

1 WEST VALLEY CITY, UTAH
2 ORDINANCE NO. _____

3 Draft Date: 12/31/2019

4 Date Adopted: _____

5 Date Effective: _____

6
7 AN ORDINANCE ENACTING SECTION 7-6-210.5 AND
8 AMENDING SECTIONS 7-1-103, 7-5-101, 7-6-101, 7-6-201, 7-6-
9 202, AND 7-11-214 OF THE WEST VALLEY CITY
10 MUNICIPAL CODE TO CREATE THE RESIDENTIAL
11 SUSTAINABILITY ZONE.

12
13 WHEREAS, Title 7 of the West Valley City Municipal Code establishes regulations
14 concerning the use and development of land throughout the City; and

15 WHEREAS, the City desires to create additional options for development of
16 environmentally friendly, sustainable, and energy efficient housing; and

17 WHEREAS, the City desires to amend certain related regulations to accommodate the
18 creation of a zone dedicated to such housing; and

19 WHEREAS, the City Council of West Valley City, Utah does hereby determine that it is
20 in the best interests of the health, safety, and welfare of the citizens of West Valley City to enact
21 Section 7-6-210.5 and amend Sections 7-1-103, 7-5-101, 7-6-101, 7-6-201, 7-6-202, and 7-11-214
22 of the West Valley City Municipal Code;

23 NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City,
24 Utah as follows:

25 **Section 1. Repealer.** Any provision of the West Valley City Municipal Code found
26 to be in conflict with this Ordinance is hereby repealed.

27 **Section 2. Enactment.** Section 7-6-210.5 of the West Valley City Municipal Code is
28 hereby enacted as follows:

29

30 **7-6-210.5 SPECIFIC REQUIREMENTS – RS ZONE.**

31 The following requirements are applicable within the RS zone:

32 (1) The maximum district size for the RS zone shall be 5 acres.

33

34 (2) No property shall be rezoned to the RS zone without a development agreement that includes
35 the following requirements as minimum standards:

36

37 a. All homes shall include a Tesla Solar Roof that generates all of the electricity needs
38 of the house.

39

40 b. All homes shall include wall insulation for all exterior walls with a minimum R-
41 Value of R-30. All homes shall include ceiling insulation for the entire ceiling with a
42 minimum R-Value of R-60.

43

44 c. For heating, all homes shall include only a high-efficiency gas furnace with an
45 Annual Fuel Utilization Efficiency (AFUE) rating of 95% or higher, radiant heating
46 or electric heating.

47

48 d. For water heating, all homes shall include only a tankless water heater.

49

50 e. All homes shall include Energy Star rated appliances only that are provided by the
51 developer or homebuilder including refrigerator, dishwasher, clothes washer and
52 clothes dryer.

53

54 f. An electric car charger shall be installed in the garage of all homes. The charger shall
55 meet or exceed the features of a Tesla Wall Connector.

56

57 g. For toilets, Bathroom faucets and showerheads, all homes shall include only
58 WaterSense fixtures.

59

60 h. Landscaping shall be installed by the developer in the Front, Side and Rear Yards and
61 shall be meet the following standards:

62

63 i. The maximum amount of lawn shall be 35%.

64

65 ii. No lawn shall be allowed in parkstrips or other areas narrower than 8 feet.

- 66
67 iii. Lawn areas shall be free of obstructions and shall not be used on slopes
68 exceeding 33 percent.
69
70 iv. An EPA WaterSense irrigation controller shall be installed.
71
72 v. Drip or bubbler irrigation shall be used in all non-lawn areas.
73
74 vi. A minimum of 4 inches mulch depth shall be used in all non-lawn planter
75 beds.
76
77 vii. Within Front Yards and Side Yards adjacent to public or private Streets, a
78 minimum of 50% live plant material shall be installed.
79
80 i. The development agreement shall include commitments on the quality of the
81 interior finishes of all homes.

82
83 (3) The minimum square footage of finished, above-ground, habitable floor space for homes
84 shall be 1,400 square feet. Basements are permitted but are not required.

85
86 (4) A 2 car garage shall be required for all new Single Unit Dwellings. The minimum interior
87 dimensions of a garage shall be 20 feet by 20 feet.

88
89 (5) Exterior materials for all new homes shall be a minimum of 80% brick. The remaining
90 20% shall be brick, stone, fiber cement siding, or stucco.

91
92 (6) The roof of each home shall have a minimum pitch of 10:12 for the main roof and 8:12
93 for subordinate roofs such as sheds and dormers.

94
95 **Section 3. Amendment.** Sections 7-1-103, 7-5-101, 7-6-101, 7-6-201, 7-6-202, and
96 7-11-214 are hereby amended as follows:
97

98 **7-1-103. DEFINITIONS.**

99 Whenever any words or phrases used in this Title are not defined herein, but are defined in related
100 sections of the Utah Code or the West Valley City Municipal Code, such definitions are

101 incorporated herein and shall apply as though set forth herein in full, unless the context clearly
102 indicates a contrary intention. Words not defined in either Code shall have their ordinarily accepted
103 meanings within the context in which they are used.

104 Unless a contrary intention clearly appears, words used in the present tense include the future, the
105 singular includes the plural, the term “shall” is always mandatory, and the term “may” is
106 permissive. The following terms as used in this Title shall have the following meanings:

107 (1) “Accessory Building” means a detached Building incidental to and located on the same
108 Lot occupied by a Primary Building and subordinate in height and area to the Primary
109 Building, but can be up to 14 feet in height.

110 (2) “Accessory Use” means a Use customarily incidental and subordinate to the Primary Use
111 or Building and located on the same Lot therewith, not including Uses which dominate in area,
112 extent, or purpose over the Primary Use or Building.

113 (3) “Agricultural Building” means a Building exempt from the Utah State Construction Code
114 pursuant to Section 15A-1-204, Utah Code Annotated 1953, as a Structure used solely in
115 conjunction with agricultural Use and not for human occupancy.

116 (4) “Agricultural Business or Industry” means the processing of raw food products by
117 packaging, treating, or intensive feeding, including but not limited to Animal feed yards, the
118 raising of fur-bearing Animals, food packaging or processing plants, and Commercial poultry
119 or egg production. Notwithstanding this subsection (4), non-Animal food processing plants
120 located in an urban renewal area or community reinvestment area in the M Zone are not
121 Agricultural Business or Industry.

122 (5) “Agricultural Zones” means the A, A-1, and A-2 zones.

123 (6) “Agriculture” means land used for the production of food through the tilling of the soil,
124 the raising of crops, or horticulture and gardening, but excluding the keeping or raising of
125 domestic Animals or fowl and Agricultural Business or Industry.

126 (7) “Airport” means any landing area, runway, or other facility designed, used, or intended
127 to be used either publicly or privately by any Person or Persons for the landing and taking off
128 of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars, and
129 other Buildings and open spaces.

130 (8) “Alcohol Establishment” means a business involved in the sale, manufacture, or
131 distribution of alcoholic beverages for retail or wholesale purposes, excluding Off-Premises

132 Beer Retailers.

133 (9) “Alcoholic Products” means all products obtained by fermentation, infusion, decoction,
134 brewing, distillation, or any other process that uses any liquid or combination of liquids,
135 whether drinkable or not, to create alcohol and that contain at least 0.63 percent alcohol by
136 volume or 0.5 percent alcohol by weight, excluding common extracts, vinegars, ciders,
137 essences, tinctures, food preparations, or over-the-counter drugs and medicines.

138 (10) “Alley” means a secondary vehicular and pedestrian access to abutting properties not
139 intended for general traffic circulation.

140 (11) “Alteration” means a physical change or addition to a site, Building, or Structure.

141 (12) “Alternative Financial Service Provider” means Car Title Loan Businesses, Check
142 Cashing Businesses, Pawnbrokers, Unchartered Financial Service Providers, and any
143 businesses or entities offering similar services.

144 (13) “Amenity” means an aesthetic, recreation, or service component integrated into a
145 Development to increase its desirability or marketability.

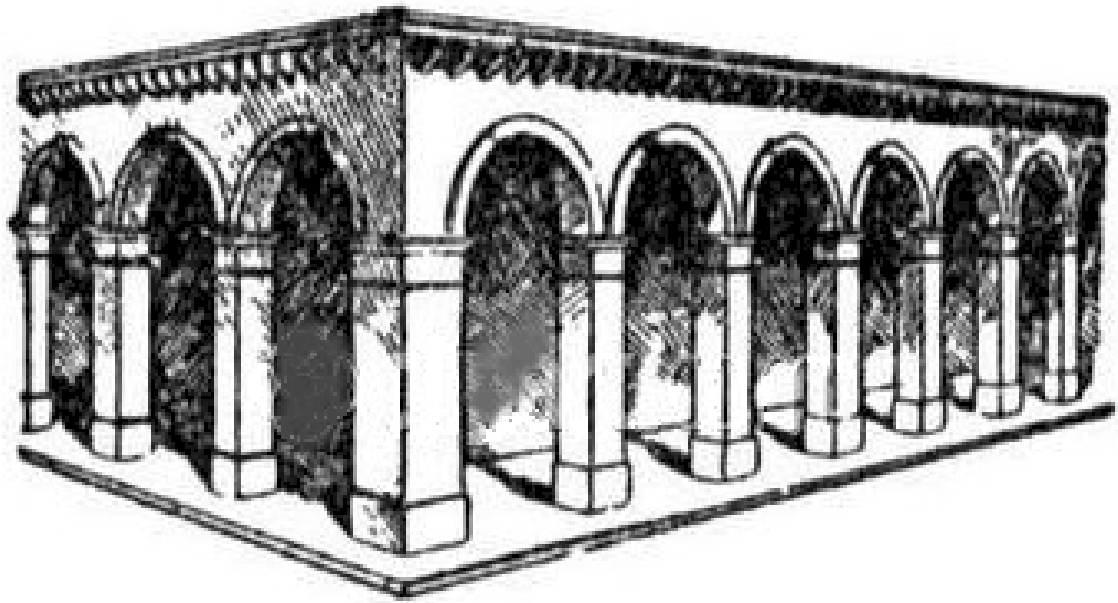
146 (14) “Animal” means any of a kingdom of living beings differing from plants in capacity for
147 spontaneous movement and rapid motor response to stimulation.

