

**ORDINANCE NO. 2012.12**

**AN ORDINANCE AMENDING SECTIONS 17.08, 17.24, 17.28, 17.32, 17.36, 17.40, 17.45, 17.46, 17.48, 17.50, 17.52, 17.64, 17.68, 17.70, 17.73, AND 17.74 IN REGARDS TO EDUCATIONAL FACILITIES, INCLUDING DEFINITIONS, AND PERMITTED AND CONDITIONAL USES WITHIN CERTAIN AGRICULTURAL, RESIDENTIAL, AND COMMERCIAL ZONES WITHIN THE PLANNING AND LAND USE CODE (TITLE 17) OF THE SOUTH JORDAN MUNICIPAL CODE.**

**WHEREAS**, the City of South Jordan has adopted the Planning and Land Use Ordinance (Title 17) of the Municipal Code; and

**WHEREAS**, the City has adopted the current General Plan in 2010 with accompanying Goals and Policies, including maintenance of the land use category system, establishing mitigation requirements incompatible land uses; and

**WHEREAS**, the City desires to specify and clarify how educational facilities shall be reviewed and approved in regards to land use definitions and regulations; and

**WHEREAS**, the South Jordan Planning Commission, after holding a public hearing, has reviewed the proposed text amendment to Title 17; and

**WHEREAS**, the City Council has held a public hearing and has reviewed the proposed amendment and considered the recommendation of the Planning Commission regarding the proposed amendment; and

**WHEREAS**, in accordance with principles of sound municipal planning, the City Staff, the City Planning Commission, and the City Council have taken into account the impact the proposed amendment will or may have on existing or future development projects, and to the extent legally permissible or practical, the City Staff, Planning Commission and City Council have taken reasonable steps to ensure that the proposed amendment meets the purposes and objectives of the Planning and Land Use Code; and

**WHEREAS**, the City Council has found and determined that the proposed amendment to Title 17 of the South Jordan Municipal Code will support the best interests of the City and will help implement the City's General Plan and promote the public health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, STATE OF UTAH, AS FOLLOWS:**

**Section 1. Amendment.** Title 17, Sections 17.08, 17.24, 17.28, 17.32, 17.36, 17.40, 17.45, 17.46, 17.48, 17.50, 17.52, 17.64, 17.68, 17.70, 17.73, AND 17.74 of the South Jordan Municipal Code are hereby amended as follows:

# Chapter 17.08

## DEFINITIONS GENERALLY

### 17.08.010: DEFINITIONS:

The purpose of this chapter is to provide specific meanings for terms as they are used in this title and to facilitate the understanding and administration of the provisions of this title. Meanings shall apply to the singular or plural and to any tense of a verb. Definitions of pertinent terms provided in Utah Code Annotated are adopted as part of this title.

**ACCESS:** A road, lane, driveway, sidewalk, trail, path, approach or other route used for travel.

**ACCESSORY LIVING UNIT:** A living unit which is an extension of (being attached or detached), and incidental and subordinate to, a single-family residential unit and shall be one of the following three (3) types:

**Accessory Apartment:** A life safety compliant "accessory living unit", allowed within applicable zones by approval from the community development department and with applicable building permits, which may include a kitchen, bathroom, and sleeping areas. It is contained within the primary dwelling, may be separated with a dedicated access, and may be occupied by no more than four (4) individuals related by blood, marriage, adoption, or approved foster care; or no more than two (2) unrelated individuals in addition to the "family or household" that occupies the primary dwelling.

**Extended Living Area:** A life safety compliant "accessory living unit" which may include a kitchen, bathroom, and living areas, and shall provide continuous free flow access between living areas within the primary dwelling, which may not be occupied by individuals in addition to the "family or household" that occupies the primary dwelling.

**Guesthouse:** A life safety compliant "accessory living unit", allowed within applicable zones by approval from the community development department and with applicable building permits, which may include a kitchen, bathroom, and sleeping areas. It is typically detached from the primary dwelling and may be occupied by no more than four (4) individuals related by blood, marriage, adoption, or approved foster care; or no more than two (2) unrelated individuals in addition to the "family or household" that occupies the primary dwelling.

**ACCESSORY USE:** A use which is incidental and subordinate to the principal permitted or conditional use of the property and located within one hundred (100) linear feet of the principal use.

**AFFECTED ENTITY:** A county, municipality, independent special district, local district, school district, interlocal cooperation entity, specified public utility, property owner, property owners' association, or the Utah department of transportation, if:

A. The entity's services or facilities are likely to require expansion or significant modification because of an intended use of land;

B. The entity has filed with the municipality a copy of the entity's general or long range plan; or

C. The entity has filed with the municipality a request for notice during the same calendar year and before the municipality provides notice to an affected entity in compliance with a requirement imposed under this title.

