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Chapter 15-15 Definitions

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Chapter 15-15 Definitions

15-15-01 **Explanation**
This Chapter provides in Section 15-15-02 definitions of all land uses. All land uses allowed by right or by conditional use permit are defined herein. Some land uses shown on the Table, and in the definitions, are categorical; many potentially allowable specific land uses are assumed to be included in the categorical definitions. In the event of a question as to which category an undefined land use may fall, the Director of Community Development shall make a final determination. An appeal of a decision of the Director may be made to the Planning Commission.

This Chapter includes also, in Section 15-15-02, definitions of general terms used throughout this Title for which a definition is considered necessary.

15-15-02 **Definitions**
AASHTO. American Association of State Highway and Transportation Officials.

Abandoned Well shall mean a well the use of which has been permanently discontinued or is in such a state of disrepair that it cannot be used for its intended purpose or for observation purposes.

Accessory Apartment. A housing unit which is self-contained but incorporated within an existing structure that is designed as a single family dwelling and will not substantially alter the structure or appearance of the structure. (Reference Section 5-7-11(c))

Accessory Building. An incidental subordinate building customarily incidental to and located upon the same lot occupied by the main use or building, including detached garage.

Accessory Use. A use conducted on the same lot as the primary use of the structure to which it is related; a use which is clearly incidental to and customarily found in connection with such primary use.

Acreage.
Gross - Overall total exclusive of deductions.
Net - Remaining after all deductions are made.

Adult Day Care See "Human Services Programs or Facilities".

Agriculture. The tilling of the soil, raising of crops, horticulture, gardening, and beekeeping, but not including the keeping or raising of animals or fowl and not including any agricultural industries or businesses, packing plants, fur farms, animals hospitals, plant nurseries, or similar uses or sale of farm or garden products not produced on the premises. (See farm animals)

Alcoholic Beverage Establishments

1. Class A License. A Class A License shall entitle the licensee to sell beer in original containers for consumption off the premises in accordance with the Liquor Control Act of Utah and the revised ordinances of Sandy City.

2. Class B License. A Class B License shall entitle the licensee to sell beer and/or liquor for consumption on the premises in conjunction with a meal.

3. Class C Tavern License. A Class C License shall entitle the licensee to sell beer on draft for consumption on the premises or in the original container for consumption on or off the premises and to all the privileges granted to Class B licensees.

4. Class D License. A Class D License shall entitle the licensee to sell beer at publicly or privately owned lodging, social or reception centers or recreation facilities for consumption on the premises.

5. Class E License. A Class E License shall entitle the licensee to sell beer in original non-glass containers or transferred to non-glass containers for consumption on the premises. A Class E license shall be valid for no more than 30 consecutive days.

6. Consumption License. A Consumption License shall entitle the licensee to permit or allow persons to consume or possess alcoholic beverages on which the seal has been broken.

7. Private Club License. A Private Club License shall be deemed to be the license provided for in Chapter 10, Title 11, U.C.A. 1953, as amended, which entitles the Private Club to hold, store, possess or consume alcoholic beverages, subject to applicable provisions of the Utah Liquor Control Act. This license shall also constitute consent for the Private Club to apply for a State Store or Package Agency license to sell liquor.

8. Entertainment Licenses. An Entertainment License shall entitle the licensee to perform on premises licensed under this chapter either gratuitously or for compensation subject to the requirements in the revised ordinances of Sandy City.

9. State Store. A facility for the sale of package liquor on premises owned or leased by the State of Utah and operated by State employees. This term does not apply to restaurants, private clubs or package agencies.

10. Package Agency. A retail liquor location operated under a contractual agreement with the Department of Alcoholic Beverage Control, by a person other than the State, who is authorized by the Utah Alcoholic Beverage Control Commission to sell package liquor for consumption off the premises of the agency.

Alley. A street or thoroughfare less than 26 feet wide.

Alteration. Any change, addition, or modification in construction, or type of occupancy of a building or structure or any change in the structural members of a building or structure, such as walls, partitions, columns, beams, girders, or exits.

Alzheimer's Facility. A Nursing Care Facility or Assisted Living Facility a primary purpose of which is provide living accommodations and services to residents who have been assessed with Alzheimer's Disease or other similar type of dementia.

Ambulatory Surgical Facility. See "Health Care Facilities".

Ancillary Use. A use conducted on the same lot as the primary use of the structure to which it is related; a use which is clearly incidental to and customarily found in connection with such primary use.

Animal Hospital, Veterinary Office. An establishment at which small, medium or large farm animals or similar household pets are treated or boarded within a completely enclosed building.

Animal Kennel, Commercial. An establishment at which three or more small, medium or large farm animals or similar household pets at least three months of age are boarded, treated, groomed, or trained, etc., for compensation. (Additional References: Sandy City Canine Hobby Ordinance.)

Arcade Entertainment. An establishment offering 5 or more amusement devices including but not limited to coin-operated electronic games, shooting gallery, table games, and similar recreational diversions within an enclosed building. (Additional Reference: Sandy City Entertainment Arcade Ordinance.)

Area of Special Flood Hazard means the land in the floodplain within Sandy City subject to a one percent or greater chance of flooding in any given year.

Art Gallery shall mean an establishment engaged in the exhibition and sale of artworks. It does not include the sale of art supplies or other raw materials used in the creation of artwork.

Artist's Studio shall mean the location where artwork is created. Examples include, but are not limited to: painting, clay sculpting and firing, engraving, etc.

Assisted Living Facility shall mean a residential facility, licensed by the state of Utah, with a home-like setting that provides an array of coordinated supportive personal and health care services, available twenty-four [24] hours per day, to residents who have been assessed under Utah Department of Health or Utah Department of Human Services rules to need any of these services. Each resident shall have a service plan based on the assessment, which may include:

A. specified services of intermittent nursing care;
B. administration of medication; or
C. support services promoting resident's independence and self-sufficiency.

An assisted living facility does not include:

A. a Residential Facility for Persons with a Disability (defined elsewhere in this chapter); or
B. adult day care provided in conjunction with a residential facility for elderly persons or a residential facility for persons with a disability.

Assisted Living Facilities are broken down into two classes:

(1) Limited Capacity Assisted Living Facility means a facility accommodating not more than four (4) residents, excluding staff. All residents must be ambulatory. Shall not have "Adult Day Care" provided as part of the facility. **Ambulatory** shall mean a person who is capable of achieving mobility sufficient to exit a structure without the assistance of another person.

(2) Large Capacity Assisted Living Facility means a facility accommodating more than four (4) residents, excluding staff. Adult Day Care may be approved separately as provided elsewhere.

Athletic, Tennis, or Health Club. See Recreation, Indoor or Outdoor.

Automobile Rental Facility shall mean a building or tenant space in a multi-tenant building that provides automobile rental services. The facility may have on-site or off-site storage of vehicles to be rented. No servicing of vehicles shall occur on-site. This definition does not include vehicle sales, the rental of equipment, car washes, vehicle maintenance facility, inoperable vehicle storage, or impound lot.

Automotive Service and Repair, Major. An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar large mechanical equipment, including paint, body and fender and major engine & engine part provided it is conducted within a completely enclosed building.

Automotive Service and Repair, Minor. An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar mechanical equipment, including brake, muffler, tire repair and change, lubrication, tune-ups, safety inspections & emission testing, detailing shops overhaul and transmission work provided it is conducted within a completely enclosed building.

Automotive Self-Service Station. An establishment for the retail sale of automobile fuels and lubricants at which the customer provides the service to his own vehicle, and at which no vehicle repair or maintenance service is offered. Such an establishment may offer for sale at retail other convenience items as a clearly secondary activity and may also include a free-standing automatic car wash.

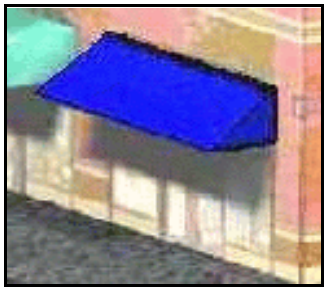
Automotive Service Station. An establishment whose primary purpose is the selling of gasoline or other vehicle fuels; oil and lubricant services. Accessory activities may include automotive repair and maintenance, car wash service and food sales.

Auto, Truck, Recreational Vehicle, and Equipment Sales or Rental. Sales or rental of both new and used motor vehicles and equipment from indoor or outdoor areas, but not to include nonserviceable or junk vehicles or equipment.

Auto, Truck, Recreational Vehicle, and Equipment Storage. Temporary outside storage of both new and used motor vehicles and equipment awaiting distribution. Such storage may include an impound lot, but is not to include nonserviceable or junk or dilapidated vehicles or equipment.

Average percent of slope shall mean the rise or fall in elevation along a line perpendicular to the contours of the land connecting the highest point of land to the lowest point of land within a lot.

Awning. A permanent or retractable roofed structure constructed of fabric or metal placed so as to extend outward from a building providing a protective shield for doors, windows, and other openings with supports extending back to the building, supported entirely by the building. This does not include cantilevers.


Example: Awning

Balcony, Porch or Deck. A covered or uncovered platform usually projecting from a wall or an entrance to a building, sometimes being surrounded by a railing, balustrade or parapet.

Bar, Tavern, Lounge, Club. See Alcoholic Beverage Establishments.

Base Flood means the flood having a one percent change of being equaled or exceeded in any given year.

Basement. A portion of a building whose floor is less than 6 feet above grade for more than 50% of the total perimeter and less than 12 feet at any point.

Basement House. A one story dwelling where more than 25 percent of the floor area is below the finished surface grade at the front yard level.

Bed and Breakfast Facility. A limited commercial activity conducted within a structure, which includes dining and bathroom facilities with sleeping rooms, on a residential scale for short-term guest rental. Said use will typically provide overnight accommodations, limited food services, parking facilities, and open space in a natural setting, and will comply with standards and procedures as set forth in this Title.

Best Management Practices (BMPs) shall mean a practice or combination of practices determined to be the most effective practicable (including technological, economic, and institutional considerations) means of preventing or reducing the amount of pollution to a level compatible with water, soil, and air quality goals.

Birthing Center. See "Health Care Facilities".

Block. Land, or group of lots, surrounded by streets or other rights-of-way, other than an alley, or

land which is designated as a block on any recorded subdivision tract.

Boarder shall mean a person living in a rented room in a boarding house. The boarding house operator, or a member of his or her immediate family who resides on the premises with the operator, shall not be deemed a boarder.

Boarding House shall mean a building or portion thereof operated by a person residing on the premises where, for compensation, rooms are rented together with meals for not more than fifteen [15] boarders who generally do not directly utilize kitchen facilities. "Compensation" shall include money, services or any other thing of value. A boarding house does not include

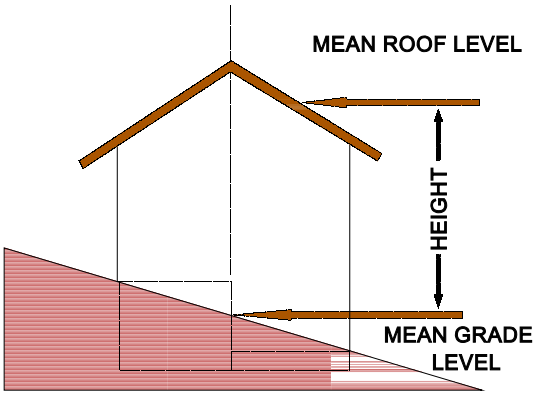
A. a residential facility for the elderly or persons with a disability; or
B. any non-residential facility, such as a rehabilitation/treatment facility, where the primary purpose of the facility is to deliver rehabilitation, treatment, counseling, medical, protective or other similar services to the occupants thereof.

Buildable area shall mean that portion of a lot which, in its natural state, has an average percent of slope less than thirty percent (30%), with a contiguous building area of at least 5,000 square feet.

Building shall mean any structure, whether permanent or temporary, including but not limited to dwelling units, which is designed, intended or used for occupancy by any person, animals, possessions, or for storage of property of any kind.

