Chapter 19.04
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19.04.005 Terms, tenses and disputes of definitions.

For the purpose of this title, certain terms and words are to be used and interpreted as defined hereinafter. Words used in the present tense shall also include the future tense; words used in the masculine gender shall also include the feminine gender; words used in the singular number shall also include the plural number; and words in the plural number shall also include the singular number, except where the natural construction of the writing indicates otherwise. The word "shall" is mandatory and not discretionary. For any term or use not defined herein, the APA publication entitled *Planner's Dictionary* and *Webster's Dictionary* (latest editions) shall be consulted and the definition used will be determined by the director.

19.04.010 Accessory building (residential).

In a residential district, a subordinate building that is attached or detached and is used for a purpose that is customarily incidental to the main structure but not involving the conduct of a business (i.e., the building area must be significantly less than that of the main structure). Examples include, without limitation, the following: a private garage for automobile storage, tool shed, greenhouse as a hobby (no business), home workshop, children's playhouse, storage building, garden shelter, etc.

19.04.020 Accessory building (business or industry).

In the nonresidential districts, a subordinate building to the main building that does not exceed the height of the main building and does not exceed 50% of the floor area of the main building, and that is used for purposes accessory and incidental to the main use.

19.04.030 Accessory use.

A use that is customarily incidental, appropriate and subordinate to the principal use of land or building(s) and that is located upon the same lot therewith (i.e., the land/building area that is used for the accessory use must be significantly less than that used for the primary use, and/or the gross receipts/income that is derived from the accessory use must be significantly less than that derived from the primary use).

19.04.040 Alley.

A minor right-of-way that is dedicated to public use and which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.

19.04.050 Ambulance service.

Provision of private (not operated by the city, its contract service providers, or the fire department) emergency transportation which may include mobile medical care, and which may include storage and maintenance of vehicles.

19.04.060 Amusement arcade (also "**video arcade**").

Any building, room, place or establishment of any nature or kind, and by whatever name called, where more than ten percent of the public floor area is devoted to three or more amusement devices that are operated for a profit, whether or not the same is operated in conjunction with any other business including, without limitation, such amusement devices as coin-operated pinball machines, video games, electronic games, shuffle boards, pool tables or other similar amusement devices. However, the term "amusement device," as used herein, shall not include musical devices, machines that are designed exclusively for small children, or devices designed to train persons in athletic skills such as golf, tennis, baseball, archery or other similar sports.

19.04.070 Amusement, commercial (indoor) (see also "commercial recreation").

An amusement enterprise that is wholly enclosed within a building which is treated acoustically so that noise generated by the enterprise is not perceptible at the abutting property line, and that provides activities, services and/or instruction for the entertainment of customers or members, but not including amusement arcades. Uses may include, without limitation, the following: bowling alley, ice skating rink, martial arts club, racquet-ball/handball club, indoor tennis courts/club, indoor swimming pool or scuba diving facility, and other similar types of uses.

19.04.080 Amusement, commercial (outdoor) (see also "commercial recreation").

An amusement enterprise offering entertainment and/or games of skill to the general public for a fee wherein any portion of the activity takes place outdoors and including, but not limited to, a golf driving range, archery range, miniature golf course, batting cages, go-cart tracks, amusement parks, and other similar types of uses.

19.04.090 Antenna, microwave reflector and antenna support structure.

An antenna is the arrangement of wires or metal rods used in transmission, retransmission and/or reception of radio, television, electromagnetic or micro-wave signals (includes microwave reflectors/antennae). A microwave reflector is an apparatus constructed of solid, open mesh, bar-configured, or perforated materials of any shape/configuration that is used to receive and/or transmit microwave signals from a terrestrial or orbitally located transmitter or transmitter relay. Microwave reflectors are also commonly referred to as satellite receive only earth stations (T.V.R.O.S.), or satellite dishes. An antenna support structure is any tower, mast, pole, tripod, box frame, or other structure utilized for the purpose of supporting one or more antennae or microwave reflectors.

19.04.100 Antenna (non-commercial/ amateur).

An antenna or antenna support structure used for the purpose of transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals for private or personal use and not for the purpose of operating a business and/or for

financial gain. A satellite dish antenna not exceeding six feet (6') in diameter shall also be considered as a non-commercial antenna.

19.04.110 Antenna (commercial).

An antenna or antenna support structure used for the purpose of transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals primarily for the purpose of operating a business and/or for financial gain (e.g., commercial broadcasting, cellular /wireless telecommunications, etc.). A satellite dish antenna that exceeds six feet in diameter shall also be considered as a commercial antenna.

19.04.120 Antique shop.

A retail establishment engaged in the selling of works of art, furniture and/or other artifacts of an earlier period, with all sales and storage occurring inside a building.

19.04.130 Art gallery or museum.

An institution for the collection, display and/or distribution of objects of art or science, and which is typically sponsored by a public or quasi-public agency and generally open to the public.

19.04.140 Assisted living facility.

A congregate residence facility for ten or more elderly (over 55 years of age) persons, regardless of legal relationship, who need limited assistance with daily living activities. A limited number of support services such as meals, laundry, housekeeping, transportation, social /recreational activities, hairdressing, etc. may be provided or associated with the assisted living facility. Units may be attached or detached, single- or double-occupancy, and may include limited or full kitchen facilities. Full-time medical or nursing care is not typically provided by the facility, but may be privately arranged for by individual residents on a part-time or temporary basis (e.g., visiting nurses, etc.).

19.04.150 Auto laundry or car wash.

Washing, waxing or cleaning of automobiles or light duty trucks.

A. *Attended auto laundry or car wash***.** The owner of the vehicle does not actually wash the vehicle. Instead, he either leaves the vehicle and comes back to retrieve it later, or he waits in a designated area while employees of the car wash facility vacuum, wash, dry, wax and/or detail the vehicle for a fee.

B. *Unattended auto laundry or car wash***.** The owner of the vehicle causes the vehicle to become washed. One type of unattended car wash facility utilizes automated self-service (drive-thru /rollover) wash bays and apparatus in which the vehicle owner inserts money or tokens into a machine, drives the vehicle into the wash bay, and waits in the vehicle while it is being washed. The other type of unattended facility is comprised of wand-type self-service (open) wash bays in which the vehicle owner drives the vehicle into the wash bay, gets out of the vehicle, and hand washes the vehicle with a wand-type apparatus by depositing coins or tokens into a machine.

19.04.160 Auto finance and leasing.

Leasing of automobiles, motor-cycles, and light load vehicles but no outside storage.

19.04.170 Auto parts and accessory sales (indoors).

The use of any building or other premise for the primary inside display

and sale of new or used parts for automobiles, panel trucks or vans, trailers, or recreation vehicles.

19.04.180 Auto rental.

Storage or renting of automobiles and light trucks.

19.04.190 Auto sales (new).

Retail sales of new automobiles or light load vehicles, including, as a minor part of the business, the sales of used automobiles or light load vehicles and the service of new or used vehicles.

19.04.200 Auto sales (used).

Retail sales, or offering for sale, used automobiles or light load vehicles.

19.04.210 Auto storage or auto auction.

The storage or impoundment, on a lot or tract which is paved in accordance with parking lot paving requirements set forth in this ordinance, of operable automobiles for the purpose of holding such vehicles for sale, distribution and/or storage. This definition shall not include the storage of wrecked or inoperable vehicles (see "wrecking yard").

19.04.220 Automobile.

A self-propelled mechanical vehicle designed for use on streets and highways for the conveyance of goods and people including but not limited to the following: passenger cars, light duty trucks and sport utility vehicles, vans and mini-vans, motor scooters and motorcycles.

19.04.230 Automobile accessory installation (minor).

Minor installation of automobile accessories such as car alarms, radio and stereo equipment, window tinting, pin striping, cellular telephones and similar accessories.

19.04.240 Automobile repair garage.

An establishment providing major or minor automobile repair services to all motor vehicles except heavy load vehicles.

19.04.250 Automobile repair, major.

General repair or reconditioning of engines, air-conditioning systems and transmissions for motor vehicles; wrecker service; collision repair services including body, frame or fender straightening or repair; customizing; painting; vehicle steam cleaning; undercoating and rustproofing; those uses listed under "Automobile Repair, Minor"; and other similar uses.