148 (15) “Animal Training” means the training of two or more Animals for compensation,
149 whether boarded on the premises or transported to the premises for training.

150 (16) “Apartments” means a Building or group of Buildings with five or more rental Dwelling
151 Units per Building. Apartments meet all of the following characteristics: (a) all Dwelling Units
152 are generally unfurnished, (b) a lease is required to stay, and (c) free housekeeping is not
153 provided for Dwelling Units.

154 (17) “Applicant” means a Person, firm, association, partnership, corporation, or any other
155 entity or combination thereof owning property or serving as agent of a property Owner and
156 requesting a modification or approval required by this Title.

157 (18) “Arcade” means a series of arches supported by columns, piers, or pillars Attached to a
158 wall to form a roofed passageway or lane as illustrated below:



159

160 (19) “Architectural Banding” means a horizontal band at least six inches thick applied to the
161 Façade of a Building, including but not limited to a change in color, texture, pattern, material,
162 or relief.

163 (20) “Arterial Street, Major” means a Street with up to seven lanes for which the principal
164 function is movement of large volumes of traffic from Collector Streets.

165 (21) “Arterial Street, Minor” means a Street with up to five lanes for which the principal
166 function is movement of traffic.

167 (22) “Artist Studio” means a place of work for an artist, artisan, or craftsman, including
168 Persons engaged in the application, teaching, or performance of the fine arts.

169 (23) “Assisted Living Facility” means Residences for the frail elderly providing rooms,
170 meals, personal care, and supervision of self-administered medication.

171 (24) “Attached” means a physical connection between Buildings or parts of Buildings,
172 including common walls or overhead roof Structures or canopies.

173 (25) “Automobile Sales, Used” means the Use of property for the display and sale of used
174 motor vehicles, including related financing services.

175 (26) “Automobile Sales, New” means the Use of property for the display and sale of new
176 motor vehicles, including related financing services and Automobile Service, and the display

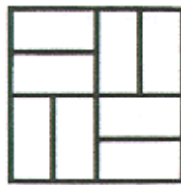
177 and sale of used motor vehicles.

178 (27) “Automobile Service” means the repair, rental, and maintenance of automobiles and
179 trucks, including but not limited to body shops, transmission shops, lube and emissions
180 centers, tire stores, car washes as a Primary Use, auto glass shops, and car rental.

181 (28) “Bail Bonds Dealer” means any individual or entity offering or facilitating bail bond
182 services, including but not limited to any individual or entity licensed as a bail bond agency
183 or producer under the Bail Bond Act or any amended or successor statute.

184 (29) “Basement” means a Story partly underground. A Basement is a Story for the purpose
185 of height measurement if over one-half of its total height is above ground.

186 (30) “Basket Weave Brick Pattern” means a pattern of bricks in which bricks alternate
187 between horizontal and vertical placement as illustrated below:



188

189 (31) “Bathroom” means a room for personal hygiene activities containing a toilet and a sink.
190 A Bathroom may also include a shower or bathtub.

191 (32) “Bedroom” means a private room planned and intended for sleeping, separated from
192 other rooms by a door, and accessible to a Bathroom without crossing another Bedroom.

193 (33) “Billboard” means a freestanding, outdoor sign if the sign is designed or intended to
194 direct attention to a business, product, or service that is not sold, offered, or existing on the
195 property where the sign is located, including any sign Structure, support, or lighting that is
196 part of, related to, or supports the sign.

197 (34) “Blade Sign” means a small, pedestrian scale sign placed at or near the top of the ground
198 floor of a building that is perpendicular to the Building Façade.

199 (35) “Block” means a unit of land bounded by Streets, with the length of the block measured
200 at the property Frontage Lot lines.

201 (36) “Blood Plasma Center” means an establishment where patrons receive compensation
202 for donating blood plasma.

203 (37) “Boarding Home” means a Dwelling Unit, or portion thereof, wherein a room or rooms
204 are rented under two or more separate written or oral rental agreements, leases, or subleases
205 or combination thereof, whether or not the owner, agent, or rental manager resides within the
206 Dwelling Unit.

207 (38) “Body Piercing” means the act of piercing any part of the body of an individual,
208 excepting the ears, for the purpose of allowing the insertion of earrings, jewelry, or similar
209 objects into the body.

210 (39) “Brew Restaurant” means a business licensed to brew and sell beer for on-premises
211 consumption in connection with a bona fide Restaurant where the revenue from the sale of
212 beer is less than 30 percent of gross revenue.

213 (40) “Brew Restaurant and Liquor Retailer” means a Brew Restaurant that also holds a liquor
214 license subject to the Alcoholic Beverage Control Act.

215 (41) “Buildable Area” means that portion of a Lot which may be developed after required
216 setbacks are deducted.

217 (42) “Building” means any Structure having a roof supported by columns or walls for the
218 housing or enclosure of Persons, Animals, or chattels.

219 (43) “Building Coverage” means the percentage of a Lot that is or can be covered by
220 Buildings.

221 (44) “Building Height” means the vertical distance from the Grade to the highest point of the
222 coping of a flat roof or to a point midway between the lowest part of the eaves or Cornice and
223 ridge of a hip or Gable Roof. In the CC zone, Building Height shall be measured as the vertical
224 distance between the lowest point of the roof and the average elevation of the corners of the
225 Building at finished Grade.

226 (45) “Building, Primary” means a principal Building or a Building housing a principal Use
227 on a Lot.

228 (46) “Bus Terminal” means any premises for the storage or parking of buses or the loading
229 or unloading of passengers, excluding public transportation service offered by a public entity.

230 (47) “Canopy” means a roofed Structure not completely enclosed by walls supported by
231 structural supports extending directly to the ground, excluding Carports.

232 (48) “Car Title Loan” means taking possession of an automobile title in exchange for
233 consideration or extension of a loan, excluding loans made by federal or state chartered banks
234 and credit unions.

235 (49) “Caretaker’s Dwelling” means a Dwelling Unit for the caretaker of an otherwise
236 nonresidential Building that is completely contained within the nonresidential Building. No
237 Caretaker’s Dwelling shall be rented, leased, or otherwise hired out. At least one occupant of
238 a Caretaker’s Dwelling shall be employed by the business and shall have on-site job
239 responsibilities.

240 (50) “Cargo Container” means a prefabricated metal Structure designed for use as an
241 individual shipping container in accordance with international standards for overseas
242 shipping, designed to be mounted on a rail car as freight, or designed as an enclosed truck
243 trailer.

244 (51) “Carport” means a roofed Structure enclosed on not more than three sides and providing
245 space for the parking of motor vehicles.

246 (52) “Check Cashing” means cashing a check for consideration or extending a Deferred
247 Deposit Loan and any similar activity or enterprise, including but not limited to all businesses
248 licensed by the State of Utah pursuant to the Check Cashing Registration Act.

249 (53) “Church” means a Building, together with its Accessory Buildings and Uses, where
250 Persons regularly assemble for religious worship and which is maintained and controlled by a
251 nonprofit religious body organized to sustain religious worship.

252 (54) “City” means West Valley City.

253 (55) “City Attorney’s Office” means the Law Department of West Valley City.

254 (56) “City Council” means the City Council of West Valley City.

255 (57) “City/County Health Department” means the Salt Lake City or County Health
256 Department.

257 (58) “City Manager” means the chief executive officer of West Valley City.

258 (59) “City Recorder” means the West Valley City Recorder.