Building Code, Uniform. Covers the fire, life and structural safety aspects of all buildings and related structures (as adopted by Sandy City).

Building Height. The vertical distance from the average finished grade surface of the building to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or the mean height level between eaves and ridge for gable, hip, or gambrel roofs.



Building Line. The line circumscribing the buildable area of a lot.

Building, Main. A building in which the principal use of the site is conducted.

Building, Temporary. A building used for the storage of construction materials and equipment incidental and necessary to on-site construction of houses, utilities, or other community facilities, or used temporarily in conjunction with the sale of property within a subdivision under construction. Permit required from Building Inspector.

Business License Administrator. Means the individual or designee who is head of the Business License Section.

Business License Section. Means the Business License Section of the Community Development Department.

Business or Financial Services. An establishment intended for the conduct or service or administration by a commercial enterprise, or offices for the conduct of professional or business service, but not including medical, dental, chiropractor or other similar arts. Uses intended by this definition would include but not be limited to business offices, banks, credit unions, (or other establishments performing financial services - including outside drive-up facilities), radio or television station. This definition shall include no business in which goods or merchandise are sold or stored.

Canopy. A roofed structure constructed of fabric or other material placed so as to extend outward from the building providing a protective shield for doors, windows, and other openings supported by the building and supports extending to the ground directly under the canopy.

Example: Canopy

Carport. A roof structure open on at least two sides and subject to all the zoning regulations prescribed for a private garage.

Cemetery, Columbarium, Crematory, Mausoleum. Land or buildings used for the cremation, burial, or interment of the dead but not including facilities for embalming. Such uses are associated with, clearly accessory to and supply services to the principal use including a facility for the manufacture of cement vaults and sale and engraving of grave markers, a retail floral shop and live plant nursery.

Child Placing. See "Human Services Programs or Facilities".

City shall mean Sandy City, Utah

City Trees. See “Trees, City”

Closure (Drinking Water Source Protection Ordinance) shall mean the cessation of operation of a facility, or any portion thereof, and the act of securing such facility or portion thereof to ensure protection of groundwater in accordance with the appropriate state, federal, and local regulations applicable to the specific facility and with the provisions of this Title.

Code shall mean the Code of Ordinances of Sandy City.

Code Inspector shall mean any authorized agent or employees of the City whose duty is to assure code compliance.

Collection Area shall mean the area surrounding a groundwater source which is underlain by collection pipes, tile, tunnels, infiltration boxes, or other groundwater collection devices.

Commercial, Ancillary. In a mixed use development, a retail use which is secondary in use and scale to a large scale office or residential development. Such uses are normally associated with, and supply services to the principal use. Ancillary retail uses might include, but are not limited to office supplies, financial services, copy centers, dry cleaners, athletic clubs, and restaurants.

Commercial, Heavy. An establishment or business which generally uses open sales yards, outside equipment storage, or outside activities that generate noise or other impacts considered incompatible with less intense uses. Typical businesses in this definition are lumber yards, construction specialty services, heavy equipment suppliers, or building contractors.

Commercial, Community. A commercial development providing for the sale of general merchandise and/or convenience goods and services with adequate off-street parking. A community commercial shopping center shall provide for the sale of general merchandise and may include a variety store, discount store, or supermarket.

Commercial, Convenience. A commercial development providing for the sale of general merchandise and/or convenience goods and services with adequate off-street parking. A convenience commercial center shall provide a small cluster of convenience shops or services.

Commercial, Convenience Store. This land use, also known as a "mini-mart" is a version of small neighborhood store. This use is typically 0 to 5,000 square feet in size, with parking from 15 to 20 cars. It can offer packaged groceries and token selections of all types of sundries. These centers typically operate with long hours - opening early in the morning and closing late, or running 24 hours. The store may also offer self-service gasoline dispensing and self-service food selection and preparation.

Commercial, Neighborhood. A commercial development providing for the sale of general merchandise and/or convenience goods and services with adequate off-street parking. A neighborhood commercial shopping center shall provide for the sale of convenience goods and services, with a supermarket as the principal tenant.

Commercial, Regional. A commercial development providing for the sale of general merchandise and/or convenience goods and services with adequate off-street parking. A regional commercial shopping center shall provide for the sale of general merchandise, apparel, furniture, home furnishings and other retail sales and services, in full depth and variety. The regional commercial center includes at least one full-line department store as the principal tenant and often includes two or three major department stores.

Commercial Parking Garage. A building other than a private garage used for the temporary parking of automobiles with or without a fee.

Commercial Repair Services Establishments which engage principally in the repair of large or heavy duty household goods such as washers and refrigerators; the re-upholstery of automobiles, boats, and similar vehicles; small engine repair; or, other similar services which exceed the smaller scale classification intended under "Commercial Retail Sales and Services," but which can still be performed within an enclosed building. For large scale repair facilities or allowance for outdoor storage or activity, see "Commercial, Heavy" or "Industry" definitions.

Commercial Retail Sales and Services. Establishments which engage in the sale of general retail goods and accessory services. Businesses within this definition include those which conduct sales and storage entirely within an enclosed structure (with the exception of occasional outdoor "sidewalk" promotions); businesses specialize in sale of either general merchandise or convenience goods. Services include laundromats with coin-operated self-service machines, self-service and full service car washes, repair services for small household appliances or equipment. Work conducted on the premises includes handicraft production of such as pottery, jewelry, picture frames, or leather goods. Goods assembled or produced on the premises must be for sale on the premises.

This is a broad definition which is intended to include all retail sales and services (including personal services) generally associated with commercial districts which are not specifically covered by other definitions in this Chapter.

Commercial, Specialty shall mean those establishments which engage in the sale of specialty items and not the general sale of retail goods and accessory services. Businesses within this definition include those which: conduct sales and storage entirely within an enclosed structure not exceeding five hundred [500] square feet; and specialize in sale of specialty merchandise or convenience goods. Products sold, other than beverages, may not be prepared or produced on site. Does not include those land uses which are defined as a restaurant by Sandy City or other government agency having jurisdiction within the City. The sales or preparation of alcoholic beverages is not permitted under this definition.

Commission. The Sandy City Planning Commission.

Community Based Program. See Correctional Facilities

Community Correctional Facility. See Correctional Facility.

Conditional Use. A use which would become harmonious or compatible with neighboring uses through the application and maintenance of qualifying conditions.

Condominium. A single unit in a multi-unit project or structure which is separately owned which may be combined with an undivided interest in the common areas and facilities of the property.

Congregate Care Facility shall mean a housing development of five or more dwelling units which is planned, designed, and managed to include facilities and common space that maximize the residents' potential for independent living. The facility may be occupied by elderly or persons with a disability. The direct services that are provided or made available shall relate to the nutritional, social, recreational, housekeeping and personal needs of the residents, and shall be provided or made

available at a level necessary to assist the residents to function independently. "Direct Services" means meals, housekeeping services, transportation services, and planned recreational and social activities which shall be provided to the residents directly by the management of the congregate housing. Support services are social services, day care services and in-home services which the management of the congregate housing shall assist the residents in obtaining at the request of the residents. A Congregate Care Facility may only be developed as a component of a Transitional Care Development, and not as a stand-alone development.

Continuous Transit shall mean the nonstop movement of a mobile vehicle except for stops required by traffic laws.

Council shall mean the City Council of Sandy City.

Court. An open, unoccupied space, other than by a yard, on the same lot with a building or group of buildings, and which is bounded on two or more sides by such building or buildings.

Correctional Facility shall mean any facility operated by the state Department of Corrections or Division of Youth Corrections or under a contract with either to house offenders, either in a secure or nonsecure setting including but not limited to: a prison, jail, juvenile detention facility or juvenile secure facility and the following:

A. **Community-Based Program** means a nonsecure residential or nonresidential program designated to supervise and rehabilitate youth offenders in the least protective restrictive setting, consistent with public safety, and designated or operated by or under contract with the Division of Youth Corrections.
B. **Community Correctional Center** means a nonsecure correctional facility operated by the Department of Corrections or under a contract with the Department of Corrections.
C. **Detention Center**. See Secure Detention below.
D. **Jail** shall mean a facility established and operated by the County, either directly or under contract with a private provider, for confinement of persons in lawful custody.
E. **Juvenile Detention Facility** shall mean a facility established and operated by the State of Utah, either directly or under contract with a private provider, for temporary detention of delinquent juveniles.
F. **Juvenile Receiving Center** means a nonsecure, nonresidential program established by the division that is responsible for juveniles taken into custody by law enforcement for status offenses or delinquent acts, but who do not meet the criteria for admission to secure detention or shelter.
G. **Juvenile Secure Facility** shall mean a facility established and operated by the State of Utah, either directly or under contract with a private provider, for incarceration of delinquent juveniles.
H. **Observation and Assessment Program** means a service program operated or purchased by the Division of Youth Corrections, that is responsible for temporary custody or youth offenders for observation.
I. **Secure Correctional Facility** means any prison, penitentiary, or other institution operated by the Department or Corrections or under contract for the confinement of offenders where force may be used to restrain them if they attempt to leave the institution without

authorization.

J. **Secure Detention** means predisposition placement in a facility operated by or under contract with the Division of Youth Corrections for conduct by a child who is alleged to have committed a delinquent act.

K. **Secure Facility** means any facility operated by or under contract with the Division of Youth Corrections, that provides 24-hour supervision and confinement for youth offenders committed to the Division for custody and rehabilitation.

L. **Shelter** means the temporary care of children in physically unrestricted facilities pending court disposition or transfer to another jurisdiction.

Coverage. The percent of the total site area covered by structures or impervious paving other than those excepted in this Code.

Crematory, Embalming Facility. Building(s) used for the cremation and/or embalming of the dead but not including facilities for burial, internment, body viewing, or funeral services.

Cul-de-sac shall mean a street closed at one end by an enlarged, circular turn-around area where the arc exceeds at least 190 degrees.

Cut in the context of grading, hillside or slope modification shall mean either excavated material, or the void resulting from the excavation of earth material and is measured from natural grade to finished grade.

Dance Hall, Discotheque. An establishment intended primarily for dancing and entertainment within an enclosed dance floor space, using either live or electronically-produced music, either open to the public or operated as a private club open to members only.

Day Care, Family. The keeping for care and/or instruction, whether or not for compensation, of 12 or less children at any one time within a dwelling, not including members of the family residing on the premises.

Day Care, Group. An establishment for the care and/or instruction, whether or not for compensation, of more than 12 children at any one time. Child nurseries and pre-school facilities are included in this definition.

Day Treatment. See "Human Services Programs or Facilities".

Department shall mean the public agency, division, or department designated by Sandy City to enforce the provisions of this Title. For Sandy City, the Departments are Public Utilities, Public Works, Community Development and The Salt Lake City-County Department of Health.

Detention Center. See Correctional Facilities.

Developer shall mean any subdivider or any person or organization that develops, or intends to develop or sell property for the purpose of future development.

Development means any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Development Site shall mean and include the total perimeters of:

A. A subdivision.

B. A Residential Planned Unit Development.

C. A tract, lot or parcel of land intended to be used as a commercial, public, quasi-public, utility or other building site.

Discharge shall mean and include, but not be limited to, spilling, leaking, seeping, pouring, injecting, emitting, emptying, disposing, releasing, or dumping regulated substances to the soils, air, groundwaters, or surface waters of the City. Release does not include the use of a regulated substance in accordance with the appropriate use intended or specified by the manufacturer of the substances, provided that such use is not prohibited by federal, state, or local regulations. Release shall not include releases specifically authorized by federal or state permits.

Disabled/Disability. A physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having an impairment. **Disabled/disability** includes those as defined in Section 62A-5-101UCA: a severe, chronic disability that 1) is attributable to a mental or physical impairment or combination or mental and physical impairments; 2) is likely to continue indefinitely; 3) results in a substantial functional limitation in three or more of the following areas of major life activity - self care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency and 4) requires a combination or sequence of special interdisciplinary or generic care, treatment, or other service that may continue throughout life and must be individually planned and coordinated. **Disabled/disability** also includes those who need assistance with activities of daily living as defined in Section 26-21-2 which activities include dressing, eating, grooming, bathing, toileting, ambulation, transferring, and self-administration of medication. **Disabled/disability** does not include current illegal use of, or addiction to, any federally controlled substances, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802.