**AGRICULTURAL:** Pertaining to uses related to horticulture, crop production, farm and ranch animals and other uses and buildings in appropriate zones as regulated under this title, but not including processing, packaging, warehousing or other industrial activities.

**APPEAL:** A process by which a person or entity may seek relief from a requirement of the land use ordinance or from a decision made by a city official or officials in the conduct of their zoning duties.

**APPEAL AUTHORITY:** The board of adjustment except where otherwise designated in this code.

**ARTERIAL STREET:** A street which has intercity or regional significance or which carries substantial traffic volumes such as I-15, Bangerter Highway, Redwood Road, South Jordan Parkway and 11400 South. For purposes of this title, arterial streets shall also be considered collector streets.

**ASSISTED LIVING CENTER:** An establishment for the housing of independent seniors with supervision, assistance and limited healthcare services in a homelike atmosphere; may include protective oversight, food and other services. Architectural standards of this title requiring garages and ten to twelve (10:12) roof pitch do not apply to this use.

**BED AND BREAKFAST INN:** A building containing no more than four (4) short stay units which is managed and operated by a resident of the building and which has common eating facilities.

**BLOCK:** A structural masonry unit manufactured from concrete.

**BLOCK, DECORATIVE COLORED:** A concrete masonry unit which is integrally dyed a color other than natural gray at the time of manufacture and the outside surface of which is scored, split faced or otherwise textured.

**BOARD OF ADJUSTMENT:** A group of residents appointed by the city council to meet as needed to review requests regarding appeals and variances to city land use requirements as provided under state law.

**BUILDING:** A roofed structure used for shelter meeting requirements of the building code and all requirements of this title.

**BUILDING, ACCESSORY:** A building or structure which is incidental and subordinate to the use of the main building on the lot or parcel.

**BUILDING LINE:** An imaginary line extending across a lot or parcel which is parallel to and coincident with an outside wall of a building.

**BUILDING, PRINCIPAL OR MAIN:** A building which is integral to the principal use to which the premises are devoted and which is usually the largest building or among the largest buildings on the lot or parcel.

**CARE CENTER:** An establishment for the housing of elderly or permanently disabled persons who are incapable of independent living. Architectural standards of this title requiring garages and ten to twelve (10:12) roof pitch do not apply to this use.

CASH BOND: A payment made to the city to fund future installation of public improvements.

CERTIFICATE OF OCCUPANCY: Authority granted by the building official to occupy or use a building upon satisfying city ordinances and all site plan and building permit requirements.

CITY: The city of South Jordan.

CITY COUNCIL: The elected legislative body empowered by state law to regulate and govern all planning and land use activities and regulations in the city.

COLLECTOR STREET: A street not less than sixty two feet (62') in width providing for intracity or intercity motor vehicle transportation.

COLLECTOR STREET FENCING: Fencing located within twenty feet (20') of a collector or arterial street right of way line which is constructed of materials described elsewhere in this title and the development code.

CONCEPT PLAN: Drawings and information required for review with certain conditional use permit, subdivision and site plan applications as described in city ordinances.

CONDITIONAL USE PERMIT: Authorization granted by the planning commission or city council for a conditional use according to requirements of this title.

CONDOMINIUM: A single unit in a multi-unit project, together with an undivided interest in common in the common areas and facilities of the property.

CONTOUR: A line which depicts the same elevation across an area of land on a topographical map.

CUL-DE-SAC: A permanent dead end street which terminates in a circular turnaround area.

DAYCARE, FAMILY HOME: A childcare ~~or preschool~~ home occupation conducted in accordance with the home occupation regulations of this title.

DAYCARE, GROUP CENTER: A childcare ~~or preschool~~ facility operated as a commercial business, in accordance with city codes and requirements, but not as a home occupation.

DENSITY: The number of lots or dwelling units per acre of gross land area in a residential project.

DEVELOPMENT: Any use of land involving improvements and which requires site plan, plat or conditional use approval.

DEVELOPMENT AGREEMENT: A written contract between the city and a developer which sets forth the respective terms, conditions and obligations pertaining to a development in the city.

DEVELOPMENT REVIEW COMMITTEE (DRC): A group of appointed city officials or their designees given responsibility to review and advise concerning proposed development projects, including site plans, subdivisions, condominiums and small residential developments.

DEVELOPMENT, SMALL RESIDENTIAL (SRD): Construction of a dwelling on a vacant lot or parcel outside of a recorded subdivision or condominium.

DRIVE-THROUGH: A commercial establishment which delivers goods or services to consumers in motor vehicles.

DRIVEWAY: A privately owned and maintained vehicle access to a lot or parcel.