259 (60) “Civic Green” means a public open space designed for less intensive foot traffic than a
260 Square with a minimum of 50 percent of unpaved pervious surface, including turf,

- 261 groundcover, and mulch.
- 262 (61) “Club License” means a dining club license, equity club license, fraternal club license,
263 or social club license or substantially equivalent license issued pursuant to the Alcoholic
264 Beverage Control Act.
- 265 (62) “Collector Street” means a Street up to three lanes which carries traffic from Minor
266 Streets to the Arterial Street system, including the principal Entrance and circulation Streets
267 within residential Developments.
- 268 (63) “Colonnade” means a series of columns set at regular intervals and supporting the base
269 of a roof Structure.
- 270 (64) “Commercial” means any Use involving the exchange, purchase, or sale of goods or
271 services for gain or economic profit.
- 272 (65) “Commercial Complex” means two or more Commercial Uses on a single Lot or
273 adjacent Lots which are dependent upon each other to meet minimum standards for parking,
274 vehicular circulation, or Landscaping or which are approved as elements in an overall Site
275 Plan under a Conditional Use or Subdivision application.
- 276 (66) “Commercial Zones” means the C-1, C-2, C-3, CC, BRP, and MXD zones.
- 277 (67) “Commissary” means an establishment where food is prepared and where no retail sales
278 are conducted at the establishment.
- 279 (68) “Community and Economic Development Department” means the Community and
280 Economic Development Department of West Valley City.
- 281 (69) “Community Use” means a Use which has the primary purpose of serving the
282 educational, religious, recreational, or governmental needs of the general community,
283 including but not limited to Churches, educational institutions, Public Parks, Buildings, and
284 facilities, and cemeteries. Detention Facilities, halfway houses, alcohol rehabilitation centers,
285 Buildings offering lodging or residential services, and similar Uses are excluded from the
286 definition of “Community Use.”
- 287 (70) “Concert” means an assembly of 125 or more patrons at any given time for the purpose
288 to provide or enjoy musical performances or another similar event for which tickets are sold
289 or entry fees charged.

290 (71) "Concert Hall" means any establishment which is not a Concert Venue but holds
291 Concerts.

292 (72) "Concert Venue" means the Maverik Center, USANA Amphitheater, Utah Cultural
293 Celebration Center, Rocky Mountain Raceway, or Hale Center Theater.

294 (73) "Conditional Use" means a land Use that is permitted with conditions imposed to
295 mitigate detrimental effects.

296 (74) "Conditional Use Permit" means a permit issued by the City outlining the requirements
297 of approval for a Conditional Use, including written conditions and final, approved
298 Development Plans, if applicable.

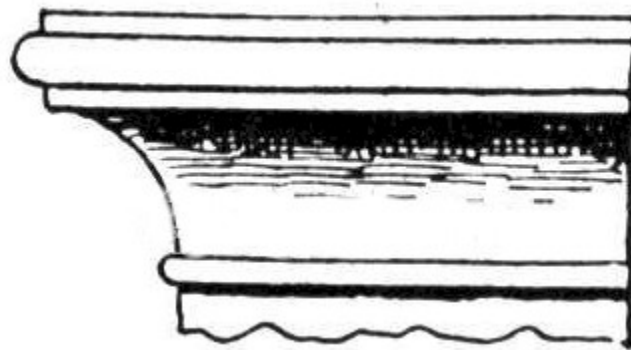
299 (75) "Condominium" or "Planned Unit Development" means the Ownership of a single unit
300 in a multiunit project together with an undivided interest in the common areas and facilities
301 of the property.

302 (76) "Consolidated Fee Schedule" means the schedule of fees adopted in the West Valley
303 City Municipal Code.

304 (77) "Convalescent Center" means a facility licensed as a nursing care facility by the State
305 of Utah.

306 (78) "Convenience Store" means any Building which contains less than 5,000 square feet of
307 net floor area and which is used for retail sale of prepackaged food, produce, and other
308 nonfood commodities.

309 (79) "Cornice" means the uppermost section of moldings along the top of a wall or just below
310 a roof as illustrated below:



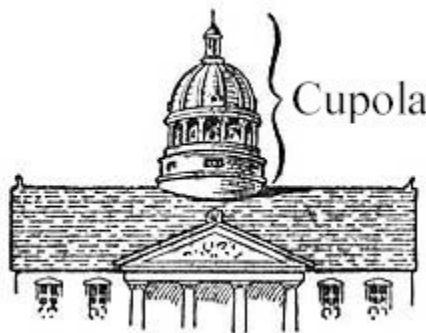
311
312 (80) "Courtyard" means an uncovered open space bounded on two or more sides by

313 Buildings.

314 (81) “Crisis Nursery and Counseling Center” means an establishment that provides daytime
315 and overnight care for children who are at risk of abuse or neglect and counseling to
316 individuals and families, but does not provide medical treatment.

317 (82) “Cul-de-Sac” means a Minor Street with only one outlet and a terminal for the safe and
318 convenient reversal of traffic.

319 (83) “Cupola” means a small ornamental Structure built on top of a roof, such as a dome, as
320 illustrated below:



321
322 (84) “Day Care/Preschool Center” means any facility at a nonresidential location licensed by
323 the State of Utah to provide children with daycare or preschool instruction as a Commercial
324 business.

325 (85) “Decorative Parapet” means an arched, gabled, or stepped Parapet.

326 (86) “Dedication of Land” means the conveyance of land to the City by a property Owner or
327 developer for public use.

328 (87) “Deferred Deposit Loan” means a transaction where a Person presents a check written
329 upon his or her account to a Check Cashing business in exchange for money and the promise
330 to refrain from cashing the check until a later date or any similar transaction.

331 (88) “Density” means the number of Dwelling Units per gross acre of land.

332 (89) “Detention Facility/Jail” means any facility operated to house offenders in a secure
333 setting for the duration of their confinement or any facility providing assessment, stabilization,
334 or treatment services for parole violators or noncompliant probationers.

335 (90) “Development” means any manmade change to real estate, including but not limited to

336 the erection of Buildings or Structures, mining, dredging, filling, grading, paving, excavation,
337 or drilling.

338 (91) “Development Agreement” means a voluntary agreement between the City, using its
339 legislative judgment, and a property Owner or developer relating to a proposed Development
340 within the City that shall run with the land and be binding upon all successors and assigns of
341 the property Owner or developer.

342 (92) “Development Plan” means all plans, studies, plats, statements, reports, and information
343 required by this Title.

344 (93) “Director of Health” means the legally designated Director of the Salt Lake City or
345 County Health Department or any representative authorized by such official to act on his or
346 her behalf.

347 (94) “Dwelling Unit” means one or more rooms connected together in a Structure in which
348 doors and hallways provide shared access to common living facilities, including but not
349 limited to provisions for sleeping, eating, cooking, and sanitation. All occupants of a Dwelling
350 Unit live together as a single housekeeping unit where all occupants maintain free access to
351 all living spaces within the Dwelling Unit and all exits to and from the Dwelling Unit.

352 (95) “Entrance” means the location of ingress to a room, Building, or Lot.

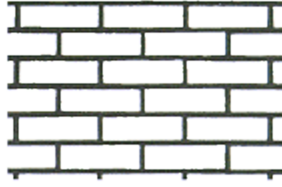
353 (96) “Exit” means the location of egress from a room, Building, or Lot.

354 (97) “Event Center, Indoor” means an indoor stadium, arena, Concert Hall, dance hall, or
355 Reception Center that hosts sporting events, Concerts, theatrical performances, rodeos,
356 receptions, parties, or other similar indoor events.

357 (98) “Event Center, Outdoor” means an outdoor stadium, arena, amphitheater, or similar
358 venue that hosts sporting events, Concerts, theatrical performances, rodeos, or similar outdoor
359 events.

360 (99) “Façade” means any face or elevation of a Building.

361 (100) “Face Brick Pattern” means a brick pattern in which all bricks are laid horizontally
362 with the end of bricks aligned with the midpoint of the brick below as illustrated below:



363

364 (101) “Fast Food Establishment” means any establishment whose principal business is the
365 sale of foods, frozen desserts, or beverages to the customer in a ready-to-consume state and
366 whose principal method of operation includes the following characteristics:

- 367 a. Foods and beverages are usually served in edible or disposable containers;
- 368 b. The consumption of foods and beverages is not restricted to tables, counters, or an
369 immediately adjacent dining patio; or
- 370 c. The establishment provides drive-in, drive-through, and/or walk-up service.

371 (102) “Fence” means walls, hedges, beams, wood, metal, masonry, vinyl, or plastic
372 Structures constructed to obscure view, prevent trespass, or for ornamental or decorative
373 purposes.

374 (103) “Fenestration” means openings in a Building wall that allow light and views between
375 the Building’s interior and exterior.

376 (104) “Final Plat” means a map of a Subdivision which has been accurately surveyed to
377 permit identification of Streets, Alleys, Blocks, Lots, and other divisions and which conforms
378 with this Title and state law.

379 (105) “Financial Institution” means a bank, savings and loan institution, credit union,
380 mortgage office, or automated teller machine, excluding Alternative Financial Service
381 Providers.

382 (106) “Fire Department” means the West Valley City Fire Department.

383 (107) “Fitness Center” means a facility where individuals use equipment or space for the
384 purpose of physical exercise.

385 (108) “Flood” or “Flooding” means a general and temporary condition of partial or complete
386 inundation of normally dry land areas from the overflow of inland or tidal waters or the
387 unusual and rapid accumulation or runoff of surface waters from any source.

388 (109) “Flood Control and Storm Drainage Ordinance” means the West Valley City Flood

389 Control and Storm Drainage Ordinance as presently adopted and amended in the future.

390 (110) “Flood, 100-Year” means a Flood having a one percent chance of being equaled or
391 exceeded in any given year.

392 (111) “Flood, 10-Year” means a Flood having a 10 percent chance of being equaled or
393 exceeded in any given year.

394 (112) “Floodplain, 100-Year” means that area adjacent to a drainage channel which would
395 be inundated by a 100-Year Flood.

396 (113) “Focal Point” means a point of convergence and interest.

397 (114) “Food Vending Unit” means a unit that is manually pushed or pulled behind a vehicle
398 and is not motorized to move on its own power, that remains stationary in one location, that
399 is temporary and not permanently established, and which is used for the sale of food and
400 beverages for immediate consumption.