Distance Between Residential Structures. The shortest distance between the vertical walls of two residential structures as herein defined.

Domestic Staff shall mean persons employed or residing on the premises of a dwelling or other residential facility to perform domestic services or to assist residents in performing daily life activities.

Domestic Violence Treatment Program. See "Human Services Programs or Facilities".

Drinking Water Source Protection Review Committee shall be the department(s) determined by

Sandy City, and whose purpose is to make determinations regarding delineation of protection areas and zones.

Drinking Water Source Protection Zone shall mean an area within which certain practices are mandated to protect groundwater flowing to public drinking water wells.

Drinking Water Supply Spring shall mean a drinking water spring to supply water which has been permitted or intended for consumptive use.

Drinking Water Supply Well shall mean a drinking water well to supply water which has been permitted or intended for consumptive use.

Driveway. A private road, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which located. May also include a private lane or driveway servicing several flag lots.

Dwelling. Any structure designed or used for residential purposes that has been constructed to comply with all building codes of the City of Sandy, or the building codes established by the National Manufactured Housing Construction and Safety Standards Act (42 U.S.C. 5401 et. seq. (1976)), or the HUD Code. Dwelling does not include hotels, motels, bed & breakfast facilities, etc. or structures used for or under short term residential leases.

Dwelling Unit shall mean one or more rooms in a building or portion thereof designed, occupied or intended as a residence for a family with complete and independent facilities for living, sleeping, eating, cooking and sanitation provided within the dwelling unit. See also "Dwelling, Single Family"

Dwelling, Duplex. A building designed or arranged to be occupied by 2 families living independently, the structure having only 2 dwelling units in one ownership.

Dwelling, Earth-Sheltered. A dwelling built underground and beneath a continuous exterior surface grade for the purpose of energy conservation, having a roof of earthen material, and having its floor at the approximate level of some other exterior grade on one or more sides. Dwellings may be detached, semi-detached or attached.

Dwelling, Multiple Family shall mean a building arranged or designed to include three [3] or more dwelling units, each to be occupied by one [1] family living independently in which they may or may not share common entrances and/or other spaces. Individual units may be owned as condominiums, or offered for rent.

Dwelling, Multiple-Unit. A building or portion thereof designed for occupancy by three or more families living independently in which they may or may not share common entrances and/or other spaces. Individual units may be owned as condominiums, or offered for rent.

Dwelling, Planned Group. Two or more detached buildings used as residences located on a lot that is in single ownership and having yards, courts, or facilities in common.

Dwelling, Single Family shall mean a building arranged or designed to include only one [1] dwelling unit occupied by one [1] family (See definition of "Family"), including extended living areas or an accessory apartment which may be approved as provided elsewhere in this Code.

DWSP shall mean Drinking Water Source Protection

Easement. That portion of a lot or lots reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement may be for use under, on or above said lot or lots.

Elderly Person for the purposes of this Title, an "Elderly Person" to qualify for residence within a "Residential Facility for Elderly Persons" shall mean a person who is fifty-five [55] years old or older, who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently.

End Stage Renal Disease Facility. See "Health Care Facilities".

EPA shall mean the U.S. Environmental Protection Agency

Excavation shall mean either the removal of earth from its natural position, or the cavity resulting from the removal of earth.

Extended Living Areas. Additional and accessory living facilities within a dwelling structure, with kitchen, bathroom, and sleeping areas, designed for temporary use by extended family members for medical, or economic reasons on a non-rental basis, and in compliance with standards as set forth in this Title. Said definition also includes family "canning" kitchens and living quarters for servants or other personnel typically employed in household maintenance, i.e. maids, butlers, gardeners.

Existing Manufactured Park or Manufactured Subdivision means a manufactured home park for which the construction of facilities for servicing the lot on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) are completed before the effective date of floodplain management regulations adopted by Sandy City.

Expansion to an Existing Manufactured Home Park or Subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

Exposition/Convention Center - A stand-alone facility, not part of a larger development, designed to accommodate 5,000 or more persons and used for conventions, consumer shows, trade shows, conferences, seminars, product displays, recreation activities and entertainment functions, along with accessory functions including temporary outdoor displays, indoor dances, holiday celebrations, and food and beverage preparation and service for on-premise consumption.

Exposition Hall/Center - See "Exposition/Convention Center"

Face of Building. The wall of a building fronting on a street excluding any appurtenances such as projecting fins, columns, pilasters, canopies, marquees, showcases, or decorations but including the parapet wall.

Family means a person living alone, or any of the following groups living together as a single nonprofit housekeeping unit and sharing common living, sleeping, cooking and eating facilities:

a. Any number of people who are all related by blood, marriage, adoption, or court sanctioned guardianship together with any incidental domestic or support staff who may or may not reside on the premises; or

b. four [4] unrelated people; or

c. two unrelated people and any children related to either of them.

Exceptions – "**Family**" does *not* include:

A. any society, club, fraternity, sorority, association, lodge , federation, coterie, or like organization;

B. any group of individuals whose association is temporary or seasonal in nature;

3. any group of individuals who are in a group living arrangement as a result of criminal offenses.

Farm Animals. Animals other than household pets that may, where permitted, be kept and maintained for commercial production and sale and/or for family food production, education or recreation. Farm animals are identified by these categories: large animals, e.g., horses and cattle; medium animals, e.g., sheep, goats; or small animals, e.g., rabbits, chinchilla, chickens, turkeys, pheasants, geese, ducks and pigeons.

Farmer's Market shall mean a consortium of three [3] or more individual produce growers, and/or manufacturers of whole grain products who meet on a regular basis at a central location within a structure or open area to sell farm produce.

Fence shall include any tangible barrier, an obstruction of any material, a line of obstacles, lattice work, screen, wall, hedge, or continuous growth of shrubs or trees with the purpose of, or having the effect of, preventing passage or view across the fence line.

Fill shall mean earth materials used as a manmade deposit to raise an existing grade, or shall mean the depth or the volume of such material. The reference for a fill shall be measured from natural to finished grade.

Final grading shall mean the last stage of grading a soil or gravel material prior to landscaping or the installation of concrete or bituminous paving, or other required final surfacing material.

Final plat shall mean a plat and supporting documents, prepared in accordance with the provisions of this Chapter and prepared for recording in the Office of the Salt Lake County Recorder.

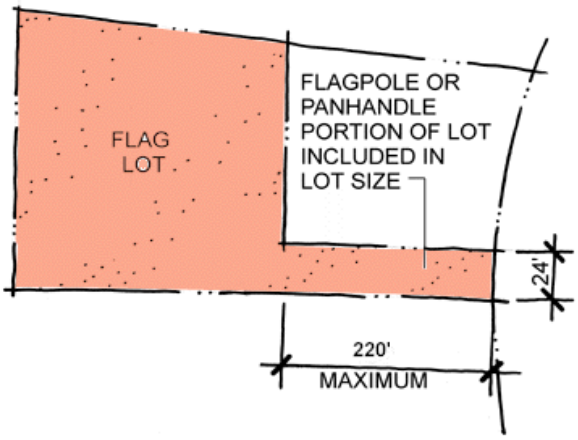
Fiscal Impact Analysis. Often used interchangeably with the term cost-revenue analysis. Fiscal impact analysis describes the current or anticipated effect upon the public costs and revenues of a local government imposed by a residential or commercial development.

Flag Lot. A building lot with a minimum frontage for access.

Flood or Flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) The overflow of inland or tidal waters and/or

(2) The unusual and rapid accumulation or run off of surface waters from any source.



Flag Lots

Flood Insurance Rate Map (FIRM) means the official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to Sandy City.

Flood Insurance Study means the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

Flood Plain shall mean land adjacent to a waterway which may be submerged by a temporary rise in the waterway's flow due to an unusual or rapid accumulation of runoff or surface water.

Flood Plain, 100 Year. (Intermediate Regional Flood) A designated area where a flood whose peak flow magnitude has about a 1 percent change of being equaled or exceeded in any year. The flood within a flood plain is based on statistical analysis of stream flow records available for the watershed and analysis of rainfall and runoff characteristics in the general region of the watershed. The flood would have an average frequency of occurrence of about once in 100 years.

Floodway means the channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor Area. Floor area in the case of offices, and most commercial uses shall mean the gross floor

area used or intended to be used by tenants, or for service to the public as customers, patrons, clients, or patients, including areas occupied by fixtures and equipment used for display or sales of merchandise.

Fraternity or Sorority House shall mean a building occupied by and maintained exclusively for students affiliated with an academic or professional college or university or other recognized institution of higher learning, who are associated together in a fraternity/sorority that is officially recognized by such institution and who receive lodging and/or meals on the premises for compensation.

Frontage. The width of a lot or parcel abutting a public right-of-way measured at the front setback line.

Garage, Private. A detached accessory building or portion of a main building for the parking or temporary storage of automobiles of the occupants of the premises.

General Acute Hospital. see "Health Care Facilities".

Grade. The average elevation or level of the ground adjacent to the exterior walls of the building.

A. For buildings adjoining one street only, the elevation of the sidewalk at the center of that wall adjoining the street.

B. For buildings adjoining more than one street, the average level of elevations of the sidewalk at the centers of all walls adjoining streets.

C. For buildings having no wall adjoining the street, the average level of the ground (finished surface) adjacent to the exterior walls of the building. All walls approximately parallel to and not more than 5 feet from a street line are to be considered as adjoining a street.

Grading shall mean either an excavation or fill, or the act of excavating or filling.

Gross Acreage shall mean the total area of the development, including all rights of way and other nonresidential uses.

Gross Leasable Area (GLA). The total floor area of a retail business designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floors, expressed in square feet as measured from the center line of joint partitions and from outside wall faces.

Groundwater shall mean any water which may be drawn from the ground.

Groundwater Discharge Area shall mean an area where the direction of groundwater movement is upward from the principal aquifer to the shallow unconfined aquifer. Discharge areas, determined by the United States Geological Survey (USGS), are shown on Exhibit 2 of this ordinance.

Groundwater Divide shall mean a ridge in the water table or potentiometric surface, from which

groundwater moves away in both directions.

Groundwater TOT shall mean time of travel for groundwater.

Handicapped Person. See definition of Disability.

Handle shall mean to use, generate, process, produce, package, treat, store, or transport a regulated substance in any fashion.

Hazard Tree. See "Tree, Hazard"

Hazardous Waste shall mean a hazardous waste as defined by the US EPA

Health Care Facilities:

- **Ambulatory Surgical Facility** means a freestanding state-licensed facility, which provides surgical services to patients not requiring hospitalization.

- **Assisted Living Facility. see Assisted Living Facility** above.
- **Birthing Center** means a freestanding state-licensed facility, receiving maternal clients and providing care during pregnancy, delivery, and immediately after delivery.

- **End Stage Renal Disease Facility** means a state-licensed facility which furnishes staff-assisted kidney dialysis services, self-dialysis services, or home-dialysis services on an outpatient basis.

- **General Acute Hospital** means a state-licensed facility which provides diagnostic, therapeutic, and rehabilitative services to both inpatients and outpatients by or under the supervision of physicians.

- **Home Health Agency** means a state-licensed agency, organization, or facility or a subdivision of an agency, organization, or facility which employs two or more direct care staff persons who provide licensed nursing services, therapeutic services of physical therapy, speech therapy, occupational therapy, medical social services or home health aide services on a visiting basis. "Home Health Agency" does not mean an individual who provides services under the authority of a private license.

- **Hospice** means a program of care for the terminally ill and their families which occurs in a home or in a health care facility and which provides medical, palliative, psychological, spiritual, and supportive care and treatment.