19.04.260 Automobile repair, minor.

Minor repair or replacement of parts, tires, tubes and batteries; diagnostic services; minor maintenance services such as grease, oil, spark plug and filter changing; tune-ups; emergency road service; replacement of starters, alternators, hoses and brake parts; automobile washing and polishing; performing state inspections and making minor repairs necessary to pass said inspection; normal servicing of air-conditioning systems; and other similar minor services for motor vehicles except heavy load vehicles, but not including any operation named under "Automobile Repair, Major" or any other similar use.

19.04.270 Automotive gasoline or motor fuel service station.

Any building, land area or other premises, or portion thereof, used or intended to be used for the retail dispensing or sales of automotive fuels, lubricants and automobile accessories,

including those operations listed under "Automobile Repair, Minor." Vehicles which are inoperative or are being repaired may not remain parked outside these facilities for a period greater than forty-eight (48) hours.

19.04.280 Bakery or confectionery (retail).

A facility with less than 1,500 square feet for the production and/or sale of baked goods.

19.04.290 Bakery or confectionary (wholesale or commercial).

A manufacturing facility with over 1,500 square feet for the production and distribution of baked goods and confectioneries to retail outlets.

19.04.300 Ballroom dancing.

An establishment open to the general public for dancing; provided that any sales of alcoholic beverages for on-premise consumption shall be subject to requirements of applicable city ordinances pertaining to alcoholic beverages.

19.04.310 Bank, savings and loan, or credit union.

An establishment for the custody, loan, exchange and/or issue of money, the extension of credit, and/or facilitating the transmission of funds.

19.04.320 Barn.

A structure intended for the purpose of storing farming and ranching related equipment and/or housing livestock.

19.04.330 Basement or cellar.

A portion of a building that is partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half of its height is above the average level of the adjoining ground or when subdivided and used for commercial or dwelling purposes by other than a janitor employed on the premises.

19.04.340 Bed and breakfast.

A dwelling occupied as a permanent residence by an owner or renter which serves breakfast and provides or offers sleeping accommodations.

19.04.350 Block.

A piece or parcel of land entirely surrounded by public highways or streets, other than alleys. In cases where the platting is incomplete or disconnected, the manager, or his/her designee, shall determine the outline of the block.

19.04.355 Blood plasma facility.

A building and premises used primarily for the performance of plasmapheresis, which is the procedure whereby whole blood is removed from a plasma donor by venipuncture or phlebotomy, the plasma is separated therefrom for sale or transfer, and the formed elements of the blood are returned to the donor. "*Blood plasma facility*" does not include blood donation centers in which primarily whole blood is extracted from donors and used, transferred or sold, such as blood donation centers sponsored by the American Red Cross.

19.04.360 Boarding or rooming house.

A dwelling other than a hotel, where for compensation and by prearrangement for definite periods, lodging and/or meals are provided.

19.04.370 Board of adjustment.

A board which is appointed by the manager with advice and consent of the

city council, and which is authorized to make special exceptions to the city's zoning ordinance (i.e., variances), and to hear and decide certain appeals alleging error in an order, requirement, decision or determination as provided in this title.

19.04.380 Building.

Any structure intended for shelter, occupancy, housing or enclosure for persons, animals or chattel. When separated by dividing walls without openings, each portion of such structure so separated shall be deemed a separate building.

19.04.390 Building code.

The city's building code in effect at the time in question.

19.04.400 Building, main or primary.

A building in which the principal use of the lot on which it is situated is conducted. In a residential district, any dwelling shall be deemed to be a main building on the lot on which it is situated.

19.04.410 Building materials and hardware sales (indoor or outdoor).

Materials, tools, and/or hardware customarily used in the construction of buildings and other structures, including facilities for storage of materials for retail sales. Sometimes referenced as a "home improvement center." "Outdoor" means the storage of materials and products outside of the main building.

19.04.420 Building official.

The inspector or administrative official charged with responsibility for issuing permits and enforcing the city's building code.

19.04.430 Building site.

See "lot."

19.04.440 Bus station or terminal.

Any premises for the transient housing and/or parking of motor-driven buses and the loading and unloading of passengers.

19.04.450 Caretakers' or guards' residence.

A residence located on a premises with a main residential or nonresidential use and occupied only by a caretaker or guard employed on the premises (e.g., residence for guard in a private street development, residence for a guard/manager/caretaker for a self-storage facility or a restricted access business park, etc.).

19.04.460 Carnival, circus or tent service (temporary).

Outdoor or indoor commercial amusement provided on a temporary basis.

19.04.470 Carport.

A structure that is open on a minimum of two sides and designed or used to shelter not more than three vehicles and not to exceed 24 feet on its longest dimension. Also called "covered parking area."

19.04.474 Car wash.

Any area or business using self-service, in-bay automatic or conveyor equipment for cleaning and washing motor vehicles, whether as part of another business operation or as a stand-alone operation, of any type, on a commercial basis, and shall include fleet and municipal in-bay automatic and conveyor car washes.

19.04.475 Car wash – Conveyor

A car wash system where the vehicle moves through the facility by means of a conveyor belt or other mechanical means while being cleaned.

19.04.476 Car wash – In-bay automatic

A car wash system where the vehicle remains stationary while a machine moves back and forth to clean it.

19.04.477 Car wash – Self-service

A car wash system where the customer washes the vehicle using a wand or brush that dispenses water and cleanser.

19.04.480 Cemetery or mausoleum.

Land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

19.04.490 Cemetery, animal.

A cemetery only for the burial of dead animals.

19.04.500 Certificate of occupancy.

An official certificate issued by the city through the building official which indicates conformance with the zoning regulations and building codes and which authorizes legal use of the premises for which it is issued.

19.04.510 Check cashing.

Cashing a check for consideration, extending a deferred deposit loan, and any other similar types of business licensed by the state pursuant to the Check Cashing Registration Act, UTAH CODE ANN. §7-23-101, *et seq.*, as amended.

19.04.520 Church, rectory or temple.

A building for regular assembly for religious worship which is used primarily and designed for such purpose and those accessory activities which are customarily associated therewith, and the place of residence for ministers, priests, nuns or rabbis on the premises (tax exempt as defined by state law).

19.04.530 City.

The city of Cottonwood Heights, Utah.

19.04.540 City council.

The city's city council or other governing body.

19.04.550 Civic center.

A building or complex of buildings that house municipal offices and services, and which may include cultural, recreational, athletic, food service, convention and/or entertainment facilities owned and/or operated by a municipality.

19.04.560 Cleaning plant (commercial/wholesale).

An industrial facility where fabrics are cleaned with substantially non-aqueous organic solvents on a commercial or wholesale basis.

19.04.570 Cleaning shop or laundry (small shop, pick-up and self service).

A custom cleaning shop not exceeding 2,500 square feet of floor area and may include customer self-service laundry and cleaning.

19.04.580 College or university.

An academic institution of higher learning, accredited or recognized by the state and covering a program or series of programs of academic study.

19.04.590 Commercial amusement (indoor).

See "amusement, commercial (indoor)."

19.04.600 Commercial amusement (outdoor).

See "amusement, commercial (outdoor)."

19.04.610 Commercial recreation.

See "amusement commercial."

19.04.620 Communications operations (non-commercial/amateur).

The transmission, retransmission and/or reception of radio, television, electromagnetic, or microwave signals for private or personal use, and not for the purpose of operating a business and/or for financial gain.

19.04.630 Communications operations (commercial).

The transmission, retransmission, and/or reception of radio, television, electromagnetic, or microwave signals primarily for the purpose of operating a business and/or for financial gain.

19.04.640 Community center (public).

A building or complex of buildings that house cultural, recreational, athletic, food service and/or entertainment facilities owned and/or operated by a governmental agency or private nonprofit agency.

19.04.650 Concrete or asphalt batching plant (permanent).

A permanent manufacturing facility for the production of concrete or asphalt.

19.04.660 Concrete or asphalt batching plant (temporary).

A temporary manufacturing facility for the production of concrete or asphalt during construction of a project, and to be removed when the project is completed.