401 (115) “Four Unit Dwelling” means a Building arranged or designed to have only four
402 Dwelling Units under one ownership on one Lot, such as a fourplex.

403 (116) “Freeway” means a Street with fully controlled access designed to link major
404 destination points. A Freeway is designed for high speed traffic with a minimum of four travel
405 lanes.

406 (117) “Frontage” means all property adjacent to a Right-of-way, waterway, or political
407 Subdivision boundary, measured along the Street or boundary line. An intercepting Street shall
408 determine only the boundary of the Frontage on the side of the Street which it intercepts.

409 (118) “Gable Roof” means two pitched roofs back to back forming a triangular roof as
410 illustrated below:



411
412 (119) “Garage, Private” means a Structure, enclosed by walls and a roof, accessory to a
413 residential dwelling which is intended primarily for the storage of private vehicles belonging
414 to the residents of that dwelling. A Private Garage may be Attached or detached and is
415 considered “Attached” if the garage and dwelling share a roof or wall.

416 (120) “Garden Center” means a place of business where plants, nursery products, potting
417 soil, power equipment, and other garden tools and equipment are sold to the consumer.

418 (121) “Gathering Place” means an area allocated and designed for the purpose of
419 accommodating the assembling and meeting of people, such as a courtyard or plaza.

420 (122) “General Plan” means the document the City has adopted in accordance with state law
421 to set forth general guidelines and principles for future Development.

422 (123) “Grade” means the natural Grade as established by the elevation of the existing surface
423 of the land prior to commencement of any proposed improvements or any previous
424 disturbance of the site.

425 a. When not readily established due to prior modifications, Grade shall be fixed by
426 reference elevations and points where the prior disturbance appears to meet undisturbed
427 properties.

428 b. The Grade shall connect to the elevation and slopes of adjoining properties without a
429 need for retaining walls, abrupt differences in the visual slope of the land, and without
430 changing the direction or flow of runoff water.

431 c. When measuring Building Height from Grade, the height is measured by the vertical
432 distance from Grade to the highest point of the Parapet wall of a flat roof, or to a point
433 midway between the lowest point of the eaves or Cornice and the ridge of a hip or Gable
434 Roof.

435 d. For Buildings having no wall approximately parallel to and within five feet of a Street,
436 the Grade shall be the average level of the finished surface ground adjacent to the exterior
437 walls of the Building.

438 (124) “Grading/Site Development Ordinance” means the West Valley City Grading/Site
439 Development Ordinance as presently adopted and as amended in the future.

440 (125) “Grocery Store” means a retail establishment with a net floor area over 5,000 square
441 feet offering food and other household products.

442 (126) “Gun Range, Indoor” means a Building with facilities for the firing of firearms.

443 (127) “Gun Range, Outdoor” means an outdoor facility for the firing of firearms.

444 (128) “Hardware Store” means a facility with a gross floor area under 30,000 square feet

445 primarily engaged in the retail sale of hardware, including but not limited to tools, builder's
446 hardware, plumbing and electrical supplies, housewares and household appliances, and paint
447 and glass.

448 (129) "Heavy Equipment Sales and Service" means a business selling and servicing
449 equipment such as backhoes, bulldozers, cranes, excavators, construction equipment, and
450 similar equipment or vehicles.

451 (130) "Heavy Industrial" means asphalt and concrete plants; crematories; electric generating
452 plants and facilities; sand and gravel excavation, processing, and storage; manufacturing and
453 storage of chemicals, explosives, and fuels; Outdoor Gun Ranges, outdoor manufacturing;
454 sewage treatment and disposal facilities; and water purification facilities.

455 (131) "Heavy Trucks" means concrete transport trucks, dump trucks, garbage trucks, log
456 carriers, mobile cranes, refrigerator trucks, tractor trucks, tank trucks, and similar vehicles.

457 (132) "Hip Roof" means a Gable Roof with the ends brought together at the same pitch as
458 the rest of the roof.

459 (133) "Home Child Care" means care for children who are nonfamily-members in an
460 occupied dwelling by the resident of that dwelling and up to one employee who is not a
461 resident of that dwelling.

462 (134) "Home Improvement Center" means an establishment over 30,000 square feet selling
463 various household goods, tools, and Building materials, household appliances, electronic
464 equipment, household Animal supplies, and nursery products.

465 (135) "Home Occupation" means any lawful Use conducted within a dwelling by residents
466 of the dwelling which is incidental and secondary to the residential Use of the dwelling and
467 does not change the residential character of the dwelling or neighborhood.

468 (136) "Home Preschool" means a preschool program for nonfamily-members in an occupied
469 dwelling by residents of that dwelling.

470 (137) "Hospital" means an establishment that offers facilities and beds for use beyond a 24-
471 hour period for individuals requiring diagnosis, treatment, or cure for illness, injury,
472 deformity, infirmity, abnormality, disease, or pregnancy and which regularly makes available
473 services including but not limited to clinical laboratory services, diagnostic X-ray services,
474 and treatment facilities for surgery, obstetrical care, or other medical treatments of similar
475 scope.

- 476 (138) “Household Pet” has the meaning set forth in Section 7-2-122.
- 477 (139) “Incinerator” means a furnace or similar apparatus for burning waste, trash, or garbage.
- 478 (140) “Inland Port” and “Inland Port Use” have the meanings set forth in the Utah Inland
479 Port Authority Act, Title 11, Chapter 58, Utah Code Annotated 1953, or successor statute.
- 480 (141) “Instructional Facilities” means indoor facilities used for private Commercial
481 instruction in arts, crafts, physical fitness, or other skills.
- 482 (142) “Intensity” means the concentration of activity and the size of Buildings and Structures,
483 including the number of people, cars, visitors, and customers present, the hours of operation,
484 and the presence of outdoor advertising.
- 485 (143) “Intensive Retail Service” means a Use engaged in providing retail sale, rental, service,
486 processing, or repair of items for household use, including but not limited to groceries, cards
487 and stationery, books, toys, cosmetics, and sporting equipment.
- 488 (144) “Junk” means any salvaged, discarded, or scrapped copper, brass, iron, steel, metal,
489 rope, rags, batteries, paper, trash, plastic, rubber, tires, waste, dismantled or inoperable motor
490 vehicles, and other articles and materials commonly designated as Junk.
- 491 (145) “Kennel” means any place where three or more Animals over six months of age are
492 kept for sale, boarding, care, or breeding for which a fee is charged or paid.
- 493 (146) “Kennel, Sportsman’s” means a Kennel for the keeping of three to five dogs for
494 noncommercial use on a Lot of at least one acre.
- 495 (147) “Knee Brace” means a diagonal support placed across the angle between a Building
496 overhang or roof and the Building wall.
- 497 (148) “Landscaping” means the improvement of property through the addition of plants and
498 the eradication of weeds and other deleterious material, including the installation of trees,
499 shrubs, lawn, and vegetative or nonvegetative permeable groundcover.
- 500 (149) “Laundromat” means an establishment providing washing, drying, or dry cleaning
501 machines on the premises on a pay-per-use basis to the general public.
- 502 (150) “Less Intensive Retail Service” means a retail Use with more than 75 percent of the
503 gross floor area used for display and sales of bulky commodities, including but not limited to
504 furniture, large appliances, Building materials, carpeting and floor covering, and air

505 conditioning and heating equipment.

506 (151) “Light Industrial” means the indoor manufacturing, predominantly from previously
507 prepared materials, of finished products or parts, including processing, fabrication, assembly,
508 treatment, and packaging of such products, and incidental storage, sales and distribution of
509 such products, which does not produce noise, odors, vibration, hazardous waste materials, or
510 particulate that will disturb or endanger neighboring properties.

511 (152) “Lingerie Store” means a retail establishment meeting any of the following criteria:

512 a. Over five percent of the floor area is devoted to the sale of lingerie, adult novelties,
513 and adult marital or sexual aids;

514 b. Lingerie, adult novelties, and adult marital or sexual aids account for five percent or
515 more of gross sales; or

516 c. The establishment is marketed as a Lingerie Store or adult establishment.

517 (153) “Lodging Facility” means any establishment outside Residential or Agricultural Zones
518 where lodging or overnight accommodations are offered, with or without compensation.
519 Lodging Facilities meet all of the following characteristics: (a) all guest rooms are fully
520 furnished, (b) no lease is required to stay, and (c) free housekeeping is provided for all guest
521 rooms. If any Lodging Facility or other establishment where lodging or overnight
522 accommodations are offered is located in any zone by any governmental entity, nonprofit
523 corporation, or any other actor operating under or pursuant to either a state preemption or a
524 general or limited exemption from any land use or zoning regulations, such Lodging Facility
525 or establishment shall be built in accordance with the standards set forth in Section 7-7-117.

526 (154) “Lot” means an individually described plot of land occupied, or capable of being
527 occupied, by one Building or group of Buildings, together with such yards, open spaces, and
528 Yard areas as required by this Title, and having full Frontage on and unrestricted access to a
529 dedicated Street.

530 (155) “Lot, Corner” means a Lot abutting on two intersecting or intercepting Streets where
531 the interior angle of intersection or interception does not exceed 135 degrees.

532 (156) “Lot, Interior” means a Lot other than a Corner Lot.