- **Nursing Care Facility** means a state-licensed health care facility, other than a general acute or specialty hospital, constructed licensed, and operated to provide patient living accommodations, 24-hour staff availability, and at least two of the following patient services: (a) a selection of patient care services, under the direction and supervision of a registered nurse, ranging from continuous medical, skilled nursing, psychological, or other professional therapies to intermittent health-related or paraprofessional personal care

services; (b) a structure, supportive social living environment based on a professionally designed and supervised treatment plan, oriented to the individual's habilitation or rehabilitation needs; or (c) a supervised living environment that provides support, training or assistance with individual activities of daily living. (Activities of daily living means essential activities including: (a) dressing; (b) eating; (c) grooming; (d) bathing; (e) toileting; (f) ambulation; (g) transferring; and (h) self-administration of medication).

- **Small Health Care Facility** means a four to sixteen bed state-licensed facility that provides licensed health care programs and services to residents who generally do not need continuous nursing care or supervision.

- **Specialty Hospital** means a state-licensed facility which provides specialized diagnostic, therapeutic, or rehabilitative services in the recognized specialty or specialities for which the hospital is licensed.

Highest Adjacent Grade means the highest natural elevation of the ground surface prior to construction next to the proposed wall of a structure.

Hillside area shall mean any property with a slope of thirty percent (30%) or greater.

Home Health Agency. See "Health Care Facilities".

Homeless Shelter shall mean a charitable lodging or sleeping rooms provided on a daily or other temporary basis to persons lacking other safe, sanitary or affordable shelter. May also include a kitchen and cafeteria.

Home Occupation. A home occupation is a business, occupation, profession, operation, managing or carrying on of a business for the purpose of economic gain, which activity is carried on as an accessory use in a residential zone by a bona fide resident of the dwelling.

A home occupation shall not be construed to mean an employee, working in their own home in the service of an employer whose principal place of business is licensed at another location within Sandy or elsewhere.

A home occupation shall not be construed to mean an individual making deliveries of products which were ordered in advance.

Hospice. See "Health Care Facilities"

Hospital shall mean an institution licensed by the State of Utah which provides diagnostic, therapeutic, and rehabilitative services to individuals on both an inpatient and outpatient basis by or under the supervision of one or more physicians. Any medical clinic or professional office which offers any inpatient or overnight care, or operates on a twenty four [24] hour basis shall be considered to be a hospital. A hospital may include integral support service facilities such as laboratories, outpatient units and training and central services, together with staff offices necessary to the operation of the hospital. Includes both general acute and specialty hospitals and must be licensed by the Utah Department of Health pursuant to the Heath Care Facility Licensing and Inspection Act.

Household Pets. Household pets, including dogs, cats, rabbits, ducks and chickens, on a non-nuisance basis for family use only (non-commercial) with cages, pens and coops, etc.

Housekeeping Unit shall mean a family or group of individuals who:

1. Share a strong bond or commitment to a single purpose (e.g. members of a religious order). The relationship must be of a permanent and distinct character with a demonstrable and recognizable bond characteristic of a cohesive unit; and
2. Are not legally dependent on others not living with them;
3. Share a single household budget;
4. Prepare food and eat together on a regular basis;
5. Share in the work of maintaining the premises;
6. Legally share in the ownership or possession of the premises, e.g. tenants in common on a deed or cosigners of a single lease;
7. Does *not* include a common living arrangement whose basis for the establishment of the housekeeping unit is temporary or financial in nature.

Hotel/Motel shall mean a building or group of buildings containing individual sleeping units, offered, designed and used primarily for the accommodation of short-term guests not to exceed 30 consecutive calendar days, and with automobile parking or storage available. This definition includes auto courts, motor lodges, and tourist courts. To be classified under this definition, the use must have and maintain a functional lobby for check-in/out with a covered entry way for vehicle loading/unloading during check in/out , a luggage storage area, an on-site manager 24-hours a day, all access to rooms must be via interior hallways, all housekeeping of rooms shall be at intervals no less than 48 hours, continuous open access for public safety personnel and the use must have at least three or more of the following amenities conveniently located:

- heated indoor pool
- recreation room (with weights, etc)
- outdoor or indoor sports court
- guest laundry
- restaurant/food service area (minimum capacity of 25 people)
- meeting rooms (minimum capacity of 25 people)
- concierge

Facilities not meeting the minimum requirements shall fall under the definition for multi-family development (i.e., apartments).

Human Services Programs or Facilities:

- **Adult Day Care** means continuous care and supervision for three or more adults age 18 years or older for at least four but less than 24 hours a day, that meets the needs of functionally impaired adults through a comprehensive program that provides a variety of health, social recreational, and related support services in a protective setting. Overnight stays are not permitted

- **Child Placing** means an operation licensed by the State of Utah for receiving, accepting, or

providing custody or care for any child under 18 years of age, temporarily or permanently, for the purpose of: (finding a person to adopt the child; (b) placing the child temporarily or permanently in a home for adoption; or (c) foster home placement.

- **Day Treatment.** An operation licensed by the State of Utah as "Day Treatment" for specialized treatment for less than 24 hours a day for four or more persons who are unrelated to the owner or provider and who have emotional, psychological, developmental, physical, or behavioral dysfunctions, impairments, or chemical dependencies. Day treatment is provided in lieu of, or in coordination with , a more restrictive residential or inpatient environment or service.

- **Domestic Violence Treatment Program** means an operation licensed by the State of Utah as a nonresidential program designed to provide psychological treatment and educational services to perpetrators and victims of domestic violence.

- **Outpatient Treatment.** An operation licensed by the State of Utah as "Outpatient Treatment" for individual, family or group therapy or counseling designed to improve and enhance social or psychological functioning for those whose physical and emotional status allows them to continue functioning in their usual living environment.

- **Residential Support.** An operation licensed by the State of Utah as "Residential Support" to arrange for or provide the necessities of life as a protective service to individuals or families who are disabled or who are experiencing a dislocation or emergency which prevents them from providing these services for themselves or their families. Treatment is not a necessary component of residential support.

- **Residential Treatment.** An operation licensed by the State of Utah as "Residential Treatment" as a 24-hour group living environment for four or more individuals unrelated to the owner or provider that offers room or board and specialized treatment, rehabilitation or habilitation services for persons with emotional, psychological, developmental, or behavioral dysfunctions, impairments, or chemical dependencies. In residential treatment, individuals are assisted in acquiring the social and behavioral skills necessary for living independently in the community.

- **Resource Family Home**. An operation licensed by the State of Utah as a “Resource Family Home” to provide services to a child in the custody of the state and includes a foster care home and a legal risk home.

- **Secure Treatment.** An operation licensed by the State of Utah as "Secure Treatment" as a 24-hour specialized residential treatment or care for persons whose current functioning is such that they cannot live independently or in a less restrictive environment. Secure treatment differs from residential treatment to the extent that it requires intensive supervision, locked doors, and other security measures which are imposed on residents with neither their consent nor control.

- **Social Detoxification.** An operation licensed by the State of Utah as social detoxification

for short-term residential services for persons who are intoxicated, that are provided outside of a health care facility licensed under title 26, chapter 21, Health Care Facility Licensure and Inspection Act, and that include: (a) room and board for persons who are unrelated to the owner or manager of the facility; (b) specialized rehabilitation to acquire sobriety; and (c) aftercare services.

- **Youth Program.** An operation licensed by the State of Utah as "Youth Program" as a nonresidential program designed to provide behavioral, substance abuse, or mental health services to minors that; (a) services either adjudicated or nonadjudicated youth; (b) charges a fee for its services; (c) may or may not provide host homes or other arrangements for overnight accommodation of the youth; (d) may or may not provide all or part of its services in the outdoors; (e) may or may not limit or censor access to parents or guardians; (f) prohibits or restricts a minor's ability to leave the program at any time of his own free will; and (g) will not apply to recreational programs such as Boy Scouts, Girl Scouts, 4-H, and other such organizations.

Impervious Material. Material that is impenetrable by water.

Improvements shall mean streetscapes, curbs, gutters, sidewalks, utilities, grading, pavings, landscaping, water and sewer systems, drainage systems, fences, fire hydrants, street lights, public facilities, amenities and other such requirements of this Chapter.

Industry, Light. The manufacturing, compounding, processing, assembling, packaging, or testing of goods or equipment or research activities entirely within an enclosed structure, with no outside storage, serviced by a modest volume (less than 12 trips in 24 hours) of trucks or vans and imposing a negligible impact upon the surrounding environment by noise, vibration, smoke, dust or pollutants.

Industry, Medium. The manufacturing, compounding, processing, assembling, packaging, or testing, of goods or equipment within an enclosed structure or an open yard that is capable of being screened from neighboring properties, serviced by a modest volume of trucks (less than 12 trips in 24 hours), or other vehicles, and whose environmental impact is within the industrial performance standards.

Institutional Buildings shall include, but not be limited to: churches, schools, hospitals, public and quasi-public buildings.

Institutional Care Development/Facility shall mean a facility constructed, licensed and operated to provide long term or permanent living accommodations, 24-hour staff availability, and at least two of the following services:

(A) a selection of resident care services, under the direction and supervision of a registered nurse or other health or human services licensed professional, ranging from continuous medical, skilled nursing, psychological, or other professional therapies to intermittent health-related or paraprofessional personal care services;

(B) a structured, supportive social living environment based on a professionally designed and supervised treatment plan, oriented to the individual's needs; or

(C) a supervised living environment that provides support, training, or assistance with individual

activities of daily living.

The facility must be licensed by either the Utah Department of Health or the Utah Department of Human Services and be operated in accord with all regulations established for licensure.

This definition includes Assisted living Facilities, Hospices, small health Care Facilities, Transitional Care Developments, Nursing Homes convalescent Homes, Rest Homes, Congregate Care Facilities, Alzheimer's Facilities, Nursing Care Facilities.

This definition does not include facilities licensed or operating as General Acute or Specialty Hospitals, Adult Day Care, Day Treatment, Domestic Violence Treatment Program, Residential Support, Residential Treatment, Secure Treatment, Youth Program, Community Correctional Center, Correctional Facility, Secure Correctional Facility, Rehabilitation/Treatment Facility, Transitional Housing Facility, Protective Housing Facility or similar facilities

Jail See Correctional Facilities.

Juvenile Detention Facility. See Correctional Facilities.

Juvenile Receiving Center. See Correctional Facilities.

Juvenile Secure Facility. See Correctional Facilities.

Landscaping. The finishing and adornment of unpaved yard areas. Materials and treatment generally include naturally growing elements as grass, trees, shrubs, and flowers. Treatment may also include the use of rocks, fountains, benches, and contouring of the earth.

Landscaping, Dry. The finishing and adornment of yard areas solely by use of rocks, fountains, lanterns, benches, decorative paving, etc., and not including growing or planted materials.

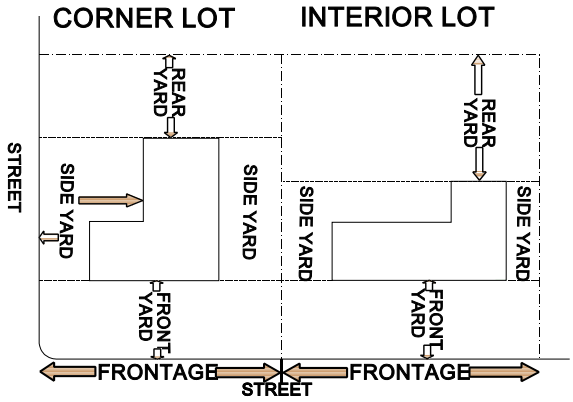
License Review Board. Persons appointed by the Mayor, or his designee, to serve as a review board for Category II home occupation licenses and as a board of appeals for denied, suspended or revoked home occupation licenses. It shall be convened by the Community Development Director when necessary for review or appeal as set forth in this Chapter. Board members are comprised of two (2) members from each of the following Departments: the Fire Department, Police Department, and Community Development Department and three (3) Sandy residents. There must be at least five attending board members and three (3) concurring votes to approve or deny any measure set before the License Review Board.