19.04.670 Continuing care retirement community.

A housing development designed to provide a full range of accommodations for older adults (55 years of age or older), including independent living, assisted living and skilled full-time nursing or medical care. Residents may move from one level to another as their needs change.

19.04.680 Convenience store with (or without) gasoline sales.

Retail establishment selling food for on or off-premises consumption and a limited selection of groceries and sundries (and possibly gasoline, if pumps are provided). Does not include or offer any automobile repair services.

19.04.690 Copy shop or printing.

An establishment which reproduces, in printed form, individual orders from a business, profession, service, industry or government organization and occupies less than 4,000 square feet.

19.04.700 Contractor's shop with outside storage yard.

A building, part of a building, or land area for the construction or storage of

materials, equipment, tools, products, and vehicles.

19.04.710 Country club (private).

A land area and buildings which may include a golf course, clubhouse, dining room, swimming pool, tennis courts and similar recreational or service uses available only to members and their guests.

19.04.720 County.

Salt Lake County.

19.04.730 Court.

An open, unobstructed space, bounded on more than two sides by the walls of a building. An inner court is entirely surrounded by the exterior walls of a building. An outer court has one side open to a street, alley, yard, or other permanent open space.

19.04.740 Coverage.

The lot area covered by all buildings located thereon, including the area covered by all overhanging roofs.

19.04.750 Custom personal service shop.

Tailor, dressmaker, shoe shop, barber shop, beauty shop or similar shop offering custom service.

19.04.760 Day camp for children.

A facility arranged and conducted for the organized recreation and instruction of children including outdoor activities on a daytime basis.

19.04.770 Density.

The total number of residential buildings allowed upon a given tract of land usually expressed in total number of units per gross acres or net acre.

19.04.780 Department.

Means the city's community development department.

19.04.785 Depository institution.

A financial institution for the custody of deposits, withdrawal of funds, extension of loans, and facilitation of the transmission of funds. Depository institutions include banks, credit unions, savings banks, industrial banks, savings and loan associations, and any other institution treated as a depository institution under the Utah Financial Institutions Act.

19.04.790 Detached.

Having no physical connection above the top of the floor line of the first floor with any other building or structure.

19.04.800 Development review committee.

A committee of city staff members that reviews proposed development projects for compliance with this code, consisting of the director and others designated from time to time by him, such as the city engineer, one or more of city's planning staff members, the city's fire inspector, a representative of the city's public works provider, the city attorney, and/or others designated from time to time by the director.

19.04.810 Director.

The director of the city's community development department or his designee.

19.04.820 Distribution center.

Building or facility used for the storage and distribution of wholesale items/products.

19.04.830 Drapery or furniture upholstering shop.

An establishment for the production, display and sale of draperies and soft coverings for furniture.

19.04.840 Dwelling.

Any building or portion thereof, which is designed or used as living quarters for one or more families.

19.04.850 Dwelling, single family attached (townhouse).

See "single family dwelling (attached)."

19.04.860 Easement.

A grant of one or more of the property rights by the property owner to and/or for the use by the public, a corporation or another person or entity.

19.04.870 Educational facilities.

Public and private primary, secondary and post-secondary educational facilities offering instruction in the branches of learning and study required to be taught by the state or its school districts; and such federally funded educational programs for preschool children such as the Head Start Program.

19.04.880 Electrical substation (high voltage bulk power).

A subsidiary station in which electric current is transformed.

19.04.890 Enclosed building.

A structure which is floored, roofed and surrounded by outside walls, which contains no opening larger than 120 square feet in area normally open to the air and which contains no series of openings forming a divided opening larger than 120 square feet in area normally open to the air.

19.04.900 Fairgrounds or exhibition area.

An area or space either outside or within a building for the display of topic-specific goods or information.

19.04.910 Family.

One or more persons related by blood, marriage, or adoption; or a group not to exceed four persons not all related by blood or marriage, adoption or guardianship, occupying a dwelling unit.

19.04.920 Family home (child care in place of residence).

A facility that regularly provides care in the caretaker's own residence for not more than six children under 14 years of age, excluding the caretaker's own children, and that provides care after school hours for not more than six additional elementary school siblings of the other children given care. However, the number of children, including the caretaker's own, provided care at such facility shall not exceed 12 at any given time. No outside employees are allowed at the facility.

19.04.930 Farm, ranch, garden, crops or orchard.

An area used for growing usual farm products, vegetables, fruits, trees, and grain and for the raising thereon of the usual farm animals such as horses, cattle, and sheep and including the necessary accessory uses for raising, treating, and storing products raised on the premises, but not including the commercial feeding of offal or garbage to swine or other animals and not including any type of agriculture or husbandry specifically prohibited by applicable law.

19.04.940 Feed and grain store.

An establishment for the selling of corn, grain and other food stuffs for animals and livestock, and including implements and goods related to agricultural processes, but not including farm machinery.

19.04.950 Fire department.

The Unified Fire Authority or other fire or emergency services contract provider for the city.

19.04.960 Flood plain.

An area of land subject to inundation by a 100-year frequency flood as determined using standard engineering practices and generally as shown on the FIRM Flood Insurance Rate Map of the city.

19.04.970 Floor area.

The total gross square feet of floor space within the outside dimensions of a building including each floor level, but excluding carports, residential garages, and breezeways.

19.04.980 Floor area ratio (FAR).

The floor area of a main building or buildings on a lot, divided by the lot area.

19.04.990 Florist shop.

An establishment for the display and retail sale of flowers, small plants and accessories.

19.04.1000 Food processing.

A manufacturing or light industrial use that primarily deals with the processing and packaging of food (such as dairy or grain) products that are intended for human consumption, but which are not typically sold in volume to end users on the premises. Incidental retail sales of food products (e.g., bread and baked goods, dairy products such as cheese, etc.) created and packaged on the premises may be allowed as an accessory use.

19.04.1010 Food store.

A retail business establishment that displays and sells consumable goods that are not to be eaten on the premises. Prepared food may be sold only as a secondary or accessory use.

19.04.1020 Franchised private utility (not listed).

A utility such as one distributing heat, chilled water, closed circuit television or similar service and requiring a franchise to operate in the city.

19.04.1030 Fraternal organization, lodge, civic club or union.

An organized group having a restricted membership and specific purpose related to the welfare of the members such as Elks, Masons, Knights of Columbus, or a labor union.

19.04.1040 Front yard.

See "yard, front."

19.04.1050 Funeral home or mortuary.

A place for the storage of human bodies prior to their burial or cremation, or a building used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.

19.04.1060 Furniture, home furnishings or appliance stores.

Retail stores selling new goods for furnishing the home including, without limitation, furniture, floor coverings, draperies, glass and chinaware, domestic

stoves, refrigerators, and other household electrical and gas appliances.

19.04.1070 Furniture store (new and used).

Same as above except sales may include used items.

19.04.1080 Garage, private.

An enclosed (on at least three sides) accessory building, or a part of a main building, used for storage of automobiles and used solely by the occupants and their guests. Also called "enclosed parking space."

19.04.1090 Garage/accessory dwelling.

A residential dwelling unit attached to or over a garage but not attached to the main residential structure.

19.04.1100 Garden shop.

A facility which is engaged in the selling of flowers, ornamental plants, shrubs, trees, seeds, garden and lawn supplies, and other materials used in planting and landscaping, but not including cultivation and propagation activities outside a building.

19.04.1110 Gasoline service or filling station.

See "automotive gasoline or motor fuel service station."

19.04.1120 General commercial plant.

Establishments other than personal service shops for the treatment and/or processing of products as a service on a for-profit basis including, but not limited to, newspaper printing, laundry plant, or cleaning and dyeing plants.

19.04.1130 General manufacturing.

See "industrial, manufacturing."

19.04.1140 General plan.

Document adopted by the city that consists of graphic and textual policies which govern the future development of the city and which consists of various components governing specific geographic areas and functions and services of the city.

19.04.1150 General retail stores.

Retail stores which sell a number of lines of primarily new merchandise including, without limitation, dry goods, apparel and accessories, furniture and home furnishings, small wares, small appliances, hardware, and food. These stores generally are known as department stores, variety stores, general merchandise stores, general stores, etc. (See also "retail shop").