533 (157) “Lot Line Adjustment” means the relocation of the property boundary line between
534 two adjoining Lots with the consent of the Owners of record which does not create new Lots

535 or Dwelling Units and all requirements of this Title are met.

536 (158) “Lot Split” means the division of property into two legal Lots.

537 (159) “Lot Width” means the distance between the side Lot lines measured along a straight
538 line at the minimum required front setback. For Corner Lots, the Lot Width is the lesser of the
539 two distances between the abutting Streets to the Interior Lot lines opposite those Streets.

540 (160) “Major Street Plan” means the plan defining the future alignment of Streets and their
541 Rights-of-way which has been approved by the Planning Commission and City Council.

542 (161) “Mansard Roof” means a roof with a steep lower slope and a flatter upper slope on all
543 sides.

544 (162) “Manufacturer of Alcoholic Products” means the same as set forth in the Alcoholic
545 Beverage Control Act.

546 (163) “Manufacturing Zones” means the LI and M zones.

547 (164) “Massage” and “Massage Therapy” mean the same as set forth in the Massage Therapy
548 Practice Act or any amended or successor legislation.

549 (165) “Massage Establishment” means any place where Massage or Massage Therapy is
550 practiced for hire.

551 (166) “Minor Street” means a Street with no more than two lanes for which the principal
552 function is access to abutting land and for which traffic movement is a secondary function.

553 (167) “Mobile Food Vending Vehicle” means a fully enclosed motorized vehicle mounted
554 food service establishment which is operated by a vendor within the frame of the vehicle,
555 which sells food products for immediate consumption, and which moves under its own power,
556 not being manually pushed, pulled, or towed by another vehicle.

557 (168) “Mobile Home” means a Structure that is transportable in one or more sections, built
558 on a permanent chassis, and is designed to be used without a permanent foundation as a
559 Residence or temporary housing accommodation, excluding Recreational Vehicles and travel
560 trailers.

561 (169) “Mobile Home Park” means any plot of ground upon which two or more Mobile
562 Homes are located with or without compensation.

563 (170) “Mobile Home Space” means a plot of ground within a Mobile Home Park which is
564 designed for the accommodation of one Mobile Home.

565 (171) “Mobile Home Stand” means that part of a Mobile Home Space which has been
566 reserved for the placement of one Mobile Home with appurtenant Structures or additions.

567 (172) “Mobile Home Subdivision” means a residential Subdivision designed to offer Lots
568 under separate Ownership for the placement of Mobile Homes.

569 (173) “Mortuary” means a facility in which dead bodies are prepared for burial or cremation
570 or where funeral services are conducted.

571 (174) “Motorized Outdoor Recreation Equipment” means motorized or commonly motorized
572 equipment used in off-road or recreational activities, including but not limited to boats,
573 snowmobiles, race cars, dune buggies, ATVs, watercraft, and off-road motorcycles.

574 (175) “Movie Theater” means an establishment containing audience seating and at least one
575 screen or facility to view movies.

576 (176) “Moving Truck Rental Business” means an establishment where moving trucks or
577 trailers are stored outside and rented to customers.

578 (177) “Multiple Unit Dwelling” means a Building arranged or designed to provide for more
579 than four Dwelling Units.

580 (178) “Mural” means any mosaic, painting, or graphic art or combination thereof which is
581 professionally applied to a Building; does not contain any brand name, product name, letters
582 of the alphabet spelling or abbreviating the name of any product, company, profession, or
583 business; or any logo, trademark, trade name, or other commercial message.

584 (179) “Natural Drainage Course” means any natural watercourse which is open continuously
585 for the flow of water in a definite direction or course.

586 (180) “Natural Waterways” means those areas along streams, rivers, creeks, gullies, springs,
587 or washes which are natural drainage channels and in which no Buildings are to be
588 constructed.

589 (181) “Neighborhood Grocery” means a retail establishment with 5,000 square feet or less
590 which sells food and other household products, which does not sell motor fuel, and which is
591 closed between the hours of 10:00 P.M. and 6:00 A.M.

592 (182) “Neighborhood Service Establishment” means low impact retail and service Uses
593 which supply frequently purchased necessities with minimal customer travel, including
594 bakeries, bookstores, dry cleaners, hair styling shops, and similar Uses.

595 (183) “Nonconforming Structure” means a Structure that legally existed before its current
596 Zoning designation and, because of subsequent Zoning changes, does not now conform to the
597 Zoning Ordinance’s setback, height restrictions, or other regulations that govern the Structure.

598 (184) “Nonconforming Use” means a Use of land that legally existed before its current
599 Zoning designation, has been maintained continuously since the time the Zoning regulation
600 governing the land changed, and because of subsequent Zoning changes does not now conform
601 to the Zoning regulations that now govern the land.

602 (185) “Office, Medical and Dental” means a Building used by physicians, dentists, or similar
603 Personnel for the treatment and examination of patients and where no overnight stays occur.

604 (186) “Office, Professional” means a Building used by attorneys, accountants, insurance or
605 real estate agents, and other individuals offering professional services.

606 (187) “Off-Premises Beer Retailer” means a licensed place of business wherein beer is sold
607 in original containers to be consumed off the premises.

608 (188) “Outside Display of Merchandise” means the outside display of goods in conjunction
609 with an approved retail business.

610 (189) “Outside Storage” means the keeping of any goods, materials, or equipment outside of
611 a Building for more than 24 hours, excluding Vehicle Recycling Facilities, Vehicle Storage
612 Yards, Towing and Impound Yards, and Outside Display of Merchandise.

613 (190) “Overpressure” means a sudden increase in air pressure resulting from an explosion
614 traveling at the speed of sound.

615 (191) “Owner” means the Owner in fee simple of real property as shown in the records of
616 the Salt Lake County Recorder’s Office, including both the singular and the plural and
617 including, but not limited to, natural Persons, firms, associations, partnerships, private or
618 public corporations, or any combination thereof.

619 (192) “Package Agency” is as defined in the Alcoholic Beverage Control Act.

620 (193) “Pad Site” means a location for a freestanding Building within a larger Commercial

- 621 center.
- 622 (194) “Parapet” means a low wall projecting from the edge of a roof.
- 623 (195) “Parcel of Land” means a contiguous quantity of land owned by the same Owner.
- 624 (196) “Parking Lot, Commercial” means an open area, other than a Street, used for parking
625 of five or more automobiles and available for public use, with or without compensation.
- 626 (197) “Parking Space” means a space within a Building, Lot, or parking lot for the parking
627 or storage of one vehicle.
- 628 (198) “Parking Structure” means a Building or Structure of more than one level used to store
629 motor vehicles.
- 630 (199) “Pawnbroker” means any Person who loans money on deposit of personal property or
631 deals in the purchase, exchange, or possession of personal property on condition of selling the
632 same back again to the pledger or depositor, or who loans or advances money on personal
633 property by taking chattel mortgage security thereon and takes or receives such personal
634 property into his possession, and who sells the unredeemed pledges, together with such new
635 merchandise as will facilitate the sale of same, or engages in any substantially similar
636 transaction.
- 637 (200) “Permanent Cosmetics” means a mark or design made on or under the skin by a process
638 of pricking or ingraining an indelible pigment, dye, or ink in the skin for masking
639 discolorations or cosmetically enhancing facial features which shall follow the natural line of
640 the feature. “Permanent Cosmetics” are limited to eyeliner, eyebrows, and lip coloring
641 procedures.
- 642 (201) “Permanent Cosmetics Establishment” means an establishment engaging in Permanent
643 Cosmetics licensed in accordance with Title 58, Utah Code Annotated 1953, excluding Tattoo
644 Establishments and Home Occupations.
- 645 (202) “Permitted Use” means a specific Use authorized in a particular zone which does not
646 require Planning Commission review and approval.
- 647 (203) “Person” means any individual, firm, trust, partnership, or public or private association
648 or corporation.
- 649 (204) “Planned Unit Development” means an integrated design for Development of

650 residential, Commercial, or industrial Uses, or a combination of such Uses, in which one or
651 more of the regulations other than the Use regulations of the Zoning district in which the
652 Development is located is waived or varied to allow flexibility in site and Building design and
653 location in accordance with an approved plan and requirements set forth in this Title.

654 (205) “Planning Commission” means the West Valley City Planning Commission.

655 (206) “Porte-cochere” means a porch large enough for automobiles to pass through.

656 (207) “Portico” means a porch or walkway with a roof supported by columns leading to the
657 Entrance of a Building.

658 (208) “Preliminary Plat” means the initial map of a proposed Subdivision.

659 (209) “Primary Façade” means the side of a Building facing the public Street. For Corner
660 Lots, the Street facing side with the primary customer Entrance is the Primary Façade. For
661 residential Buildings designed around a Courtyard or parking area, the side with the primary
662 resident Entrance is the Primary Façade.

663 (210) “Primary Street” is the Street adjacent to a single Frontage Lot. For Corner Lots, the
664 Primary Street is the public Street with the largest Right-of-way width.

665 (211) “Primary Use” means the principal Use for which a property is used.

666 (212) “Protection Strip” means a strip of land bordering a Subdivision or a Street within a
667 Subdivision which serves to bar access of adjacent property Owners to required public
668 improvements installed within the Subdivision until the adjacent Owners share in the cost of
669 said public improvements.