Liquor Sales. See State Store and Package Agency.

Lot shall mean a legal parcel of land occupied or to be occupied by a main building or group of main buildings and accessory buildings together with such yards, open spaces, frontage lot width, and lot area as are required by ordinance.

Lot, Corner. A lot abutting on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees.

Lot, Interior. A lot other than a corner lot.



Lot, Irregular. A building lot whose rear property line is not generally parallel to the front property line such as a pie-shaped lot on a cul-de-sac, or where the side property lines are not parallel to each other.

Lowest Floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

Maintenance Facility Any building, premise, or land upon which a private business, service, industry or unit of government (other than police or fire agencies): (a) services or maintains motor vehicles; or (b) stores vehicles or equipment used for servicing off-site facilities or infrastructure.

Manufactured Home. means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

Manufactured Home Park or Subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Market Study. A study or related aggregate data review to establish the number of potential users of a commercial facility or the size of a market area.

Marquee. A permanent roofed structure which bears an advertisement and extends outward over the entrance to a building, often a theater or cinema, and supported entirely by the building.

Example: Marquee

Medical and Health Care Offices. Offices or clinics which provide services for the treatment and care of illness or injury, medical, dental, chiropractic offices; offices devoted to the healing arts such as licensed accredited massage therapists and licensed

physical therapists. This definition may include a pharmacy or drugstore intended to serve patients of the medical or dental professionals.

Mini-subdivision. A subdivision of less than 10 lots which does not require the dedication of any land for streets and other public purposes.

Mixed Use, Residential and Office Use. A development consisting of a mixture of residential and office uses with an approved ratio, developed according to a master site plan. The development of the uses is of sufficient size and physical improvement to protect surrounding areas and the general community, and to assure a harmonious integration into the neighborhood.

Mixed Use Commercial and Residential Development. A development consisting of a mixture of residential and commercial uses with an approved ratio, developed according to a master site plan. The development of the uses is of sufficient size and physical improvement to protect surrounding areas and the general community, and to assure a harmonious integration into the neighborhood.

Mobile Home. A vehicle other than a motor vehicle designed with attached axles and wheels which may be used for permanent or semi-permanent housing or human occupancy; and which is designed to be drawn by a motor vehicle. The term shall also include any vehicle meeting the above description which is used for an office, classroom, laboratory, processing, manufacturing, retail sales, or other use.

Mobile Home Park. A residential development in which owners of mobile homes may rent or lease a lot on which to place their home. Such developments may provide all of the amenities and improvements typical of planned unit developments.

Mobile Home Subdivision. A parcel of land which has been legally subdivided for mobile homes according to state and local government regulations. The subdivision is developed with all of the improvements and amenities found in a traditional single family subdivision.

Model Home. A dwelling temporarily used as a sales office for a residential development under construction; said home being used for on-site sales and not for general real estate business.

Monument shall mean a permanent survey marker established by the Salt Lake County Surveyor and/or a survey marker set in accordance with the City Engineer's specifications and referenced to Salt Lake County survey monuments.

Mortuary, Funeral Home. An establishment in which the dead are prepared for burial or cremation. The facility may include such uses as are associated with, clearly accessory to and supply services to the principal use: a chapel for the conduct of funeral services and spaces for informal gatherings and/or display of funeral equipment, and may also include a retail floral shop, live plant nursery, a facility for the manufacture of cement burial vaults and the sale and engraving of grave markers.

Motel, Hotel. See “Hotel”.

Natural state shall mean the condition of land which has not been graded, disturbed, or built upon

Natural Vegetation shall include but not be limited to: orchards, trees, shrubs, lawn, grass and perennial growth

Natural Waterways. Those areas, varying in width along streams, creeks, springs, gullies, or washes which are natural drainage channels as determined and identified by the City.

Net Residential Acreage shall mean all land within a development site devoted exclusively to a residential use.

New Construction means structures for which the "start of construction" commenced on or after the effective date of the original ordinance, and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this Title.

Nonconforming Building. A building or structure or portion thereof lawfully existing at the time this Code became effective, which was designed, erected, or structurally altered for a use that does not conform to the use regulations of the district in which it is located, or a building or structure that does not conform to all the height and area regulations.

Nonconforming Lot. A lot whose width, area, or other dimension does not conform to the regulations when this Code became effective. However, proposed structures for such lots shall meet the required setbacks under this Code unless otherwise stipulated by the Board of Adjustment.

Nonconforming Use. See "Use".

Nonresidential Activity shall mean all activity that is not designated as residential.

Nursing Care Facility. See "Health Care Facilities".

Nursing Home, Convalescent Home, and Rest Home shall mean an intermediate care/nursing facility or a skilled nursing facility, licensed by the State of Utah, for the care of individuals who due to illness, advanced age, disability, or impairment require assistance and/or supervision on a twenty-four [24] hour per day basis. A nursing home, convalescent home or rest home does not include:

A. a residential facility for persons with a disability;
B. a residential facility for elderly persons;
C. an adult day care facility; or
D. adult day care provided in conjunction with a residential facility for elderly persons or a residential facility for persons with a disability.

Observation and Assessment Program. See Correctional Facilities.

Official Street Map. The map adopted by the Sandy City Council which shows the location and alignment of future and existing streets within Sandy City. Such streets are designated as public streets by law and plans for future development must include the construction or improvements of these streets as closely as possible to the projected alignment.

Open Space. Land areas that are not occupied by buildings, structures, parking areas, streets or alleys. Open space may be devoted to landscaping, preservation of natural features, patios, and recreational areas and facilities.

Operating Permit (Drinking Water Source Protection Ordinance) shall mean a permit to operate a facility handling regulated substances under this Ordinance. The permit will be issued by the Department of Building, Zoning, and Licensing for Sandy City.

Ordinary Repair. The painting or replacement of existing building materials on or within a structure, provided that such replacement consists of materials which do not alter the integral structure and design of the building. Ordinary repairs do not include the expansion of the building's exterior dimension.

Outpatient Treatment. See "Human Services Programs or Facilities".

Oversized Vehicle shall mean a motor vehicle, trailer, or boat which by itself or together with other structure(s) or vehicle(s) attached to it exceeds twenty four (24) feet in length, or eight (8) feet in width, or eight (8) feet in height, or has a weight rating of one (1) ton or greater, exclusive or appurtenances such as antennas, air conditioners, luggage racks, and mirrors.

Park and Ride Facilities. Parking lots or structures located along public transit routes designed to encourage transfer from private automobile to mass transit or to encourage car pooling for purposes of commuting, or for access to recreation areas. Said facilities shall be appropriately developed and landscaped to City standards, with special attention paid to buffers adjacent to residential properties. Facilities approved as part of existing shopping centers shall have authorization from property owners and shall not adversely impact existing parking ratios.

Parking Lot. An open area, other than a street, used for the parking of automobiles.

Park, Public shall mean a park, playground, swimming pool, golf course or athletic field available for recreational, educational, cultural, or aesthetic use, which is under the control, operation, or management of the state, a state agency, the county, or Sandy City.

Parking Area, Restricted shall mean the area within the front yard of a lot within which the parking of oversized vehicles is regulated. This area extends to a depth of ten (10) feet from the right-of-way. In those locations without dedicated streets, the restricted parking areas shall extend to a depth of ten (10) feet from the edge of pavement. Measurement for compliance shall be from the eight (8) foot tall portion of the vehicle to the right-of-way line. The measurement shall not

include any portion of the vehicle lower than eight feet, such as the tongue of a trailer, etc.

Parking Space, Automobile. Space within a building or private or public parking area, exclusive of driveways, ramps, columns, office and work areas, for the parking of an automobile.

Parkstrip shall mean the landscape area within a public right-of-way located between the back of the street curb and the sidewalk, or, in the absence of a sidewalk, located between the back of the street curb and the property line. Parkstrip shall also include tree-well sites located within the public right-of-way.

Permanent Make-Up shall mean a business where a permanent design or mark is made on the skin by pricking it and ingraining in it an indelible pigment for masking discolorations on the body or cosmetically enhancing facial features only. This does not include "Tattoo".

Pawn Shop shall mean any person, firm or corporation which loans money on deposit of personal property, or deals in the purchase, exchange or possession of personal property on condition of selling the same back again to the pledgor or depositor, who loans or advances money on personal property by taking chattel mortgage security thereon and takes or receives such personal property into his possession, and who sells unredeemed pledges together with new merchandise as will facilitate the sale of the same.

PCS shall mean potential contaminant source

Permanent Make-Up shall mean a business where a permanent design or mark is made on the skin by pricking it and ingraining in it an indelible pigment for masking discolorations on the body or cosmetically enhancing facial features only. This does not include "Tattoo".

Person shall mean an individual, firm, partnership, corporation, association, joint venture, governmental entity or other legal entity, and shall include the plural as well as singular.

Petroleum Product shall include fuels (gasoline, diesel fuel, kerosene, and mixtures of these products), lubricating oils, motor oils (new and used), hydraulic fluids, and other similar petroleum-based products.

Planned Unit Development (PUD). A residential or commercial development guided by a total design plan in which one or more of the zoning or subdivision regulations, other than use regulations, may be waived or varied to allow flexibility and creativity in site and building design and location, in accordance with general guidelines as specified in this Title. Units within a PUD may be sold or offered for rent.

Plant Nursery. A facility used for the growing and the wholesale or retail sale of trees, shrubs, flowers, ground covers, etc. Said use may also include sales of related products, including fertilizers, mulch, landscape decoration, etc.

Plot Plan. A plat of a lot, drawn to scale, showing the actual measurements, the size and location of any existing buildings or buildings to be erected, the location of the lot in relation to abutting

streets, and such other information as may be required.

Planned Shopping Center. A group of architecturally unified commercial establishments built on a site that is planned, developed, owned and managed as an operating unit related in its location, size and type of shops to the trade area that it serves. The unit provides on-site parking in definite relationship to the types and total size of the stores. Thus any number of small single ownership commercial developments would not qualify as a shopping center.

Practitioner shall mean a medical doctor (surgeon, general practice, orthopedic, mid-wife, nurse practitioner, etc) or those who perform dental care (dentist, orthodontist, endodontist, etc). A Practitioner does not include nursing staff, receptionists, dental assistants, rehabilitation specialists and other similar support staff.

Preliminary plat shall mean a plat prepared in accordance with this Chapter, showing the design of a proposed subdivision and the existing conditions in and around the subdivision.

Primary Recharge Area shall mean the areas depicted on Exhibit 2 of this ordinance.

Prison shall mean a facility for incarceration of persons convicted of crimes, established and operated by the State of Utah or by private provider pursuant to the provisions of the Private Correctional Facilities Act, Chapter 13c, Title 64, Utah Code Annotated, as amended.

Private Tree. See "Tree, Private"

Protection Zone shall mean the delineation zones of the Drinking Water Source Protection Zone.

Protective Housing Facility shall mean a facility operated, licensed or contracted by a governmental entity, or operated by a charitable, non-profit organization, where, for no compensation, temporary, protective housing is provided to:

A. abused or neglected children awaiting placement in foster care;
B. pregnant or parenting teens;
C. victims of sexual abuse; or
D. victims of domestic abuse.

Public Improvement. Street dedications, installations of curb, gutter, sidewalk, road base and asphalt to City Engineer specifications and current City ordinances.

Public Service. Uses which may be housed in separate buildings or which may occupy a space within a building that are operated by a unit of government to serve public needs, such as police (with or without jail), fire service, ambulance, judicial court or government offices, but not including public utility stations or maintenance facilities. (Public Service uses with maintenance facilities shall not be allowed in Residential Districts).

Public Utility Station. A structure or facility used by a public or quasi-public utility agency to store, distribute, generate electricity, gas, telecommunications, and related equipment, or to pump

or chemically treat water. This definition shall not include storage or treatment of sewage, solid waste, or hazardous waste.