19.04.1160 Golf course.

An area of 20 acres or more improved with trees, greens, fairways, hazards, and which may include clubhouses.

19.04.1170 Group day-care home.

A facility that provides care for seven to 12 children under 14 years of age less than 24 hours a day.

19.04.1180 Gymnastic or dance studio.

A building or portion of a building used as a place of work for a gymnast or dancer or for instructional classes in gymnastics or dance.

19.04.1190 Hauling or storage company.

See "motor freight company."

19.04.1200 Health department.

The Salt Lake Valley Health Department.

19.04.1210 Heavy load vehicle.

A self-propelled vehicle having a manufacturer's recommended Gross Vehicle Weight (GVW) of greater than 12,000 pounds (including trailers), such as large recreational vehicles (originally manufactured as RVs, not converted), tractor-trailers, buses, vans, and other similar vehicles. The term "truck" shall be construed to mean "heavy load vehicle" unless specifically stated otherwise. Pick-up trucks, minivans, sports utility vehicles, and other similar light duty vehicles are not included.

19.04.1220 Heavy machinery sales and storage.

A building or open area used for the display, sale, rental or storage of heavy machinery, tractors or similar machines, or a group of machines which function together as a unit.

19.04.1230 Heliport.

An area of land or water or a structural surface which is used, or intended for use, for the landing and taking off of helicopters, and any appurtenant areas which are used, or intended for use for heliport buildings and other heliport facilities.

19.04.1240 Helistop.

The same as a heliport, except that no refueling, maintenance, repairs or storage of helicopters is permitted.

19.04.1250 Home for the aged, residence.

A home where elderly people are provided with lodging and meals without nursing care being a primary function.

19.04.1260 Hospital (acute care).

An institution where sick or injured patients are given medical and/or surgical treatment intended to restore them to health and an active life, and which is licensed by the state.

19.04.1270 Hospital (chronic care).

An institution where those persons suffering from illness, injury, deformity and/or deficiencies pertaining to age are given care and treatment on a prolonged or permanent basis and which is licensed by the state.

19.04.1280 Household appliance service and repair.

The maintenance and rehabilitation of appliances that are customarily used in the home including, but not limited to, washing and drying machines, refrigerators, dishwashers, trash compactors, ovens and ranges, countertop kitchen appliances, vacuum cleaners, etc., but not including appliances/equipment which have internal combustion engines.

19.04.1290 Household care facility.

A dwelling unit which provides residence and care to not more than nine persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, abused, or neglected children; victims of domestic violence; or rendered temporarily homeless due to fire, natural disaster or financial setbacks, living together with not more than two supervisory personnel as a single housekeeping unit.

19.04.1300 Household care institution.

A facility which provides residence and care to ten or more persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, abused, or neglected children; victims of domestic violence; convalescing from illness; or temporarily homeless due to

fire, natural disaster, or financial setback together with supervisory personnel.

19.04.1310 Incidental or accessory retail and service uses.

Any use different from the primary use but which compliments and/or supplements the primary use (for example, a sundries shop that serves tenants of an office building or hospital). Incidental shall mean an area which constitutes not more than 15% of the main use.

19.04.1320 Industrial manufacturing.

Establishments engaged in the manufacturing or transformation of materials into new products. These establishments are usually described as plants and factories, and characteristically use power driven machines and materials handling equipment. Manufacturing production is usually carried on for the wholesale market, rather than for direct sale to the domestic consumer.

19.04.1330 Kennels (indoor pens).

An establishment with indoor pens in which more than four dogs or domesticated animals more than one year old are housed, groomed, bred, boarded, trained and/or sold for commercial purposes.

19.04.1340 Kennels (outdoor pens).

An establishment with outdoor pens in which more than four dogs or domesticated animals more than one year old are housed, groomed, bred, boarded, trained and/or sold for commercial purposes.

19.04.1350 Kindergarten or nursery school (private).

An establishment where more than three children are housed for care and/or training during the day or portion thereof.

19.04.1360 Kiosk.

A small, free-standing, one-story accessory structure having a maximum floor area of 100 square feet and used for retail purposes, such as automatic teller machines or the posting of temporary information and/or posters, notices and announcements. If a kiosk is to be occupied, it shall have a minimum floor area of 50 square feet.

19.04.1370 Kitchen, residential.

Generally, that portion of a residential dwelling that is devoted to the preparation and/or cooking of food for the purpose of consumption by residents of the dwelling. In this title, a “kitchen” generally indicates the presence of complete cooking facilities (i.e., stove, oven, microwave oven and/or refrigerator), as differentiated from a "kitchenette," which provides very limited cooking facilities (i.e., single-burner hot plate, under-counter refrigerator, microwave oven only, etc.).

19.04.1380 Laboratory equipment manufacturing.

A facility that makes or produces equipment or products used for research or testing.

19.04.1390 Laboratory, scientific or research.

An establishment that engages in research, testing or evaluation of materials or products, but not medical-related (see also "medical facilities -- medical laboratory").

19.04.1400 Landscaping.

Material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees or palms, and non-living durable materials that are commonly used in landscaping such as, but not limited to, rocks, pebbles, sand, walls or fences, but excluding paving.

19.04.1410 Laundromat.

A facility where patrons wash, dry and/or dry clean clothing and other fabrics in machines that are operated by the patron.

19.04.1420 Light load vehicle.

A self-propelled vehicle having a manufacturer's recommended gross vehicle weight (GVW) not greater than 12,000 pounds and having no more than two axles, such as pick-up trucks, sport utility vehicles, vans and mini-vans, recreational vehicles (less than 32 feet in length), campers and other similar vehicles but not including automobiles and motorcycles.

19.04.1430 Light manufacturing or industrial use.

Manufacturing of finished products or parts, predominantly from previously prepared materials, including fabrication, assembly, and packaging of such products, and incidental storage, sales and distribution of such products, but excluding basic industrial processing.

19.04.1440 Loading space.

An off-street space or berth used for the delivery and loading/unloading of vehicles.

19.04.1450 Local utility line.

The facilities provided by a municipality or a franchised utility company for distribution or collection of gas, water, surface drainage water, sewage, electric power or telephone service, including pad- and pole-mounted transformers.

19.04.1460 Lot.

A platted parcel of land that is occupied or intended to be occupied by one main building (or a group of main buildings) and any accessory building(s), which includes such parking, landscaping and open space as are required by this title or other laws and/or ordinances, and also which has its principal frontage upon a public street.

19.04.1470 Lot area.

The total area, measured on a horizontal plane, included within lot lines.

19.04.1480 Lot, corner.

A lot which has at least two adjacent sides abutting for their full lengths upon a street, provided that the interior angle at the intersection of such two sides is less than 135 degrees.

19.04.1490 Lot depth.

The mean horizontal distance between the front and rear lot lines.

19.04.1500 Lot, double frontage.

A lot having frontage upon two non-intersecting streets, as distinguished from a corner lot.

19.04.1510 Lot, flag.

A lot having access to a street by means of a parcel of land generally having a depth greater than its frontage, but not less than 35 feet. Flag, or panhandle, lots are typically discouraged.

19.04.1520 Lot, interior.
A lot other than a corner lot.

19.04.1530 Lot frontage.
That dimension of a lot or portion of a lot abutting onto a street, excluding the side dimension of a corner lot.

19.04.1540 Lot line, front.
The narrower side of the lot abutting a street. Where two lot lines abutting streets are of equal length, the owner shall have a choice in designating which shall be the lot frontage. For a lot which has a boundary line which does not abut the front street line, is not a rear lot line, and lies along the same general directional orientation as the front and rear lot lines, said line shall be considered a front lot line in establishing minimum setback lines.

19.04.1550 Lot, key.
A corner lot whose exterior side is adjacent to the front yard of another lot.

19.04.1560 Lot line, rear.
The lot line farthest from and most parallel to the front lot line. For triangular lots, the point opposite the front lot line shall be considered the rear lot line and have a value of zero.

19.04.1570 Lot line, side.
Any lot line not the front or rear lot line.

19.04.1580 Lot lines or property lines.
The lines bounding a lot.

19.04.1590 Lot of record.
A lot which is part of a subdivision, the plat of which has been recorded in the office of the Salt Lake County Recorder.

