complaints the license can be revoked
 - Failure to respond to report of noise complaint within 2 hours can be revoked
 - Process for revoking a license by staff with appeal process to hearing officer

Short Term Rentals

- Pros:
 - Licensing (we know where they are and have urgent contact info)
 - Better maintenance than long term rentals (unit turnover, cleaners), less wear and tear
 - Transient Room Tax Collection
 - Tenants and hosts are vetted on platforms, private information remains private unless there is an issue
- Cons
 - Loss of dwelling unit inventory
 - Conflicts with neighbors, parking, trash, noise

ACTION UPDATE

MINUTES

ADJOURN

Mont J. Mickelson Jr.
987 Eagle Way
North Salt Lake, Ut 84054
Phone: 801-671-9698

Planning Commissioners
North Salt Lake City Offices
10 East Center St.
North Salt Lake, Ut. 84054

Re: Short term apartment rental code amendment

Dear Planning Commissioners:

Having attended the last planning commission meeting it seemed to me that there was an implicit direction towards liberalizing the existing apartment code in favor of short term apartment rentals. The motivation behind such a change escapes me. Certainly the intent would not be to provide more affordable housing because changing the code would result in the reduction of the number of affordable apartments and prospective affordable apartments. The statement was made in the meeting that there are a number of "shadow" short term rentals within the city that are not properly licensed. The implication being that licensure would increase city funds and bring illegal "shadow" short term rentals into compliance by making the illegal, legal, by virtue of the code change. **It was suggested that the State has made documentation of the illegal "shadow" short term rentals too onerous resulting in the inability of cities to provide effective oversight. Is that how governments should govern, by code changes to reward illegality because enforcement is not convenient? Let's not make code changes to make the illegal, legal!**

It was suggested that upon the approval of short term rentals oversight of them would be easier because there would be a triggering cap enforced of three police visits to the short term rentals after which licensure thereof would be threatened or revoked. If it takes three visits to document short term lease violations before enforcement action is taken, why not have law enforcement similarly document current "shadow" short term rental violations in their reports by simply asking the violators if they are on a short term rental agreement and documenting the answer in the police report hopefully satisfying the State's documentation requirements or, for example, why not do what the federal Department of Housing and Urban Development (HUD) does to enforce discrimination laws against landlords? They have "secret shoppers" calling on advertisements for vacant apartments, posing as prospective renters, asking if they rent to people with service animals? If they answer in the negative, egregious enforcement action is taken resulting in hearings and severe financial penalties.

Surely, there are other options to meet the State's documentation requirements for existing "shadow" short term rental violations which should be given consideration. With proper due diligence, methods confirming existing violations could be identified and enforced thereby enabling the preservation of the current codes without painting with a broad brush having a city wide effect. Enforcement should not be a single event but should consist of constant oversight and follow up. Enforcement diligence will result in bringing "shadow" short term rentals into compliance.

The motivation of our city leaders should not be the collection of licensing fees or to justify illegal operations because it is too difficult to document violations. Most of us chose to live in the city because of the wonderful quality of life. Let's not degrade that quality by changing the status quo which will lead to the day when we will rue poor decisions. Let us be forward thinking and forward looking in determining the long term effects of change to ensure the preservation of our neighborhoods maintaining the safety and quality of life to which we are accustomed. **Let us not approve a code change which will be in conflict with long established CC&Rs and HOA covenants.**

Approval of the proposed code will result in a detrimental effect on our quality of life rather than ensuring our current quality of life. **We will be better off by leaving short term rentals to Motel 6 or Residence Inn by Marriott etc..** We should not yield to the requests of those property owners who seek to increase financial yields rather than to provide quality long term housing in our established neighborhoods. Let us embrace and strengthen our neighborhoods by keeping them safe and ensuring their existence from the destabilizing effect of short term rentals. Safety should be ensured in our neighborhoods in which our children live, play and walk to school.

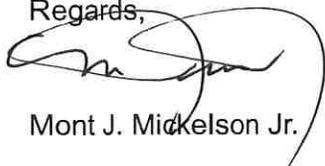
The constant turnover in short term rentals occupied by transient renters who we do not know and who we will never know since they move out too quickly, and for whom no criminal history report is checked, jeopardizes the safety of children who are constantly walking to and from school in a dedicated path specifically for that purpose. That pathway is located between 918 W. 4100 So. and Odell Lane.

Is it the intent of the proposed code to streamline enforcement by empowering city government to aberrate the planning decisions of our city's founders to make our city what it is today by establishing "family" neighborhoods, with safe long term housing? **Is there some advantage, to our established neighborhoods, to validate short term rentals? Is it possible to anticipate all of the unintended consequences of this proposed code change? After our neighborhoods are degraded by "short term rentals" is it possible to put the horse back in the stable by reversing the code change?**

Perhaps further consideration of the motivation of the proposed code change should be further defined. Perhaps further thought should be considered to enforce existing "shadow" short term rentals. Perhaps we should leave short term rentals to companies who are already licensed to provide those services. Perhaps we should concentrate on providing more affordable housing to those who live in our community rather than shifting our emphasis to providing short term housing to those who have no attachments to our community. Perhaps the consideration of a code change authorizing "short term" rentals should be dismissed altogether.

Nonetheless, having so stated, the time and sacrifice that each of you devote in serving our city is deeply appreciated!

Regards,



Mont J. Mickelson Jr.