670 (213) “Public Park” means a park, playground, swimming pool, golf course, or athletic field
671 under the control, operation, or management of the State of Utah, a state agency, Salt Lake
672 County, or West Valley City.

673 (214) “Public Utility” means every common carrier, gas corporation, electrical corporation,
674 wholesale electrical cooperative, telecommunications corporation, water cooperative, sewage
675 corporation, heat corporation, or independent energy producer where a service is performed
676 for or a commodity delivered to the general public.

677 (215) “Public Way” means any road, Street, Alley, lane, court, place, viaduct, tunnel, culvert,
678 or bridge laid out or erected as such by the public, dedicated or abandoned to the public, or

679 made such by the Subdivision of real property, including the entire area within the Right-of-
680 way.

681 (216) “Public Works Department” means the West Valley City Public Works Department.

682 (217) “Quoins” means dressing for Building corners differentiated from the adjoining walls
683 by material, texture, color, size, or projection.

684 (218) “Reasonable Notice” means actual notice or notice that meets the requirements of state
685 law.

686 (219) “Reception Center” means a Building, facility, or Use primarily used to host public or
687 private events, parties, or gatherings, including but not limited to places where patrons dance
688 to live or recorded music or where recorded music is presented by a “DJ” or “disc jockey.”

689 (220) “Recreation, Indoor” means an indoor establishment providing the general public with
690 amusement or activities, including but not limited to bowling alleys, laser tag, skating rinks,
691 trampoline parks, or arcades.

692 (221) “Recreation, Outdoor” means an outdoor establishment providing the general public
693 with amusement or activities, including but not limited to miniature golf, batting cages, go-
694 cart tracks, driving ranges, or amusement park rides.

695 (222) “Recreational Vehicle” means any vehicle which is designed to be transported on its
696 own wheels and used as temporary living quarters for travel or vacation purposes, including
697 but not limited to vacation vehicles, truck-campers, tent-trailers, motor homes, and travel
698 trailers.

699 (223) “Recreational Facility Beer Retailer” means a business that is licensed to sell beer and
700 permit consumption thereof at recreation facilities, that does not sell beer in original
701 containers, and that sells beer only to the ultimate consumer.

702 (224) “Regional Shopping Mall” means a Shopping Center located within 200 feet of
703 Interstate 215 with a combined Building size over 500,000 square feet and a minimum site
704 area of 50 acres.

705 (225) “Religious Institution” means a Building used primarily for religious worship and
706 activities.

707 (226) “Rental Store” means a business that rents furniture, appliances, or electronics to

708 customers.

709 (227) “Residence” means a permanent domicile, dwelling place, or abode.

710 (228) “Residential Zones” means the R-1-4, R-1-6, R-1-7, R-1-8, R-1-10, R-1-12, R-1-20,
711 R-2-6.5, R-2-8, R-4, RB, RE, RM, RMH, RS, and SH zones.

712 (229) “Restaurant” means any place of business where the predominant purpose is the
713 preparation of food and drinks which are served and offered for sale or sold for human
714 consumption on or off the premises.

715 (230) “Restaurant Liquor Retailer” means a Restaurant that maintains a liquor license in
716 accordance with the Alcoholic Beverage Control Act.

717 (231) “Restaurant On-Premises Beer Retailer” means a licensed place of business in
718 connection with a bona fide Restaurant where beer is sold for on-premises consumption and
719 accounts for less than 30 percent of gross revenue.

720 (232) “Retail Anchor” means the major store or stores within a Shopping Center.

721 (233) “Right-of-way” means a public or private strip of land used or intended to be used for
722 a Street, Sidewalk, sanitary or storm sewer, drainage, park strip, or similar Use.

723 (234) “Sanitary Landfill” means a site for solid waste disposal.

724 (235) “School” means an institution satisfying the requirements of public education and
725 having an academic curriculum similar to that offered in public schools, excluding Home
726 Occupations represented as schools. For the purposes of regulations pertaining to Sexually
727 Oriented Businesses, “School” means an institution of learning or instruction primarily
728 catering to minors, whether public or private, which is licensed by the State of Utah.

729 (236) “Secondary Façade” means any side of a Building that is not a Primary Façade and is
730 either visible from a public Right-of-way or has a customer Entrance.

731 (237) “Secondhand Store” means any business which is engaged in the purchase, barter,
732 exchange, or sale of any secondhand merchandise of value or which deals in secondhand
733 goods, excluding businesses dealing in used motor vehicles and trailers and including
734 businesses buying or selling more than five firearms per year.

735 (238) “Self-Storage Facility” means a Building or group of Buildings containing separate,
736 individual, and private storage spaces of varying sizes available for lease or rent.

737 (239) "Shopping Center" means a group of retail and other Commercial establishments built
738 on a site which is planned, developed, operated, and managed as an operating unit.

739 (240) "Sidewalk" means a passageway for pedestrians that excludes motor vehicles.

740 (241) "Single Unit Dwelling" means a Building arranged or designed to have one Dwelling
741 Unit.

742 (242) "Site Plan" means a drawing including all of the following:

743 a. Date;

744 b. North arrow and scale;

745 c. The legal description of the subject property;

746 d. The dimension and location of existing and proposed improvements on the property
747 and adjoining property, including but not limited to Buildings, fencing, hard surfacing,
748 utility lines and poles, and Landscaping, drawn to scale;

749 e. Location of proposed construction, including but not limited to signs;

750 f. Name, address, and telephone number of the builder and property Owner;

751 g. Existing and proposed vehicle access, parking stalls, curb, gutter, and Sidewalk,
752 vehicle circulation patterns, and curb cuts;

753 h. The location, height, and size of proposed signs, lighting, and advertising devices; and

754 i. All other information necessary to determine whether the proposed construction is in
755 compliance with this Title and all other applicable law.

756 (243) "Small Brewer" means a Brew Restaurant which, in addition to retail sales and on-site
757 consumption, markets beer wholesale in an amount not to exceed 60,000 barrels per year and
758 derives less than 30 percent of gross revenues from beer sales, including but not limited to
759 microbreweries.

760 (244) "Soldier Course Brick Pattern" means a pattern of bricks in which all bricks are laid
761 vertically as illustrated below:



762

763 (245) "Sound Wall" means a solid concrete or masonry wall constructed adjacent to a Major
764 Arterial Street or Freeway to create a noise and access barrier, excluding hollow core or foam
765 core walls and including walls greater than six feet tall.

766 (246) "Special District" means all entities established under Title 17B, Utah Code Annotated
767 1953, and any other governmental or quasi-governmental entity that is not a county,
768 municipality, school district, or state agency.

769 (247) "Square" means a public, active pedestrian center designed for a high pedestrian traffic
770 level with a minimum of 20 percent unpaved pervious surface area, including turf,
771 groundcover, or mulch.

772 (248) "State Store" means the same as set forth in the Alcoholic Beverage Control Act.

773 (249) "Story" means the space within a Building having clear headroom of seven feet or
774 over.

775 (250) "Story, Half" means a Story with at least two of its opposite sides situated under a
776 sloping roof and with a maximum of two-thirds of the floor area of the Story below.

777 (251) "Street" means public Rights-of-way, including highways, avenues, boulevards,
778 parkways, roads, lanes, walks, Alleys, viaducts, subways, tunnels, bridges, public easements,
779 and other ways.

780 (252) "Structure" means anything constructed or erected on or below the ground, including
781 signs and Billboards but excluding Fences six feet tall or shorter.

782 (253) "Structural Alterations" means any change in supporting members of a Building or
783 Structure, including bearing walls, columns, beams, or girders.

784 (254) "Subdivider" means the Owner of real property proposed to be subdivided, including
785 all successors and assigns.

786 (255) "Subdivision" means the same as set forth in the Utah Municipal Land Use,
787 Development, and Management Act.

788 (256) "Subdivision, Major" is a Subdivision with at least 10 Lots or a Subdivision requiring
789 any new Street or extension of public utilities or facilities.

790 (257) "Subdivision, Minor" means any Subdivision with nine or fewer Lots on which all
791 Lots have Frontage on improved public Streets and which does not create any new Streets.

792 (258) "Survey Monument" means a mark affixed to a permanent object along a line of survey
793 to furnish a survey control.

794 (259) "Swap Meet, Indoor" means property where the Owner, lessee, or licensee rents, lends,
795 or leases portions of a Building to Persons for use as a marketplace to barter, exchange, or sell
796 goods or services and where no walls are erected from floor to ceiling between the majority
797 of individual tenant spaces, including but not limited to flea markets.

798 (260) "Swap Meet, Outdoor" means property where the Owner, lessee, or licensee rents,
799 lends, or leases outdoor space or booths to Persons for use as a marketplace to barter,
800 exchange, or sell goods, including but not limited to flea markets, but excluding Yard or
801 garage sales at Residences.

802 (261) "Tattoo" means a mark or design made on or under the skin by a process of pricking
803 or ingraining an indelible pigment, dye, or ink in the skin, excluding Permanent Cosmetics.

804 (262) "Tattoo Establishment" means any location, place, area, Structure, or business used for
805 the practice or instruction of Tattooing or Body Piercing, excluding Permanent Cosmetics
806 Establishments.

807 (263) "Tavern" means the same as set forth in the Alcoholic Beverage Control Act.

808 (264) "Temporary Land Use" means a Use which is transient or seasonal in nature.