19.04.1600 Lot width.
The horizontal distance measured between side lot lines parallel to the front lot line, and measured from the point on the building line which is closest to the front lot line.

19.04.1610 Main building.
The building or buildings on a lot which are occupied by the primary use.

19.04.1620 Manufactured home display or sales (new).
The offering for sale, storage, or display of new manufactured housing units (e.g., mobile homes/trailers, moveable manufactured homes or industrialized homes) on a parcel of land, but excluding the use of such facilities as dwellings either on a temporary or permanent basis.

19.04.1630 Manufactured home display or sales (used).
The offering for sale, storage, or display of previously owned (i.e., used), movable manufactured housing units (e.g., mobile homes/trailers) on a parcel of land, but excluding the use of such facilities as dwellings either on a temporary or permanent basis.

19.04.1640 Manufactured housing.
Prefabricated housing products which are typically manufactured /assembled at a location other than the end user's permanent site. For the purpose of this title, there are three types of manufactured homes:

A. *Mobile home*. A movable dwelling designed to be transported on its own chassis on the highway (either intact or in major sections) by a prime mover, which is constructed with a base section so as to be independently self-supporting,

and which does not require a permanent foundation for year-round living.

B. *HUD-code manufactured home*. A movable dwelling designed to be transported on the highway (either intact or in major sections) by a prime mover, which can be used as a residential dwelling either with or without a permanent foundation. A HUD-Code manufactured home is also defined as a movable manufactured home that was constructed after June 15, 1976.

C. *Industrialized home (also called modular prefabricated structure or modular home)*. A structure or building module, as defined under state law, that is transportable in one or more sections on a temporary chassis or other conveyance device, and that is designed to be installed and used by a consumer as a fixed residence on a permanent foundation system. The term includes the plumbing, heating, air-conditioning and electrical systems contained in the structure.

19.04.1650 Masonry construction.

That form of construction comprised of brick, stone, granite, marble, concrete, hollow clay tile, concrete block or tile, brick veneer, exterior plasters (including stucco), or other similar building units or materials or combination of these materials laid up unit by unit and set in mortar.

19.04.1660 Mausoleum.

Property used for the interring of the dead and where bodies are interred above ground in vaults.

19.04.1670 Medical facilities:

A. *Medical clinic or office*. A facility or group of offices for one or more physicians for the examination and treatment of ill and afflicted human outpatients provided that patients are not kept overnight except under emergency conditions.

B. *Dental office or doctor's office*. Same as medical clinic.

C. *Hospital*. An institution providing health services primarily for human inpatient medical or surgical care for the sick or injured and including related facilities such as laboratories, outpatient departments, training facilities, central services facilities, and staff offices which are an integral part of the facilities.

D. *Massage establishment*. Any place of business in which massage therapy is practiced by a massage therapist, as defined and licensed by State law. "Massage therapy", as a health care service, means the manipulation of soft tissue for therapeutic purposes. The term includes, but is not limited to, effleurage (stroking), petrissage (kneading), tapotement (percussion), compression, vibration, friction, nerve strokes, and Swedish gymnastics, either by hand or with mechanical or electrical apparatus for the purpose of body message. Massage therapy may include the use of oil, salt glows, heat lamps, hot and cold packs, tub, shower or cabinet baths. Equivalent terms for "massage therapy" are massage, therapeutic massage. Massage and "therapeutic" do not include diagnosis, the treatment of illness or disease, or any service or procedure for which a license to practice medicine, chiropractic, physical therapy, or podiatry is required by law.

E, *Public health center*. A facility primarily utilized by a health unit for providing public health services including related facilities such as laboratories, clinics and administrative offices operated in connection therewith.

F. *Sanitarium*. An institution providing health facilities for inpatient

medical treatment or treatment and recuperation making use of natural therapeutic agents.

G. *Surgical out-patient facility*. An establishment offering any type of surgical procedures and related care which, in the opinion of the attending physician, can be performed safely without requiring inpatient overnight hospital care and exclusive of such surgical and related care as licensed physicians ordinarily may elect to perform in their private offices.

H. *Medical laboratory*. An indoor establishment that includes laboratories and/or experimental equipment for medical testing, prototype design and development, and product testing.

19.04.1680 Minor medical emergency clinic.

See "medical clinic or office."

19.04.1690 Mobile home park (also "trailer park" or "RV park").

A parcel of land not less than five acres nor greater than 25 acres which is designed, improved, or intended to be used for short- or long-term occupancy by mobile homes/trailers and/or recreational vehicles (including travel trailers) in designated spaces. Such a facility may include a residence for the owner/manager of the premises, utility hook-ups, accessory structures, playgrounds and open space areas, fenced yard areas for pets, and other similar amenities.

19.04.1700 Mobile home space.

A plot of ground within a mobile home park, trailer park, RV park, or mobile home subdivision which is designed for the accommodation of one mobile home, trailer or RV unit.

19.04.1710 Mobile home sub-division.

A parcel of land which is designed, platted, improved and intended for the long-term placement of individually owned mobile home units or manufactured homes on platted lots which can be purchased outright by the owners of the mobile home units. Such a facility may include a residence for the owner/manager of the premises, utility hook-ups, accessory structures, playgrounds and open space areas, fenced yard areas for pets, and other similar amenities.

19.04.1720 Model home.

A dwelling in a developing subdivision, located on a legal lot of record, that is limited to temporary use as a sales office for the subdivision and to provide an example of the dwellings which have been built or which are proposed to be built within the same subdivision.

19.04.1730 Motel or hotel.

A facility offering temporary lodging accommodations or guest rooms on a daily rate to the general public and providing additional services, such as restaurants, meeting rooms, housekeeping service and recreational facilities. A guest room shall be defined as a room designed for the overnight lodging of hotel guests for an established rate or fee.

19.04.1740 Motorcycle.

A usually two-wheeled, self-propelled vehicle having one or two saddles or seats, and which may have a sidecar attached. For purposes of this title, motorbikes, all-terrain vehicles (ATVs), motor scooters, mopeds and similar vehicles are classified as motorcycles.

19.04.1750 Motorcycle sales and repair.

The display, sale and/or servicing, including repair work, of motorcycles.

19.04.1760 Motor freight company.

A company using trucks or other heavy load vehicles to transport goods, equipment and similar products. Includes companies that move residential or commercial belongings.

19.04.1770 Motor vehicle.

Any vehicle designed to carry one or more persons which is propelled or drawn by mechanical power, such as automobiles, vans, trucks, motorcycles and buses.

19.04.1780 Multiple-family dwelling.

Three or more dwelling units on a single lot designed to be occupied by three or more families living independently of one another, exclusive of hotels or motels. Includes three-family units (triplex) and four-family units (quadriplex), as well as traditional apartments.

19.04.1790 Municipal facility or use.

Any area, land, building, structure and/or facility which is owned, used, leased or operated by the city.

19.04.1800 Noncomplying structure.

A structure that legally existed before its current land use designation and, because of one or more subsequent land use ordinance changes, doe not conform to the setback, height restrictions, or other regulations, excluding those regulations which govern the use of land.

19.04.1810 Nonconforming use.

A use of land that legally existed before its current land use designation; has been maintained continuously since the time the land use ordinance governing the land changed; and because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.

19.04.1815 Non-depository institution.

A financial business, other than a depository institution, that is registered by the state of Utah pursuant to the Check Cashing Registration Act, the Title Lending Registration Act, or any successor statutes. Non-depository institutions include specifically:

A. *Check cashing business*. A person or business that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. "*Check cashing business*" excludes (1) a state or federally chartered bank, savings association, credit union, industrial loan company or other depository institution, and (2) a retail seller engaged primarily in the business of selling goods (including consumables) to retail buyers that also cashes checks for or issues money orders to its customers, provided that such services are clearly incidental to its main purpose or business and that the fees charged for such services do not exceed 1% of the amount of the check or money order or otherwise are *de minimus*.

B. *Deferred deposit lender*. A person or business that conducts transactions where a customer presents to a check casher a check written on the customer's account or provides written or electronic authorization to a check casher to effect a debit to the customer's account, whereupon the check casher (1)

advances the customer an amount of money that is equal to the face value of the check or debit, less any fee or interest charged for the transaction, and (2) agrees to defer processing the check or debit until a specific future date.