PWS shall mean Public Water System.

Quasi-Public. Essentially a public use, although under private ownership or control.

Reasonable Accommodation shall mean a change in a rule, policy, practice, or service necessary to afford a person equal opportunity to use and enjoy a dwelling. As used in this definition:

a. "Reasonable" means a requested accommodation will not undermine the legitimate purposes of existing zoning regulations notwithstanding the benefit that the accommodation would provide to a person with a disability.
b. "Necessary" means the applicant must show that, but for the accommodation, one or more persons with a disability likely will be denied an equal opportunity to enjoy housing of their choice.
c. "Equal Opportunity" means achieving equal results as between a person with a disability and a non-disabled person.

Recreation Center. An establishment providing a variety of commercial recreation activities including activities that are enclosed within a structure along with outdoor recreational activities on the same premises. Activities may include those identified with Indoor Recreation, as well as such outdoor activities as miniature golf, amusement rides, slides and swimming pools.

Recreation, Fitness Center. An establishment providing completely enclosed fitness related activities. Accessory uses may include the preparation and serving of food and/or the sale of equipment related to the enclosed use. This definition may include such uses as swimming pool, aerobics, weight training, diet counseling, indoor running track, etc.

Recreation, Indoor. An establishment providing completely enclosed recreation activities. Accessory uses may include the preparation and serving of food and/or the sale of equipment related to the enclosed uses. Included in this definition shall be bowling, roller or ice skating, billiards, swimming pools and related amusements.

Recreation, Outdoor. An area free of buildings except for restrooms, dressing rooms, equipment storage, maintenance buildings, and open air pavilions, and used primarily for recreation activities not involving motor vehicles, animals, or overnight use. This definition shall include semi-private swimming pools.

Recreational Vehicle. A vehicular unit, other than a mobile home, primarily designed as a temporary dwelling for travel, recreational and vacation use, which is either self-propelled or is mounted on or pulled by another vehicle, including but not limited to a travel trailer, a camping trailer, a truck camper, a motor home, a fifth-wheel trailer and a van.

Recreational Vehicle means a vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) designed to be self-propelled or

permanently towable by a light duty truck; and (4) designed primarily not for use as temporary living quarters for recreational, camping, travel or seasonal use.

Recreational Vehicle Park (Travel Trailer Park). Any tract of land where the lots or spaces are rented to recreational vehicle owners or users for a period of time not to exceed 30 consecutive days, and where related services are provided. Related services shall include on-site management, tent camping spaces, picnic areas, restroom and shower facilities, water and electrical hookups and sanitary dump facilities. Related facilities may include laundry facilities, limited retail services, playgrounds, storage and service facilities for recreational vehicles. The recreational vehicle park must be designed primarily as an open space park with hard surface areas provided for vehicle parking pads, access roads, and pedestrian walkways only. All remaining areas must be landscaped with a combination of trees, shrubs and grass. Trees shall be of a large caliper and of a deciduous and evergreen mix with a minimum 2" caliper size (6-8 feet tall minimum for evergreen trees).

Recycling Materials Collection/Drop-Off Facility shall mean a facility that collects recyclable materials for transport to a separate location for processing and recovery. Recyclable materials include glass, plastic, paper, cloth and other materials collected for recovery and re-use. This definition does not include two or fewer newspaper recycling bins and other similar recyclable material bins that are not staffed by on-site employees, but are self-service.

Regulated Substances shall mean substances (including degradation and interaction products) which because of quantity, concentration, or physical, chemical (including ignitability, corrosivity, reactiveness and toxicity), infectious characteristics, radiomutagenicity, carcinogenicity, teratogenicity, bioaccumulative effect, persistence (non-degradability) in nature, or any other characteristics relevant to a particular material that may cause significant harm to human health or and environment (including surface and groundwater, plants, and animals).

Rehabilitation/Treatment Facility shall mean a facility licensed by or contracted by the State of Utah to provide temporary occupancy and supervision of adults or juveniles in order to provide rehabilitation, treatment, or counseling services. Without limitation, such services may include rehabilitation, treatment, counseling, or assessment and evaluation services related to delinquent behavior, alcohol & drug abuse, sex offenders, sexual abuse, or mental health. Associated education services may also be provided to juvenile occupants. A rehabilitation/treatment facility does not include a residential facility for persons with a disability.

Religious or Cultural Activity. A building or buildings owned or maintained by organized religious organizations and non-profit associations for social, civic or philanthropic purposes, or the purpose for which persons regularly assemble for worship. Uses also included are the public non-profit display of art, historic or cultural artifacts or other inanimate exhibits, a building used as a lending library or reading room, seminaries (associated with schools), monasteries and convents. This definition shall not include temporary tents or structures.

Renovation. Interior or exterior remodeling or enlargement of a structure, other than ordinary repair.

Research Park. A tract of land developed according to a master site plan for the use of a

community of industries and related uses, and that is of sufficient size and physical improvement to protect surrounding areas and the general community and to assure a harmonious integration into the neighborhood.

Residence shall mean a dwelling unit or other place where an individual or family is actually living at a given point in time and not a place of temporary sojourn or transient visit.

Residential Activity shall mean any building or structure or portion thereof that is designed for or used for residential purposes and any activity involving the use of occupancy of a lot for residential purposes. Residential activity shall include those customary and accessory residential activities associated with the principal permitted use of a lot for residential purposes as set out in the Zoning Ordinance of the City.

Residential Density. The average number of families living on one acre of land in a given area.

Residential Density, Gross. The density obtained by dividing all land in a defined area used for residences, streets, open space, local schools, local parks, and local shopping facilities, into the total number of families in said area.

Residential Density, Net. The density determined by dividing the total number of homes or families in a defined area by the total acreage of all parcels of land within the area that are used exclusively for residential and accessory purposes.

Residential Facility for Persons with a Disability shall mean a dwelling unit or other place in which more than one person with a disability resides and, if required by State law, is licensed or certified by:

A. the Utah Department of Human Services under Title 62A, Chapter 2, of the Utah Code, Licensure of Programs and Facilities; or
B. the Department of Health under Title 26, Chapter 21, of the Utah Code, Health Care Facility Licensing and Inspection Act.

Residential Facility for Elderly Persons shall mean a dwelling unit owned by a resident thereof or an immediate family member of a resident, or for which the title has been placed in a trust for a resident; and is voluntarily occupied on a twenty-four [24] hour per day basis by eight [8] or fewer elderly persons in a family-type arrangement. A "residential facility for elderly persons" does not include any facility:

A. operated as a business; provided, that such facility shall not be considered to be operated as a business solely because a fee is charged for food or for actual and necessary costs of operation and maintenance of the facility;
B. where persons are placed
    A. for alcoholism or drug abuse treatment; or
    B. as part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility;
    C. which is a health care facility as defined by Section 26-21-2 of the Utah Code, as amended; or

D. which is a residential facility for persons with a disability.

Residential Lease, Short Term shall mean:

1. The use, occupancy, rent or lease, for direct or indirect remuneration, of a structure or any portion thereof constructed for single family or multifamily occupancy or of any other residential property for an effective term of thirty days or less.

2. The commercial use, by any person, of residential property for hostel, hotel, inn, lodging, motel, resort or other transient lodging uses where the term of occupancy, possession or tenancy of the property by the person entitled to such occupancy, possession or tenancy is for thirty (30) consecutive calendar days or less.

For the purposes of this section remuneration means compensation, money, rent, or other bargained for consideration given in return for occupancy, possession or use of real property.

Short term residential leases are prohibited in all residential districts, residential PUD districts and residential SD districts.

Residential Support. See "Human Services Programs or Facilities".

Residential Treatment. See "Human Services Programs or Facilities".

Resource Family Home. See “Human Services Programs or Facilities”.

Restaurant. An eating establishment in which food is prepared for either on- or off-premise consumption, with service being provided in a traditional sit-down restaurant style or served from a counter. This definition also includes specialty food stores, such as ice cream parlors or delicatessens, but does not include drive-in or drive-up window service.

Restaurant, Drive-in/Drive-up Window An eating establishment in which food is prepared and served. May include facilities for indoor seating, take-out, drive-up window service, or outside service provided by employees to customers in vehicles.

Right-Of-Way shall mean the portion of roadway dedicated to the purpose of conveying vehicle and pedestrian traffic, and other public use. This area shall include, but not be limited to all areas of pavement and sidewalk between opposing property lines.

SARA Title III shall mean the Superfund Amendment and Reauthorization Act section found in 40 CFR 300-302, pertaining to emergency response and right-to-know.

School, Commercial. A school establishment to provide for the teaching of industrial, clerical, managerial, or artistic skills. This definition applies to schools that are owned and operated privately for profit and that do not offer a complete educational curriculum (e.g., beauty school, modeling school)

School, Commercial (Low Impact). Those commercial schools which are artistic in nature and do not meet the qualifications for a home occupation and which have a relatively low impact on surrounding uses because they are conducted indoors; have a limited number of students; and, do not require a large number of parking spaces because of the age of the students. Such schools generally include smaller scale dance schools, martial arts schools, gymnastics schools and similar uses.

School, Private or Quasi-Public. A school operated by a private or quasi-public organization, or individual, which has a curriculum similar to that provided in any public school in the State of Utah, except that such curriculum may include religious instruction. A private school may be a profit-making or nonprofit organization. A private school may also include laboratory and shop instruction with the use of demonstration vehicles, products or models incidental to said instruction; but shall not include the repair, maintenance and manufacture of vehicles, goods or merchandise, and shall not provide direct services, other than instruction to the general public. (Does not include Commercial Schools.)

Schools, Public. An educational facility operated by a school district or other public agency of the State of Utah.

Sculpture Park shall mean a facility for the display for viewing and/or sale of sculptures. Facility may include outdoor display. Such facility typically includes a large expanse of landscaped green-space containing an array of gardens, fountains, and sculptural artworks.

Secondary Containment shall mean any system that is used to provide release detection and release prevention, such as trays under containers, floor curbing or other systems designed to hold materials or liquids that may discharge from containers holding regulated substances. Examples include a double-walled tank, a double-walled integral piping system, or a single-walled tank or integral piping system that is protected by an enclosed concrete vault, liner, or an impervious containment area.

Secure Correctional Facility. See Correctional Facilities.

Secure Detention. See Correctional Facilities.

Secure Facility. See Correctional Facilities.

Secure Treatment. See "Human Services Programs or Facilities".

Sensitive area shall mean an area of land which contains environmental or geological hazards, and which, if altered, may cause damage to the environment.

Septic Holding Tank shall mean a water-tight receptacle, used to contain septic waste. The contents of which are extilated and disposed of at a waste disposal facility.

Septic Tank System shall mean a generally water-tight receptacle connected to a drain field that allows liquid from the tank to enter the soil. The system is constructed to promote separation of

solid and liquid components of domestic wastewater, to provide decomposition of organic matter, to store solids, and to allow clarified liquid to discharge for further treatment and disposal in a soil absorption system.

Setback. The setback for all structures is the shortest distance between the property line and the building or any portion thereof excluding the following:

A. Window awnings and unenclosed front entry and steps not protruding more than 5 feet into the setback area.

B. Uncovered patios.

C. Decks and balconies not greater than 2 feet in height from grade, and not less than 4 feet from the rear property line and 8 feet from the side property line.

D. Decks and balconies not greater than 8 feet above grade and not less than 10 feet from the rear lot line.

E. Chimney and roof overhangs protruding no greater than 2 feet into the setback area.

Sexually Oriented Business shall mean adult businesses, nude entertainment businesses, seminude dancing bars, outcall services, and nude and seminude dancing agencies as defined in Title 12, Chapter 2.

Shelter. See Correctional Facilities.

Sheltered Workshop shall mean a non-residential facility providing supervised educational or vocational training facility for persons with a disability.

Sign. Every advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface, or space erected or maintained in view of the observer thereof for identification, advertisement, or promotion of the interests of any person, entity, product, or service. The definition of sign shall also include the sign structure, supports, lighting system, and any attachments, ornaments or other features used to draw the attention of observers.