809 (265) "Temporary Nonresidential Building" means a Building incidental to construction
810 work, such as a construction trailer, or a temporary sales office for the sale or lease of Dwelling
811 Units.

812 (266) "Temporary Residential Storage Container" means a fully enclosed Structure without
813 a permanent foundation uniquely designed for short term storage of household or remodeling
814 goods and for portable use via transport vehicle.

815 (267) "Three Unit Dwelling" means a Building arranged or designed to have only three
816 Dwelling Units under one ownership on one Lot, such as a triplex.

817 (268) "Towing and Impound Yard" means a facility for the temporary storage of vehicles
818 that have been towed, carried, hauled or pushed from property for impoundment, excluding
819 New Automotive Sales, Used Automotive Sales, Automobile Service, Vehicle Recycling
820 Facilities, and Vehicle Storage Yards.

821 (269) “Transportation and Public Ways Ordinance” means the West Valley City
822 Transportation and Public Ways Ordinance as presently adopted and amended in the future.

823 (270) “Truck Transfer Company” means a facility serving as a transfer or storage point for a
824 truck freight line, including associated offices, parking, and maintenance facilities.

825 (271) “Turf Farm Equipment Manufacturing” means a Commercial business engaged in
826 assembling, testing, storing, selling, or repairing equipment, parts, and machinery used
827 exclusively for sod harvesting.

828 (272) “Twin Home” means a Building arranged or designed to have only two Dwelling Units
829 under separate ownership by two Owners which has a common wall along a common Lot line.

830 (273) “Two Unit Dwelling” means a Building arranged or designed to have only two
831 Dwelling Units under one ownership on one Lot, such as a duplex.

832 (274) “Unchartered Financial Service Provider” means any business extending loans, cash
833 advances, short term credit, rent-to-own services, or any similar financial services, excluding
834 federal and state chartered banks, industrial banks, savings and loan institutions, New and
835 Used Automobile Sales, and credit unions.

836 (275) “Use” means any legal purpose for which a Building, Structure, or tract of land can be
837 designed, arranged, intended, maintained, or occupied or any activity, occupation, business,
838 or operation legally carried on in a Building or Structure or on a tract of land.

839 (276) “Variance” means a device which grants a property Owner relief from certain
840 provisions of the Zoning Ordinance upon the showing set forth in state law and by this Title.

841 (277) “Vehicle Recycling Facility” means the outside storage of or Use of property for a
842 storage yard for operable or inoperable automobiles or trucks, a Junk yard, a salvage yard, or
843 a tow truck or wrecker service, including but not limited to the following:

844 a. The outside storage of two or more used vehicles or used vehicle parts, including tires,
845 regardless of operational ability, condition, time frame, or reason; or

846 b. The storage of any number of used vehicles or used vehicle parts, including tires, for
847 the purpose of dismantling, stripping, salvaging, or selling all or part of the vehicle,
848 excluding the indoor storage of vehicles in a fully enclosed Building, New and Used
849 Automobile Sales, Automobile Service, and Vehicle Storage Yards.

850 (278) “Vehicle Storage Yard” means a site where operable vehicles without occupants are
851 stored for compensation for more than 24 hours, excluding New and Used Automobile Sales,
852 Automobile Service, Towing and Impound Yards, and Vehicle Recycling Facilities.

853 (279) “Veterinary Hospital” means a place where Animals are given medical care and the
854 boarding of Animals is limited to short term, indoor care incidental to the medical Use.

855 (280) “Warehouse” means a Building used primarily for storage of goods and materials.

856 (281) “Water and Sewer Improvement Districts” means the Granger-Hunter Improvement
857 District, the Magna Improvement District, the Taylorsville-Bennion Improvement District,
858 and any other water or sewer improvement district existing or hereafter organized which has
859 jurisdiction over land in the City.

860 (282) “Yard” means a space on a Lot unoccupied and unobstructed from the ground upward
861 by Buildings, except as otherwise provided herein.

862 (283) “Yard, Front” means a space on the same Lot with a Building between the front of the
863 Building and the front Lot line and extending across the full width of the Lot. The depth or
864 setback of a Front Yard is the minimum distance between the front Lot line and the closest
865 point of the front of the Building. On Corner Lots, the Front Yard is the Yard which is faced
866 by the primary Entrance to the Building.

867 (284) “Yard, Rear” means a space on the same Lot with a Building opposite the Front Yard
868 between the rear of the Building and the rear Lot line and extending across the full width of
869 the Lot. The depth of the Rear Yard is the minimum distance between the rear Lot line and
870 the closest point of the rear of the Building.

871 (285) “Yard, Side” means a space on the same Lot with a Building between the side line of
872 the Building and the side Lot line and extending from the Front Yard to the Rear Yard. The
873 width of the Side Yard shall be the minimum distance between the side Lot line and the side
874 line of the Building.

875 (286) “Zoning” means the land use regulation imposed by the City, including but not limited
876 to the division of the City into Zoning districts, the establishment of land use standards in each
877 district, and the regulation of Buildings upon the land.

878 (287) “Zoning Administrator” means the West Valley City Zoning Administrator as
879 appointed by the City Manager or his or her designee.

880 (288) “Zoning Ordinance” means the West Valley City Zoning Ordinance as presently
881 adopted and amended in the future.

882 **7-5-101. ZONING AMENDMENTS.**

883 (1) The City Council may, from time to time, on its own motion or pursuant to an application,
884 amend the number, shape, boundaries or area of any Zoning district, or any regulation of or
885 within any Zoning district or any other provisions of the Zoning Ordinances. Any such
886 proposed amendment shall first be submitted to the Planning Commission for a
887 recommendation.

888 (2) Zoning amendments approved, receiving a recommendation other than denial by the
889 Planning Commission, or appealed by the Applicant shall be considered by the City Council
890 as provided in this Section. Before finally adopting any amendment recommended or
891 approved by the Planning Commission, the City Council shall hold a public hearing.

892 (3) Except as provided in subsections (5) and (6) below, property within City limits may only
893 be amended or rezoned to the following zones: A, A-1, A-2, RE, RS, C-1, C-2, C-3, BRP,
894 MXD, CC, LI, SH, and M.

895 (4) Property within City limits may only be amended or rezoned to the RM zone if all of the
896 following conditions are met:

897 a. For properties without existing Structures which are proposed to be developed, the
898 property must be a minimum of two acres and the Density must not exceed 12 units per
899 acre. For properties with existing Structures proposed to be redeveloped, there is no
900 minimum acreage requirement, but the Density must not exceed 20 units per acre. For
901 properties within one-half mile of the West Valley Central light rail station, the Density
902 may exceed 20 units per acre;

903 b. The property shall meet any one of the following three requirements: (i) have access
904 and Frontage on a Street with a planned Right-of-way width of at least 80 feet (for
905 properties under two acres) or 100 feet (for properties two acres or larger) as indicated on
906 the Major Street Plan; (ii) be adjacent to existing multifamily residential development on
907 two sides; or (iii) be located within one-half mile of the West Valley Central light rail
908 station; and

909 c. A Development Agreement must be proposed with the zone change application that
910 addresses Dwelling Unit sizes, exterior materials, architecture, Landscaping, and project

911 Amenities.

912 (5) Property within City limits may be amended or rezoned to the R-1-7, R-1-8, R-1-10, or
913 R-1-12 zones if the property is less than two acres in area as of July 22, 2016. Properties under
914 two acres created or subdivided after July 22, 2016, shall not be eligible to apply for the R-1-
915 7, R-1-8, R-1-10, or R-1-12 zones.

916 (6) If the City Council denies an application to change the Zoning of a property, no
917 application to change the Zoning of that property to the same zone as proposed in the denied
918 application shall be submitted until at least one year has passed unless the Planning
919 Commission finds that circumstances have changed in such a manner as to merit consideration
920 of a new application.

921 **7-6-101. ESTABLISHMENT OF ZONES.**

922 For the purpose of this Title, the City is divided into ~~26~~27 Zoning districts as follows:

923 Agricultural Zones:

924 A (Agricultural, minimum lot size ½ acre)

925 A-1 (Agricultural, minimum lot size 1 acre)

926 A-2 (Agricultural, minimum lot size 2 acres)

927 Residential Zones:

928 R-1-4 (Single Unit Dwelling Residential, minimum lot size 4,000 square feet)

929 R-1-6 (Single Unit Dwelling Residential, minimum lot size 6,000 square feet)

930 R-1-7 (Single Unit Dwelling Residential, minimum lot size 7,000 square feet)

931 R-1-8 (Single Unit Dwelling Residential, minimum lot size 8,000 square feet)

932 R-1-10 (Single Unit Dwelling Residential, minimum lot size 10,000 square feet)

933 R-1-12 (Single Unit Dwelling Residential, minimum lot size 12,000 square feet)

934 R-1-20 (Single Unit Dwelling Residential, minimum lot size 20,000 square feet)

935 R-2-6.5 (Two Unit Dwelling Residential, minimum lot size 6,500 square feet)

936 R-2-8 (Two Unit Dwelling Residential, minimum lot size 8,000 square feet)

937 R-4 (Four Unit Dwelling Residential)

938 RB (Residential Business)

939 RE (Residential Estate)

940 RM (Multiple Unit Dwelling Residential)

941 RMH (Residential Mobile Home)

942 RS (Residential Sustainability)

943 SH (Supportive Housing)

944 Commercial Zones:

945 C-1 (Neighborhood Commercial)

946 C-2 (General Commercial)

947 C-3 (Transitional Commercial)

948 CC (City Center)

949 BRP (Business/Research Park)

950 MXD (Mixed Use)

951 Manufacturing Zones:

952 LI (Light Industrial)

953 M (Manufacturing)

954 **7-6-201. AGRICULTURAL AND RESIDENTIAL USE TABLE.**

955 The following table indicates the permitted (P), conditional (C), and prohibited (X) Uses within
956 the Agricultural and Residential Zones of the City. Where uses are marked with an asterisk,
957 regulations can be found elsewhere in this Title. It is the express intent of the City Council that
958 any Use not listed in this table is prohibited in the Agricultural and Residential Zones of the City.