C. *Payday loan business*. An establishment providing short-term loans to individuals in exchange for personal checks or assignment of wages as collateral.

D. *Title loan business*. An establishment providing short-term loans to individuals in exchange for the title of a motor vehicle, mobile home or motorboat as collateral.

19.04.1820 Nursery.

An establishment, including a building, part of a building or open space, for the growth, display and/or sale of plants, shrubs, trees and other materials used in indoor or outdoor planting.

19.04.1830 Nursing, convalescent or rest home.

See "skilled nursing facility."

19.04.1840 Occupancy.

The use or intended use of the land or buildings by proprietors or tenants.

19.04.1850 Offices, professional and general business.

A room or group of rooms used for the provision of executive, management and/or administrative services. Typical uses include administrative offices and services including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, and business offices of public utilities, organizations and associations, but excluding medical offices.

19.04.1860 Office center.

A building or complex of buildings used primarily for conducting the affairs of a business, profession, service, industry, government or similar entity, that may include ancillary services for office workers such as a coffee shop, newspaper stand, sundries shop, hair/nail salon, etc.

19.04.1870 Office showroom.

An establishment with no more than 25% of its total floor area devoted to storage and warehousing, but not accessible to the general public. The remaining area may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed from the storage and warehousing areas.

19.04.1880 Office warehouse.

An establishment with more than 25% of the total floor area devoted to storage and warehousing, but not generally accessible to the public.

19.04.1890 Officially approved place of access.

Access to a property, other than from a dedicated street, which is approved by the city.

19.04.1900 Off-street parking incidental to main use.

Off-street parking spaces provided in accordance with the requirements of this title, located on the lot or tract occupied by the main use or within 150 feet of such lot or tract, and located within the same zoning district as the main use or in an adjacent parking district.

19.04.1910 Outside display.

Outside temporary display of finished goods that are specifically intended for

retail sale but not displayed outside overnight.

19.04.1920 Outside storage.

The permanent and/or continuous keeping, displaying or storing, outside a building, of any goods, materials, merchandise or equipment on a lot or tract for more than 24 hours. Also referred to as open storage.

19.04.1930 Paint shop.

A commercial establishment where painting services are performed (but not automotive-related painting services, which would be included under "automobile repair, major").

19.04.1940 Parcel.

Any unplatted tract of land, or any portion of an unplatted tract of land (see also "tract").

19.04.1950 Park or playground (private).

See "private recreation facility."

19.04.1960 Park or playground (public).

See "public recreation."

19.04.1970 Parking lot.

An off-street (i.e., not on a public street or alley), ground level area, paved in accordance with the city's off-street parking standards, for the short- or long-term storage of motor vehicles.

19.04.1980 Parking lot or structure, commercial (auto).

An area or structure devoted to the parking or storage of automobiles for a fee which may include, in the case of a parking structure only, a facility for servicing automobiles provided that such facility is an internal function for use only by automobiles occupying the structure and that such facility creates no special problems of ingress or egress.

19.04.1990 Parking space.

An off-street (i.e., not on a public street or alley) area, paved in accordance with city's parking lot standards, that is used for parking a vehicle, and that is accessed from a paved driveway which connects the parking space with a public street.

19.04.2000 Pawn shop.

An establishment where money is loaned on the security of personal property pledged in the keeping of the owners (pawnbroker). Retail sales of primarily used (i.e., pre-owned) items is also allowed, provided that the sale of such items complies with local, state and federal regulations.

19.04.2002 Pawn shop without weapons.

A pawn shop that does not sell, rent, loan against, or otherwise deal in weapons.

19.04.2010 Personal service shop or custom personal services.

Establishments of less than 2,000 square feet in gross floor area, primarily engaged in providing services generally involving the care of the person or his apparel and including, without limitation, barber/beauty shops, dressmaking, shoe shining and repair, dry-cleaning and laundry pick-up stations, tailor or seamstress services, and other similar types of uses. Outside storage is prohibited.

19.04.2020 Pet and animal grooming shop.

A retail establishment offering small animals, fish and/or birds for sale as pets, where such creatures are housed within the building, and which may include the grooming of dogs, cats and similar animals.

19.04.2030 Planned development district.

Planned associations of uses developed as integral land use units, such as industrial parks or industrial districts, offices, commercial or service centers, shopping centers, residential developments of multiple or mixed housing, including attached single-family dwellings or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or by a combination of owners.

19.04.2040 Planning commission.

A board, appointed by the manager with advice and consent of the city council, which is authorized to recommend changes to the city's land use ordinance, its general plan and its zoning map, and to perform other planning functions as delegated by the city council or as required under applicable law.

19.04.2050 Plat.

A plan showing the subdivision of land, creating building lots or tracts, showing all essential dimensions and other information in compliance with the city's subdivision standards, and which is approved by the city and recorded in the plat records of the Salt Lake County Recorder.

19.04.2060 Platted lot.

See "lot" and "lot of record."

19.04.2070 Playfield or stadium (public).

An athletic field or stadium owned and operated by a public agency (e.g., the city, the Cottonwood Heights Recreation District, Canyons School District, etc.) for the general public including a baseball field, soccer field, golf course, football field or stadium which may be lighted for nighttime play.

19.04.2080 Playfield or stadium (private).

An athletic field or stadium not owned and operated by a public agency.

19.04.2090 Portable building sales (outdoor display).

An establishment which displays and sells structures capable of being carried and transported to another location, but not including mobile homes.

19.04.2100 Premises.

Land together with any buildings or structures situated thereon.

19.04.2110 Primary use.

The principal or predominant use of any lot or building.

19.04.2120 Principal building.

See "main building."

19.04.2130 Private club.

An establishment providing social and/or dining facilities which may provide alcoholic beverage service, to an association of persons.

19.04.2140 Private recreation facility or private park.

A recreation facility, park or playground which is not owned by a public agency, and which is operated for the exclusive use of private residents or

neighborhood groups and their guests and not for use by the general public.

19.04.2150 Produce stand.

A seasonal use for which the primary purpose and design is to sell fruit, nuts, vegetables and similar foods. No cooking or on-premises consumption of produce occurs on the site.

19.04.2160 Professional service.

Work performed which is commonly identified as a profession, and which may be licensed by the state.

19.04.2170 Propane sales.

Retail sales of gaseous substances commonly used for household purposes such as propane and/or butane; does not include the storage, sale or distribution of other types of combustible substances or alternative fuels such as containerized natural gas, liquid propane, etc.

19.04.2180 Public agency building, shop, yard or facility.

Any building, land, area and/or facility (including maintenance/storage yards and shops) which is owned, leased, primarily used and/or occupied by any subdivision or agency of the following: the state of Utah, the United States, or other public utility or agency. Any facility which is owned, leased, used and/or occupied by the city may also be defined as "municipal facility or use."

19.04.2190 Public recreation.

Publicly owned and operated parks, recreation areas, playgrounds, swimming pools and open spaces that are available for use by the general public without membership or affiliation. This land use shall include special event type uses such as rodeos, concerts, festivals and other special events requiring special event permits, as set forth in this title.

19.04.2200 Public view.

Public view means areas that can be seen from any public street.

19.04.2210 Radio, television or microwave tower.

See “antenna, microwave reflector and antenna support structure.”

19.04.2220 Rear yard.

See "yard, rear."

19.04.2230 Recreation center.

A place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities.

19.04.2240 Recreational vehicle (RV).

A self-propelled (i.e., motorized), mobile living unit which is typically used for temporary human occupancy away from the users' permanent place of residence. An RV may also be utilized as a permanent place of residence within districts that allow them to be used as such. (See also "heavy load vehicle").

19.04.2250 Recreational vehicle/ camper sales and leasing.

An establishment that sells, leases and/or rents new and/or used recreational vehicles, travel trailers, campers, boats/watercraft, and similar types of vehicles.

19.04.2260 Recreational vehicle (RV) park.

An area or commercial campground for users of recreational vehicles, travel trailers, and similar vehicles to reside, park, rent or lease on a temporary basis. (See also "mobile home park").