Sign, A-Frame. A portable sign, structure, or configuration composed of 1 or 2 sign faces mounted or attached back-to-back in such a manner as to form a basically triangular vertical cross-section.

Example: A-Frame

Sign, Abandoned. A sign which no longer correctly directs or influences any person, advertises a bona fide business, lessor, owner, product or activity conducted or available on the premises where such sign is displayed.

Sign, Animated. A sign which involves motion or rotation of any part by mechanical or artificial means or displays flashing or intermittent lights.

Sign Area. The area of a sign that is used for display purposes, excluding the minimum frame and supports and as further detailed in the Sandy City Development Code Sign Regulations.

Example: Sign on an Awning

Sign, Awnings, Sign on. A sign displayed on or attached flat against the surface of an awning as well as any awning which is illuminated and/or which is not architecturally compatible with the color, design, or features of the associated structure.

Sign, Advertising Bench. A bench for public use and convenience which is painted or otherwise covered with advertisement.

Example: Advertising Bench

Sign, Banner. Any temporary advertising device made of lightweight fabric or similar material, containing copy, graphics, logos, or symbols for advertising purposes, that is mounted to a pole, building, or other structure. Flags shall not be considered banners.

Sign, Beacon light. A temporary advertising device used to emit beams of light into the night sky with no targeted illumination affect.

Example: Banner

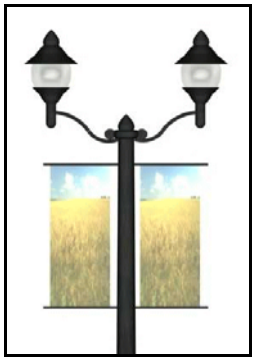
Sign, Canopy. A sign attached to or constructed in a canopy as defined separately in this chapter.

Sign, Changeable Copy. A sign on which the copy is changed manually or electrically such as a message center or reader boards with changeable letters or changeable pictorial panels, and electrically controlled time and temperature signs. It does not include poster panels or painted bulletins.

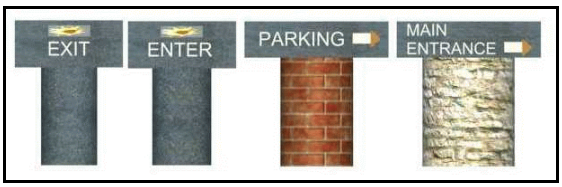
Example: Canopy

Signs, Community. Temporary, on or off-premise signs, generally made of a woven material or durable synthetic materials primarily attached to or hung in a vertical fashion from light poles or on buildings, of solely a decorative, festive, and/or informative nature announcing activities, promotions, events, seasonal or traditional themes having broad community interest, and which are sponsored or supported by Sandy City, or a local community based non-profit organization (i.e. Sandy Pride, holidays/seasons, etc.).

Sign, Copy. Those letters, numeral, figures, symbols, logos and graphic elements comprising the content or message of a sign, excluding numerals identifying a street address only.

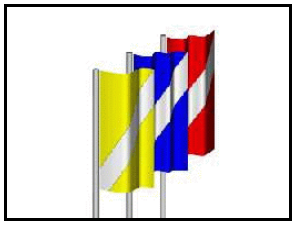

Example: Community Sign

Sign, Directional. A sign exclusively limited to guiding the circulation of motorists or pedestrians onto or within a site (e.g. direction to parking lots, restroom locations, exits, entrances, etc.)



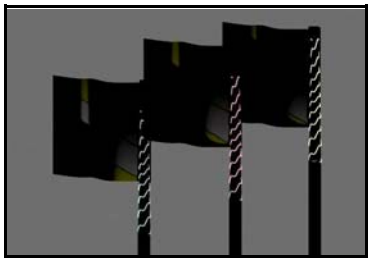
Example: Directional Signs

Sign, Flags, Official. A flag of the United States of America, or a flag of the State of Utah or other government entity, or a flag officially adopted by the person, institution, organization, or corporation occupying a property and which meets the guidelines for display of official flags as contained in this ordinance.


Example: Temporary Flags

Sign, Flags, Temporary Signs. Any flag device which is not an official flag.

Sign, Flagpoles, Illuminated. Flagpoles which are internally illuminated or have lighting attached to the pole for purposes of drawing attention to a business location. This shall not include poles which have lighting attached to or directed towards a pole for purposes of illuminating the Stars and Stripes or other official flag.


Example: Illuminated Flagpoles

Sign, Flashing. A sign or parts thereof which is periodically illuminated or which revolves in such a manner as to create the illusion of being visible or not, with the exclusion of time and temperature signs.

Sign, Free-Standing (or Pole Sign). A sign supported by a fixed permanent form(s) or support(s) in the ground.

Example: Freestanding Sign

Sign, Ground (or Monument Sign). A low sign where the extent of the sign surface is attached to the ground or a foundation in the ground, and where there are no poles, braces, or other visible means of support other than attachment to the ground.

Sign, Ground mounted. Any sign which is set upon, attached to, or which has supporting members inserted into the ground.

Sign, Hazardous A sign constituting a hazard to public safety because it no longer meets the lateral and/or vertical loads requirements as specified in the City adopted Building Code, or no longer meets the wiring and installation standards of the City adopted Electrical Code.

Example: Monument Sign

Sign, Home Occupation. A sign identifying a home occupation legally existing on the premises.

Sign, Illegal. Any sign which does not conform to the regulations of the Sandy City Development Code and was constructed or installed after its adoption.

Sign, Illuminated. A sign which has characters, letters, figures, designs, background, or outlines illuminated by electric lights or luminous tubes as part of the sign proper.

Sign, Inflatables. Any advertising or attention getting device which is supported by heated or forced air or lighter-than-air gases including hot or cold air balloons.

Examples: Inflatable Signs

Sign, Interior. A sign located within a building so as to be visible only from within the building in which the sign is located.

Sign Location. A lot site or premises, building, wall, or any place wherever a sign is erected, constructed or maintained.

Sign, Menu Board. A permanent outdoor sign that is used to advertise the product available at a drive-through or drive-in fast foot restaurant.

Sign, Mobile. A sign constructed on wheels or designed so as to allow the sign to be moved by vehicles. This includes any truck, trailer, or other vehicle conspicuously, or regularly parked on or off-premise with an advertising message or logo displayed to attract attention to a business, product or promotion.

Examples: Mobile Signs

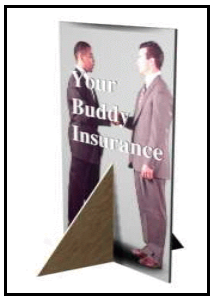
Sign, Name Plate. A sign indicating the name and/or occupation of a person or persons residing on the premises or legally occupying the premises.

Sign, Nonconforming. A sign or sign structure of portion thereof lawfully existing at the time this Code became effective, which does not conform to all applicable regulations prescribed herein.

Sign, Non-maintained A sign which, due to lack of repair, cleaning, painting, oiling, or changing of light bulbs has become deteriorated or non-functional.

Sign, Off-Premise. An advertising sign which directs attention to a sue, product, commodity, or services not related to the premises on which it is erected.

Sign, On-Premise. A sign which directs attention to a business, commodity, product, use, service or other activity which is sold, offered or conducted on the premises upon which the sign is located.



Example: Portable Signs

Sign, Permanent Any sign which is not temporary by definition. And intended to be displayed for more than 60 consecutive days.

Sign, Portable. A sign that is not attached to a structure or the ground and is movable such as A-frame or T-frame signs.

Sign, Projecting. A sign attached to a building and extending in whole or in part more than eighteen inches beyond any wall of the building.

Example: Projecting Sign

Sign, Public Necessity or Hazard. A sign informing the public of any danger or hazard existing on or adjacent to the premises.

Sign, Real Estate, Directional. A temporary, off-premise sign directing the general public towards propoerty for sale or lease.

Example: Directional Sign

Sign, Real Estate, Open House. A temporary, off-premise sign advertising the sale or lease of property, providing directions thereto, and giving notice of availablity for the general public to inspect the advertised property and associated structures.

Sign, Roof. A temporary or permanent sign erected partly or wholly free-standing on the roof of a building and/or extending

Example: Open House Sign

above the roofline of a building. This shall include signs located on top of canopies, colonnades, and covered walks, but not marquee signs

Example: Roof Signs

Sign, Snipe. A sign for which a permit is required and has not been obtained and which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, or fences, or other objects.

Sign, Structure. The supports, uprights, bracing, cables and framework of a sign or outdoor display.

Sign, Suspended. A sign which is hung from a roof, canopy or other similar structure.

Sign, Temporary. A banner, pennant, valance or advertising display constructed of paper, cloth, canvas, fabric, cardboard, wall board or other materials, with or without frames, intended to be displayed in or out of doors for a short period of time; shall include political signs, special events signs, special business promotions, mobile signs, banners, wind signs, portable signs, and inflatables.

Sign, Seasonal or Holiday. Such signs as Christmas decorations, to include those used for a historic holiday and installed for a limited period of time.

Sign, Wall. A sign that is mounted to or painted on a building wall or its facing, or is painted in such a way that it gives the visual appearance of being painted on a wall or facing by not having a frame or separation from the wall or facing.

Sign, Wayfinding. A government maintained sign containing directional information about public places owned or operated by Federal, State, or local governments or their agencies; public or privately owned natural phenomena, historic, cultural, scientific, educational, and religious sites; and areas of natural beauty or naturally suited to outdoor recreation.

Sign, Wind. Any propeller or similar commercial device which is designed to flutter, rotate, or display other movement under the influence of the wind, not including, official flags or banners.

Example: Wind Signs

Example: Window Sign

Sign, Window. A sign either attached to a window or door or located within a building so as to be visible through a window or door from outside of the building.

Site Plan. A plan which outlines the use and development of any tract of land within Sandy City for the purposes of meeting the requirements set forth in this Code.

Sludge, or Biosolids, shall mean the solids separated from wastewater during the wastewater treatment process.

Small Health Care Facility. See "Health Care Facilities".

Social Detoxification. See "Human Services Programs or Facilities".

Social or Reception Center, Fraternal Organizations (Senior Citizens). A building or group of buildings and/or uses owned or maintained by an association or organization for the fraternal, social and/or recreational purposes of certain groups. This may include a meeting hall, cooking and dining facilities for large groups, but shall not provide overnight lodging. This definition shall include but not be limited to fraternal organizations and senior citizen centers, and private-ly-operated reception centers.

Solid Waste Disposal Facility shall mean any solid waste management facility which is the final resting place for solid waste, including landfills and incineration facilities that produce ash from the process of incinerating solid waste.

Solid Waste Transfer Facility shall mean a site the primary purpose of which is to store or hold solid waste for transport to a processing or disposal facility. It does not include green boxes, compactor units, permanent dumpsters, and other containers from which such wastes are transported to a landfill or other solid waste management facility.

Specialty Hospital. See "Health Care Facilities".

Start of Construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site; such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Storage (Mini Storage) Facilities. A building or series or buildings for which individual storage space is rented for storage purposes only. Facility storage may not be used to conduct commercial business on site. A mini storage facility may include a caretaker's residence and areas for the outdoor storage of recreational vehicles (R.V.'s) within a mini storage building project according to the following restrictions and standards:

1. Outdoor storage areas are for Recreational Vehicle storage only (i.e. boats, campers, trailers, jet skis, snowmobiles, automobiles).

2. Outdoor vehicle storage areas shall be located only at the rear of the project where vehicles will not be visible from any public streets.

3. Outdoor vehicle storage areas shall be designed so as not to block any driveways, access ways or parking aisles within the project.

4. Outdoor vehicle storage areas must be surrounded by a 6 foot high masonry wall on the exterior boundaries of the mini storage project.

Story. That portion of a building included between the surface of the floor and the ceiling next above it other than the basement.

Street. A public thoroughfare which affords principal means of access to abutting property. The term street shall include avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare, or any other similar term.