Uses - (Uses with an asterisk (*) include use specific regulations.)	Zones – (Zones with an asterisk (*) include regulations that limit the use.)									
	A, A-1, A-2	RE	R-1, RS	R-2-6.5	R-2-8	R-4	RM	RMH	SH	RB
Agriculture	P	P	P	P	P	P	P	P	P	P
Apartments	X	X	X	X	X	C	C	X	P	X
Assisted Living Facility	X	X	X	X	X	P	P	X	P	P
Boarding Home	X	X	X	X	X	X	X	X	C	X
Cannabis Production Establishment*	C*	X	X	X	X	X	X	X	X	X
Cargo Container*	P	X	X	X	X	X	X	X	X	X
Commercial raising, rental, stabling, training and grazing of animals*	C	X	X	X	X	X	X	X	X	X
Community Use	P	P	P	P	P	P	P	P	P	P
Condominiums	X	X	C	C	C	C	C	X	C	X
Crisis Nursery and Counseling Center	X	X	X	P	P	P	P	P	P	P
Day Care/Preschool Center	X	X	X	X	X	X	P	X	X	P
Day Care/Preschool Center in conjunction with a church	C	C	C	C	C	C	P	C	C	P
Equestrian schools	C	X	X	X	X	X	X	X	X	X
Financial Institution	X	X	X	X	X	X	X	X	X	P
Food Vending Unit and Mobile Food Vending Vehicle as an accessory use to an approved community use	P	P	P	P	P	P	P	P	P	P
Four Unit Dwelling	X	X	X	X	X	C	X	X	X	X
Home Occupation*	P	P	P	P	P	P	P	P	P	P
Home Occupation in Accessory Building*	C	C	C	C	C	C	C	C	C	C
Household Pets	P	P	P	P	P	P	P	P	P	P
Inland Port Use	X*	X	X*	X	X	X	X	X	X	X

Uses - (Uses with an asterisk (*) include use specific regulations.)	Zones – (Zones with an asterisk (*) include regulations that limit the use.)									
	A, A-1, A-2	RE	R-1, RS	R-2-6.5	R-2-8	R-4	RM	RMH	SH	RB
Kennel, Indoor*	C	X	X	X	X	X	X	X	X	X
Kennel, Outdoor*	C	X	X	X	X	X	X	X	X	X
Kennel, Sportsman's*	C	X	X	X	X	X	X	X	X	X
Mobile Home Park*	X	X	X	X	X	X	X	C	X	X
Mobile Home (in a Mobile Home Park or in a Mobile Home Subdivision only)	X	X	X	X	X	X	X	P	X	X
Mobile Home Subdivision	X	X	X	X	X	X	X	C	X	X
Noncommercial raising, training and grazing of animals	P	X	X	X	X	X	X	X	X	X
Nursing home/Convalescent Center	X	X	X	X	X	P	P	X	P	P
Office, Medical and Dental	X	X	X	X	X	X	P	X	X	P
Office, Professional	X	X	X	X	X	X	P	X	X	P
Planned Unit Development	X	C	C	C	C	C	C	C	C	X
Public Utility installations (except lines and rights-of-way)	C	C	C	C	C	C	C	C	C	C
Radio and television transmission antennas, transmitting stations and related facilities*	C	X	X	X	X	X	X	X	X	X
Single Unit Dwelling	P	P	P	P	P	P	P	P	P	P
Temporary Nonresidential Buildings	P	P	P	P	P	P	P	P	P	P
Temporary Land Use	X	X	X	X	X	X	X	X	X	P
Temporary Use accessory to a Community Use	P	P	P	P	P	P	P	P	P	P
Three Unit Dwelling	X	X	X	X	X	C	X	X	X	X
Turf Farm Equipment Manufacturing*	C	X	X	X	X	X	X	X	X	X
Twin Home	X	X	X	X	P	P	P	X	X	X

Uses - (Uses with an asterisk (*) include use specific regulations.)	Zones – (Zones with an asterisk (*) include regulations that limit the use.)									
	A, A-1, A-2	RE	R-1, RS	R-2-6.5	R-2-8	R-4	RM	RMH	SH	RB
Two Unit Dwelling	X	X	X	P	P	P	X	X	X	X
Uses customarily accessory to listed conditional uses	P	P	P	P	P	P	P	P	P	P
Uses customarily accessory to listed permitted uses	P	P	P	P	P	P	P	P	P	P
Veterinary Hospital*	C	X	X	X	X	X	X	X	X	P

959 X: Use is prohibited

960 C: Use is conditional

961 P: Use is permitted

962 **7-6-202. AGRICULTURAL AND RESIDENTIAL STANDARDS TABLE.**

963 The following tables indicate Lot size, setback, Building Height, and Accessory Building
 964 requirements within the Agricultural and Residential Zones of the City.

Residential Standards	RM	SH	RB	R-4	RMH	R-2-6.5	R-2-8	R-1-4	R-1-6	R-1-7
Minimum Lot size (square feet)	20,000*	20,000*	8,000	9,000*	217,800*	6,500*	8,000*	4,000	6,000	7,000
Minimum Lot Width for Interior Lots (feet)	100*	100*	70	80*	N/A	60*	80*	50	65	70
Minimum Lot Width for Corner Lots (feet)	100*	100*	70	80*	N/A	60*	80*	60	75	80
Front setback (feet)	25*	25	25	25	25	25	25	25	25	25
Side setback (feet)	10*	10*	10	10	7.5	8*	8*	0	6*	8*
Garage side setback (feet)	10*	10*	10	10	7.5	8*	8*	10*	10*	10*

Residential Standards	R-1-8, RS	R-1-10	R-1-12	RE	R-1-20	A	A-1	A-2
Corner Lots (feet)								
Front setback (feet)	25	30	30	30	30	30	30	30
Side setback (feet)	8*	8*	10*	10	10*	10	10	10
Garage side setback (feet)	10*	10*	10*	10	10*	10	10	10
Street side setback (feet)	20	20	20	20	20	20	20	20
Rear setback (feet)	20*	20*	30*	30	30*	30	30	30
Maximum Building Height for all Buildings except Accessory Buildings (feet)	30	30	30	30	30	30	30	30
Maximum Building Height for all Buildings except Accessory Buildings (Stories)	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5
Maximum Building Height for Accessory Buildings (feet)	20	20	20	20	20	20	20	20
Maximum Building Height for Accessory Buildings (Stories)	1	1	1	1.5	1	1	1	1
Minimum Building Height for all Buildings (Stories)	1	1	1	1	1	1	1	1

966

* See the specific zone for additional requirements and/or exceptions.

Standards for Accessory Buildings in Rear Yards	RM	SH	RB	R-4	RMH	R-2-6.5	R-2-8	R-1-4	R-1-6	R-1-7
Setback from Primary Buildings (feet)	3	3	3	3	N/A	3	3	3	3	3

Standards for Accessory Buildings in Rear Yards	RM	SH	RB	R-4	RMH	R-2-6.5	R-2-8	R-1-4	R-1-6	R-1-7
Side setback (feet)	1*	1*	1*	1*	N/A	1*	1*	1*	1*	1*
Rear setback (feet)	1*	1*	1*	1*	N/A	1*	1*	1*	1*	1*
Street side setback (feet)	20*	20*	20*	20*	N/A	20*	20*	20*	20*	20*
Maximum Rear Yard Building Coverage (percentage)	N/A	N/A	25	N/A	N/A	25	25	25	25	25

967 * See the specific zone for additional requirements and/or exceptions.

Standards for Accessory Buildings in Rear Yards	R-1-8_RS	R-1-10	R-1-12	RE	R-1-20	A	A-1	A-2
Setback from Primary Buildings (feet)	3	3	3	3	3	3	3	3
Side setback (feet)	1*	1*	1*	10	1*	10	10	10
Rear setback (feet)	1*	1*	1*	10	1*	10	10	10
Street side setback (feet)	20*	20*	20*	20*	20*	20*	20*	20*
Maximum Rear Yard Building Coverage (percentage)	25	25	25	25	25	N/A	N/A	N/A

968 * See the specific zone for additional requirements and/or exceptions.

969 **Section 4. Severability.** If any provision of this Ordinance is declared to be invalid by
970 a court of competent jurisdiction, the remainder shall not be affected thereby.

971 **Section 5. Effective Date.** This Ordinance shall take effect immediately upon posting
972 in the manner required by law.

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977 **PASSED and APPROVED** this _____ day of _____, 2020.

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WEST VALLEY CITY

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983

MAYOR

984 ATTEST:

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988 CITY RECORDER