19.04.2270 Recycling kiosk.

A small uninhabited structure (120 square feet maximum) or temporary container (e.g., "igloo" or dumpster-type container) which provides a self-service location for the depositing of recyclable materials such as aluminum cans (e.g., "can banks"), glass bottles, magazines/newspapers, metal or plastic containers, etc. Recyclables are picked up periodically from the site. This definition does not include large trailers or attended collection centers.

19.04.2280 Rehabilitation care facility (halfway house).

A dwelling unit which provides residence and care to not more than nine persons regardless of legal relationship who have demonstrated a tendency towards alcoholism, drug abuse, mental illness, or antisocial or criminal conduct living together with not more than two supervisory personnel as a single housekeeping unit.

19.04.2290 Rehabilitation care institution.

A facility which provides residence and care to ten or more persons, regardless of legal relationship, who have demonstrated a tendency toward alcoholism, drug abuse, mental illness, or antisocial or criminal conduct together with supervisory personnel.

19.04.2300 Residence.

A dwelling; also, when used with “district,” an area of residential regulations.

19.04.2310 Residence hotels.

A multi-unit, extended stay lodging facility consisting of efficiency units and/or suites with complete kitchen facilities and which is suitable for long-term occupancy. Customary hotel services such as linens and housekeeping, telephones, and upkeep of furniture shall be provided. Meeting rooms, club house, and recreational facilities intended for the use of residents and their guests are permitted. This definition shall not include other dwelling units.

19.04.2320 Residential district.

A district where the primary purpose is residential use.

19.04.2330 Residential facility for persons with a disability.

A residence in which more than one person with a disability resides and which is licensed or certified by: (a) the Utah Department of Human Services under UTAH CODE ANN. Title 62A, Chapter 2, “Licensure of Programs and Facilities,” or (b) the Utah Department of Health under UTAH CODE ANN. Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act.

19.04.2340 Restaurant or cafeteria (with drive-thru service).

An eating establishment where customers are primarily served at tables or are self-served, where food is consumed on the premises, and which may include a drive-thru window(s).

19.04.2350 Restaurant or cafeteria (without drive thru service).

An eating establishment where customers are primarily served at tables or are self-served, where food is consumed on the premises, and which do not have a drive-thru window.

19.04.2360 Restaurant or eating place (drive-in service).

An eating establishment where food and/or drinks are primarily served to customers in motor vehicles, or where facilities are provided on the premises which encourage the serving and consumption of food in automobiles on or near the restaurant premises.

19.04.2370 Retail or service, incidental.

The rendering of incidental retailing or services incidental to the primary use. In the city's O-R-D zone, for example, such uses may include a barber/beauty shop, smoke shop, news stand, candy counter, restaurant, pharmacy or other incidental activity secondary to the primary office occupancy. Incidental uses shall mean uses which occupy less than 15% of the main use.

19.04.2380 Retail shop (for apparel, gifts, accessories and similar items).

An establishment engaged in the selling of goods and merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. (See also "general retail stores").

19.04.2390 Retirement housing for the elderly (also independent living center or congregate housing).

A development providing self-contained dwelling units specifically designed for the needs of the elderly. Units may be rented or owner-occupied. To qualify as retirement housing, a minimum of 80% of the total units shall have a household head 55 years of age or greater. No long-term or permanent skilled nursing care or related services are provided.

19.04.2400 Right-of-way.

A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities.

19.04.2410 Room.

A building or portion of a building which is arranged, occupied or intended to be occupied as living or sleeping quarters but not including toilet or cooking facilities.

19.04.2420 Rooming house.

See "boarding house."

19.04.2430 Salvage or reclamation of products (see also "wrecking yard").

The reclamation and storage of used products or materials.

19.04.2440 Sand, gravel or stone extraction and/or storage.

The process of extracting and/or storing sand, gravel, stone, topsoil, compost or other products from the earth.

19.04.2450 School business.

A for-profit business that offers instruction and training in a profession, service or art such as a secretarial or court reporting school, barber/beauty college or commercial art school, but not including commercial trade schools.

19.04.2460 School, commercial trade.

A for-profit business that offers vocational instruction and training in trades such as welding, brick laying, machinery operation/repair, and similar trades.

19.04.2470 School, private (primary or secondary).

A school under the sponsorship of a private entity (other than a public or religious agency) which offers a curriculum that is generally equivalent to public elementary and/or secondary schools.

19.04.2480 School, public or parochial.

A school under the sponsorship of a public or religious agency which provides elementary and/or secondary curricula, but not including private business or commercial trade schools.

19.04.2490 Scientific and industrial research laboratories.

Facilities for research including laboratories, experimental equipment, and operations involving compounding or testing of materials or equipment.

19.04.2500 Screened.

Shielded, concealed, and effectively hidden from the view of a person standing at ground level on an abutting site, or outside the area or feature so screened, by a fence, wall, hedge, berm or similar architectural or landscape feature.

19.04.2510 Seasonal uses.

Seasonal uses include the sales of items such as Christmas trees, pumpkins, snow cones, fresh produce, and other items which are typically only available at certain times of the year.

19.04.2520 Self storage.

Small individual storage units for rent or lease, restricted solely to the storage of items. The conduct of sales, business or any other activity within the individual storage units, other than storage, shall be prohibited.

19.04.2530 Servants' quarters or guest house.

An accessory dwelling in a residential district for the sole use and occupancy of a member of the immediate family or of a person or persons employed on the premises by the occupant on a full-time basis as domestic help such as a maid, nanny/governess, groundskeeper, chauffeur, cook or gardener, but not involving the rental of such facilities or the use of separate utility connections for such facilities.

19.04.2540 Sexually oriented business.

See chapter 19.91 of this title.

19.04.2550 Shopping center.

A group of primarily retail and service commercial establishments that is planned, constructed and managed as a total entity, and which provides customer and employee parking on-site, unloading/delivery areas which are separated from customer access, and aesthetically appropriate design and protection from the elements.

19.04.2560 Side yard.

See "yard, side."

19.04.2570 Single-family dwelling, attached (townhouse).

A dwelling which is joined to another dwelling at one or more sides by a party (i.e., shared) wall, which is designed for occupancy by one family, and which is located on a separate lot delineated by front, side and rear lot lines.

19.04.2580 Single-family dwelling, detached.

A dwelling designed and constructed as a free-standing structure for occupancy by one family, and located on a lot or separate building tract having no physical connection to a building located on any other lot or tract.

19.04.2590 Skilled nursing facility (also termed nursing home, convalescent home or long-term care facility).

A residence providing primarily in-patient health care, personal care, or rehabilitative services over a long period of time to persons who are chronically ill, aged or disabled and who need ongoing health supervision but not hospitalization.

19.04.2600 Small engine repair shop.

Shop for the repair of lawn mowers, chain saws, lawn equipment, and other machines with one-cylinder engines.

19.04.2610 Stable, commercial.

A stable used for the rental of stall space or for the sale or rental of horses or mules.

19.04.2620 Stable, private.

An area used solely for the owner's private purposes for the keeping of horses, mules or ponies which are not kept for remuneration, hire or sale.

19.04.2630 State.

The state of Utah.

19.04.2640 Storage or wholesale warehouse.

A building used primarily for the storage of goods and materials.

19.04.2650 Street.

Any dedicated public thoroughfare which affords the principal means of access to abutting property.

19.04.2660 Street identification.

Any street which joins another street at an angle, whether or not it crosses the other.

19.04.2670 Structure.

Anything constructed or erected, the use of which requires location on the ground or which is attached to something having a location on the ground (see also "Building").

19.04.2680 Structural alterations.

Any change in the supporting members of a structure, such as load-bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.

19.04.2690 Studio, health/reducing/ fitness.

Includes, without limitation, an establishment which provides facilities and equipment (e.g., gymnasiums, weight rooms, swimming pools/spas, exercise apparatus, instruction/classes, etc.) which are intended to promote health, fitness, weight reduction and/or similar health-related activities. Such facilities may include such accessory uses as food service, sales of sundries and apparel, and child care services, provided that such accessory uses are clearly incidental to the primary use and are for the use of studio patrons only (i.e., not the general public). No outside signage may be used to advertise accessory uses.