Streetscape. The combination of vehicles, buildings, signs, landscaping, roads, utility poles, etc., that dominate the view of the driver or pedestrian.

Streetscape Plan shall mean the Streetscape section of the Growth, Land Use and Community Identity chapter of the Sandy City General Plan and Appendix C attached thereto

Street, Arterial - Major and Minor. Providing for through traffic movement between areas and across the city, with moderate access to abutting property subject to necessary control of entrances, exits, and curb use. The location of this type of street is addressed in the transportation element of the Sandy City Comprehensive Plan and designated on the Official Street Map for Sandy City.

Street, Collector - Major and Minor. Providing for traffic movement between major arterials and local streets, and direct access to abutting property. The location of this type of street is addressed in the transportation element of the Sandy City Comprehensive Plan and designated on the Official Street Map for Sandy City.

Street, Local. Providing for direct access to abutting land, and for local traffic movements. The location of this type of street is addressed in the transportation element of the Sandy City Comprehensive Plan and designated on the Official Street Map for Sandy City.

Street, Private. A right-of-way or easement in private ownership, not dedicated or maintained as a public street, which affords the principal means of access to two or more sites.

Street Vendors A mobile establishment from which food or merchandise is sold. Generally located upon sidewalks or other approved public properties.

Structure. Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. A building is included in this definition. Any structure two feet or above in grade shall meet all underlying zoning requirements.

Subdivision shall mean any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. [U.C.A. 10-9-103(1)(r)(i)] Subdivision includes: (i) the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument; and [U.C.A. 10-9-103(1)(r)(ii)(A)]; (ii) divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes. [U.C.A. 10-9-103(1)(r)(ii)(B)]

Subgrade shall mean either the soil prepared and compacted to support a structure or a pavement system, or the elevation of the bottom of the trench in which a sewer or pipeline is laid.

Substantial Damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement means any repair, reconstruction, addition, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

1. Before the improvement or repair is started, or

2. If the structure has been damaged and is being restored, before the damage occurred.

This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, included either:

3. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

4. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

Support Staff shall mean persons employed or residing on the premises of a dwelling or other residential facility to assist residents in performing daily life activities or to provide on-site treatment, rehabilitation, or habilitation services.

Swimming Pool. A swimming pool is a constructed pool used for bathing or swimming, which is over 24 inches in depth, or with a surface area exceeding 250 square feet.

Swimming Pool, Private. A private swimming pool shall include any constructed pool which is used or intended to be used as a swimming pool in connection with a residence and available only to the family of the householder and his private guests.

Swimming Pool, Semi-Private. A semi-private pool shall include any constructed pool which is used or intended to be used in connection with a neighborhood recreational facility or a multi-family development.

Tattoo shall mean a business where a permanent design or mark is made on the skin by pricking it and ingraining in it an indelible pigment, or by raising scars on it.

Tattoo Parlor shall mean any business establishment which operates tattoo equipment to inject ink or otherwise modify human skin for the purposes of decoration.

Ten year storm shall mean a storm having a ten percent (10%) chance of annual occurrence.

Theater. A building used primarily for the presentation of movies projected upon a screen. May include ancillary uses such as arcades. Theater also includes a building used primarily for the presentation of live stage productions or performances.

Topping shall mean the internodal cutting back (between existing stem and/or branch nodes), dehorning or pollarding of stems or branches, resulting in the severe alteration of the species' genetic structural characteristics.

Trade or Vocational School shall mean a post-high school educational or vocational training facility.

Transitional Care Development shall mean a cohesive development created primarily for the care and housing of the elderly and/or persons with a disability. To qualify under this definition, the development must contain at least two of the following land use classifications to qualify under this section:

a. single family unit development (either detached or attached, such as a traditional home or twin home development)
b. congregate care facility

c. assisted living facility
d. nursing home/convalescent home/rest home
e. hospice
f. small health care facility

Transitional Housing Facility shall mean a facility owned, operated, or contracted by a governmental entity or a charitable, non-profit organization which provides free temporary housing to homeless persons for no more than thirty [30] days while they obtain work, job skills, or otherwise take steps to stabilize their circumstances. A transitional housing facility does not include:

1. A homeless shelter
2. a dwelling unit provided to a family for its exclusive use as part of a transitional housing program for more than thirty [30] days; and
3. a residential facility for persons with a disability.

Travel Time Contour shall mean the locus of points that form a line of any configuration in space from which groundwater particles on that line theoretically take an equal amount of time to reach a given destination, such as a well or a wellfield, as predicted by the Refined Salt Lake Valley MODFLOW/MODPATH model copyrighted.

Travel Trailer. A trailer, camper, camp coach, or motor home designed or used for sleeping by persons while traveling, but not intended as a permanent dwelling, and not constructed for permanent attachment to public utilities. Refer also to Recreational Vehicle defined in this chapter.

Tree, City shall mean all trees and shrubs located in a City-owned parkstrip or on other City-owned and/or maintained property.

Tree, Hazard shall mean:

1. Any tree that is host to a communicable disease, destructive disease or other pestilence.
2. Any tree, the roots or any other portion of which, causes the surface of a public street, curb, gutter or sidewalk to be up-heaved or otherwise disturbed creating a threat to the public health, safety or welfare.
3. Any tree or portion thereof which, by reason of location and/or structural defect, increases the chance of failure of the tree and increases the risk to the health, safety or well-being of the public.
4. Any tree or portion thereof which, by reason of location and/or condition, impedes a public right-of-way or may cause a threat to the public health, safety or welfare, including any tree adjacent to any sidewalk used as a public right-of way which is not pruned from either edge of the right-of-way vertically to a height of 8 feet above the surface of sidewalk or any tree adjacent to a roadway which is not pruned to a height of 14 feet vertically from back of curb or is not pruned as is deemed necessary by the City Transportation Engineer.
5. Any tree or portion thereof which interferes with adequate street light coverage of public

rights-of-way.

6. Any tree determined to be a Hazard Tree is a public nuisance.

Tree, Private shall mean any and all trees and shrubs now and hereafter growing on private property within Sandy City and which are not defined or designated herein as City Trees.

Tree Stewardship Program shall mean the ongoing and shared responsibility between public and private parties for the protection, care and renewal of trees.

Twin Home. A residential structure composed of two dwellings set side by side and sharing a common wall and separation wall. Each dwelling is constructed on its own building lot and is sold separately from the adjoining attached dwellings.

UAC shall mean the Utah Administrative Code.

Urban Forest shall mean vegetation on the City's public lands.

Urban Forester shall mean the Sandy City employee designated to carry out work duties associated with the urban forest.

Urban Forestry shall mean the planning, design and management of vegetation on public lands in and around communities to maximize their visual, economic and environmental contributions to the well being of the community.

Urban Wildland Interface shall mean a geographical area where structures and other development meets or intermingles with wildland or vegetative fuels

Usable Land shall mean that contiguous parcel of natural land and/or compacted (engineered) fill, as permitted by this ordinance or the Uniform Building Code, included within the lot, no part of which has a slope exceeding 30 percent.

Use. The activities occurring on a lot or parcel for which land or a building is arranged, designed, or intended, or for which land or a building is or may be occupied including all accessory uses.

Use, Change of Business. Change within the classified use of a structure, or any portion of multi-tenant structure such as from one retail business to another which does not increase the size or occupancy capacity of the structure.

Use, Change of Zone Use. Change in the classified use of a structure, or portion thereof, in a commercial or industrial zone such as, but not limited to, a use change from residential to commercial, a use change from commercial to industrial, or use change which increases the size or occupancy capacity of the structure.

Use, Nonconforming. A use which lawfully occupied a building or land at the time this Code became effective and which does not now conform with the use regulations.

Use, Temporary. A use that is to be conducted for a fixed period of time with intent to discontinue such use upon expiration of the time period. Temporary uses are characterized by such activities as the sale of agricultural products produced on the premises on which they are sold, contractor's offices and equipment sheds, Christmas tree sales, carnivals.

USGS shall mean the United States Geological Survey

Utilities shall mean and include natural gas, electric power, cable television, telephone, telecommunication services, storm system, sewer system, irrigation facilities, culinary water, street lights and other services deemed to be of a public-utility nature by the City.

Utility easement shall mean the area designated for access to construct or maintain utilities on privately or publicly owned land.

Variance. A legal divergence from the Zoning Ordinance granted by the Board of Adjustment on appeal.

Warehouse, Wholesale. A building in which goods, merchandise or equipment are stored for eventual distribution. No outside storage is permitted.

Well shall mean any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use of such excavation is for the location, acquisition, development, or artificial recharge of groundwater.

Wellfield shall mean an area of land which contains one or more drinking water supply wells.

Wind Energy Conversion System. Any device, such as a wind charger, wind turbine or windmill, that converts wind power to another form of energy.

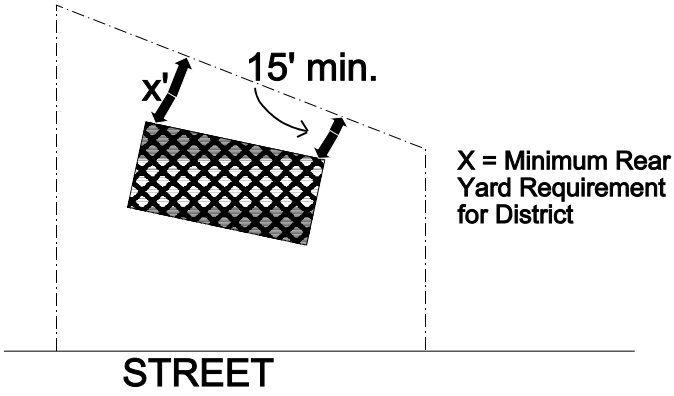
Yard. An open, unoccupied space on a lot, other than a court, which is unobstructed from the ground upward by buildings or structures except as otherwise provided in this Code.

Yard, Front. "Front yard" shall mean:

A. For an interior lot: an open, unoccupied, space in the same lot with a building between the front line of the building and the street right-of-way or front property line, whichever distance is the shortest.
B. For a corner lot: an open, unoccupied space on the same lot with the main building and between the front line of the building and the front street line, also between the side line of the building adjacent to the street and the side street line and extending for the full width and depth of the lot; or the shortest distance across said space from the main building to the street line.

Yard, Rear. A yard extending across the full width of the lot between the most rear main building and the rear lot line. The depth of the required minimum rear yard shall be measured horizontally from the nearest point of the rear lot line. On lots that are not rectangular in shape,

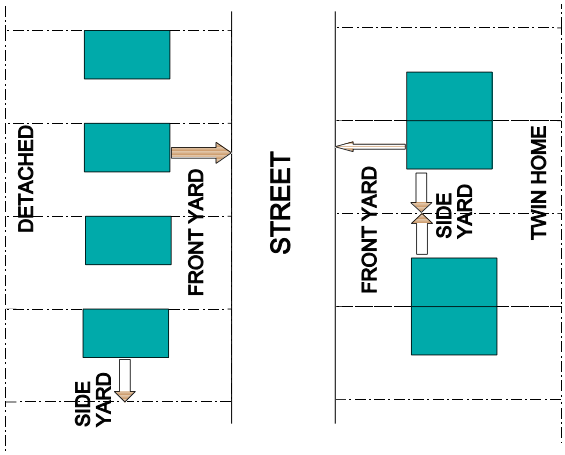
the required minimum rear yard may be an average of the distances measured from the rear corners of the main building directly to the rear lot line. The shortest distance used in determining the average shall not be less than 15 feet.



Yard, Side. An open, unoccupied space on the same lot with the building and between the side line of the building and the side lot line, and extending from the front yard to the rear yard; or the shortest distance across said space from the main building to the side lot line.

Youth Program. See "Human Services Programs or Facilities".

Zero Lot Line Development.

(a) Single-family dwellings arranged on individually owned lots as either detached structures with one side wall of the main building on a side property line (or as twin homes with the separation wall on the property line).

(b) Twin home, attached (see definition).