19.04.2700 Studio, tattoo or body piercing.

A building or portion of a building used for selling and/or applying tattoos (by injecting dyes/inks into the skin), and/or for piercing the skin with needles, jewelry or other paraphernalia, primarily for the purpose of ornamentation of the human body.

19.04.2710 Studio for radio or television.

A building or portion of a building used as a place for radio or television broadcasting.

19.04.2720 Substantial completion.

The stage of the progress of work when the work or designated portion thereof is sufficiently complete in accordance with the contract documents so that the owner may occupy or utilize the work for its intended use.

19.04.2730 Swimming pool, commercial.

A swimming pool with accessory facilities which is not part of the municipal or public recreational system and which is not a private swim club, but where the facilities are available for use by the general public for a fee.

19.04.2740 Telemarketing center.

An establishment which solicits business or the purchase of goods and/or services by telephone only. No sales of goods or services to the public occurs at or on the premises. No products are stored at or on the premises.

19.04.2750 Telephone and exchange, switching/relay or transmitting station.

A line for the transmission of telephone signals and a central office in which telephone lines are connected to permit communication but not including a business office, storage (inside or outside) or repair yards.

19.04.2760 Temporary.

Used or lasting for only a limited period of time; not permanent.

19.04.2770 Temporary building.

Any nonresidential prefabricated structure which is not originally manufactured or constructed at its use site, required on-site installation of utilities and/or foundation.

19.04.2780 Temporary field office or construction yard or office.

A structure or shelter used in connection with a development or building project for housing on the site of temporary administrative and supervisory functions and for sheltering employees and equipment. Temporary permits for one year for a specific time and location as determined may be issued by the building official and shall be subject to review and renewal for reasonable cause.

19.04.2790 Tennis court, private.

A surface designed and constructed for playing the game of tennis along with all fencing, nets and related appurtenances but excluding lighting for nighttime play in residential areas except as may be otherwise provided or restricted by this code.

19.04.2800 Theater or playhouse (indoor).

A building or part of a building devoted to the showing of motion pictures, or for dramatic, musical or live performances.

19.04.2810 Tire dealer, no open storage.

A retail establishment engaged in the sale and/or installation of tires for vehicles, but without open storage.

19.04.2820 Tire dealer, with open storage.

A retail establishment engaged in the sale and/or installation of tires for vehicles, with open storage.

19.04.2830 Tool and machinery rental shop.

A building or a portion of a building used for the display and rental of tools, machinery and instruments.

19.04.2840 Tract.

A single individual parcel or lot.

19.04.2850 Tractor sales.

See "heavy machinery sales and storage."

19.04.2860 Trade and commercial schools.

See "school, commercial trade."

19.04.2870 Trailer park or court.

See "mobile home park."

19.04.2880 Trailer, hauling.

A vehicle or device which is pulled behind an automobile or truck and which is designed for hauling animals, produce, goods or commodities, including boats.

19.04.2890 Trailer home.

See "manufactured housing, mobile home."

19.04.2900 Trailer or mobile home space.

See "mobile home space."

19.04.2910 Trailer rental.

The display and offering for rent of trailers designed to be towed by automobiles and light load vehicles.

19.04.2920 Trailer, travel or camping.

A portable or mobile living unit which is used for temporary human occupancy away from the users' permanent place of residence, which does not constitute the users' principal place of residence, and which is designed to be towed behind another vehicle.

19.04.2930 Transportation and utility structures/facilities.

Permanent facilities and structures operated by companies engaged in providing transportation and utility services including but not limited to railroad track rights-of-way, sewage pumping stations, telephone exchanges, transit station turnarounds, water reservoirs and water pumping stations.

19.04.2940 Truck.

A light or heavy load vehicle (see "light load vehicle" and "heavy load vehicle").

19.04.2950 Truck and bus repair.

An establishment providing major and minor automotive repair services to heavy load vehicles.

19.04.2960 Truck and bus leasing.

The rental of new or used panel trucks, vans, trailers, recreational vehicles or motor-driven buses in operable condition and where no repair work or intensive cleaning operations are performed.

19.04.2970 Truck stop.

A facility for the parking, refueling and/or minor repair of heavy load tractor-

trailer trucks. These facilities may also include retail sales of food and/or other items, restaurant(s), restroom/showers facilities, and/or temporary sleeping quarters.

19.04.2980 Truck terminal.

An area and building where cargo is stored and where trucks, including tractor and trailer units, load and unload cargo on a regular basis. May include facilities for the temporary storage of loads prior to shipment.

19.04.2990 Truck sales (heavy trucks).

The display, sale or rental of new or used heavy load vehicles in operable condition.

19.04.3000 Two-family dwelling (duplex).

Two attached dwellings in one structure, each designed to be occupied by one family.

19.04.3010 Usable open space.

An open area or recreational facility which is designed and intended to be used for outdoor living and/or recreation purposes. An area of usable open space shall have a slope not exceeding ten percent, shall have no dimension of less than ten feet, and may include landscaping, walks, recreational facilities, water features and decorative objects such as art work or fountains).

19.04.3020 Use.

The purpose for which land or buildings are or may be occupied in a zoning district.

19.04.3030 Utility distribution/ transmission lines.

Facilities which serve to distribute and transmit electrical power, gas and water, including but not limited to electrical transmission lines, gas transmission lines, telephone lines and metering stations, whether operated by the city or a private utility company.

19.04.3040 Variance.

An adjustment in the application of the specific regulations of this title to a particular parcel of property which, because of special conditions or circumstances of hardship peculiar to the particular parcel, is necessary to prevent the property from being deprived of rights and privileges enjoyed by other parcels in the same vicinity and zoning district. Only the board of adjustment may grant a variance.

19.04.3050 Veterinarian clinic.

An establishment where animals and pets are admitted for examination and medical treatment (see also "kennels").

19.04.3055 Weapon.

A weapon is (a) any firearm, including, without limitation, any barreled device, of any description, from which any shot, bullet, pellet, dart, paintball or other potentially harmful missile can be discharged, any component part of or accessory to such a firearm, including accessories designed or adapted to diminish the noise or flash caused by the firing of the firearm; (b) any knife, including, without limitation, a belt buckle knife, dirk, dagger, sword, cane sword, pen knife, lipstick knife, switchblade, butterfly knife or any other knife that has a blade longer than 2.5 inches, opens automatically, or has more than one sharp edge; (c) nunchaku; (d)

metal knuckles; (e) blow guns in excess of 12" in length; (f) bows and crossbows; (g) ammunition, arrows, bolts, bullets or any explosive device.

19.04.3060 Wrecking yard (junkyard or auto salvage).

Any lot upon which two or more motor vehicles of any kind, which are incapable of being operated due to condition or lack of license, have been placed for the purpose of obtaining parts for recycling or resale.

19.04.3070 Yard.

An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except where otherwise specifically provided in this title that the building or structure may be located in a portion of a yard required for a main building. In measuring a yard for the purpose of determining the width of the side yard, the depth of a front yard or the depth of a rear yard, the shortest horizontal distance between the lot line and the main building shall be used.

19.04.3080 Yard, front.

A yard located in front of the front elevation of a building and extending across a lot between the side yard lines and being the minimum horizontal distance between the front property line and the outside wall of the main building.

19.04.3090 Yard, rear.

The area extending across the rear of a lot measured between the lot lines and being the minimum horizontal distance between the rear lot line and the rear of the outside wall of the main building. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

19.04.3100 Yard, side.

The area between the building and side line of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the outside wall of the side of the main building.

19.04.3110 Zero-lot-line dwelling.

A common lot line on which a wall of a structure may be constructed.

19.04.3120 Zoning district.

A classification applied to any certain land area within the city stipulating the limitations and requirements of land usage and development.

19.04.3130 Zoning map.

The official map upon which the boundaries of the various zoning districts in the city are drawn and which is an integral part of this title.

19.04.3140 Zoo (private).

A facility housing and displaying live animals, reptiles or birds, privately owned and operated for a fee or for the promotion of some other enterprise.

19.04.3150 Zoo (public).

A publicly owned zoo or similar facility owned and operated by the city, another public agency, or a nonprofit zoological society where live animals, birds and reptiles are domiciled and displayed.