DWELLING, MULTIPLE-FAMILY: A building comprised of two (2) or more dwelling units.

DWELLING OR DWELLING UNIT: A building, or a portion thereof, designed for single-family residential occupancy meeting all requirements of this title and which has at least one kitchen and one bathroom, but not including tents, garages, sheds, travel trailers, campers, motor homes, motels, hotels, lodges or other quarters intended for transient or temporary occupants.

DWELLING, SINGLE-FAMILY: A building comprised entirely of one dwelling unit.

EASEMENT: A restricted area of a lot or parcel which is subject to a legal right of use by others who do not own the property but may control the property owner's use of the area.

EDUCATIONAL FACILITIES: Not for profit schools operated by a public, quasi-public, or private organization which has a curriculum that conforms to or is similar to that required by the State of Utah.

ELDERLY PERSON: A person who is at least sixty (60) years old who desires or needs to live with other elderly persons in a group setting but who is capable of living independently.

ELECTRONIC VENDING MACHINES: An electronic machine used to dispense a product to a consumer after a certain amount of monetary transaction has been put into the machine.

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PLANNING COMMISSION: A group of South Jordan City residents appointed by the city council to meet regularly to review general plan issues, current planning and land use issues, proposed development projects or other matters as directed by the city council and as provided under state law.

PLANTER: A small landscaped area usually bordered with concrete such as in a parking area or by a building foundation.

PLAT: A document describing the ownership of land either by metes and bounds or by a subdivision. A condominium record of survey map may also be known as a plat in city ordinances.

PRE-SCHOOL, FAMILY HOME: A pre-school home occupation conducted in accordance with the home occupation regulations of this title.

PRE-SCHOOL, GROUP CENTER: A pre-school facility operated as a commercial business, in accordance with city codes and requirements, but not as a home occupation.

PRIVATE STREET: A street approved by the city which is owned and maintained by property owners.

PROJECT: A development or activity requiring subdivision, condominium, small residential, conditional use permit or site plan approval.

PROTECTION STRIP: A strip of privately owned land bordering a subdivision or a street within a subdivision which serves to bar access of adjacent property owners to public improvements within the subdivision until such time as the adjacent owners share in the cost of such improvements.

PUBLIC PROPERTY: Any land, road, utility, building or other property or structure owned or controlled by the city, county, state or federal government or other political entity.

## Chapter 17.24 AGRICULTURAL A-5 ZONE

### 17.24.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the A-5 zone:

Agricultural buildings exceeding five thousand (5,000) square feet in area.

Animal husbandry, unique or exotic animal specialties or other animal uses not otherwise regulated by this chapter.

Building other than single-family dwelling as a main building on the lot.

Commercial or public corrals, arenas, stables, silos, barns, equestrian or rodeo facilities and other commercial agricultural related structures and uses.

Cultural exhibits and activities.

~~Daycare center facility on minimum one acre lot.~~

Educational ~~activities.~~ facilities that have direct access to a collector street.

Golf courses and driving ranges.

~~Group daycare facility on minimum one acre lot.~~

~~Group pre-school facility on minimum one acre lot.~~

Nature or zoological exhibits.

Parks and recreational activities.

~~Pre-school center facility on minimum one acre lot.~~

Public facilities.

Religious activities. (Ord. 2011-01, 2-1-2011)

## Chapter 17.28 AGRICULTURAL A-1 ZONE

### 17.28.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the A-1 zone:

Accessory structures exceeding five thousand (5,000) square feet in area.

Animal husbandry, unique or exotic animal specialties or other animal uses not otherwise regulated by this chapter.

Building other than single-family dwelling as a main building on the lot.

Commercial or public corrals, arenas, stables, silos, barns, equestrian or rodeo facilities and other commercial agricultural structures and uses.

Cultural exhibits and activities.

Daycare center facility on minimum one acre lot.

Educational ~~activities.~~ facilities that have direct access to a collector street.

Golf courses and driving ranges.

~~Group daycare facility on minimum one acre lot.~~

~~Group pre-school facility on minimum one acre lot.~~

Nature or zoological exhibits.

Parks and recreational activities.

Pre-school center facility on minimum one acre lot.

Public facilities.

Religious activities. (Ord. 2011-01, 2-1-2011)

## Chapter 17.32 RESIDENTIAL R-1.8 ZONE

### 17.32.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the R-1.8 zone:

Commercial or public corrals, arenas, stables, silos, barns, equestrian or rodeo facilities and other agricultural related structures and uses.

Cultural exhibits and activities.

Daycare center facility on minimum one acre lot.

Educational ~~activities.~~ facilities that have direct access to a collector street.

Golf courses.

~~Group daycare facility on minimum one acre lot.~~

~~Group pre-school facility on minimum one acre lot.~~

Nature or zoological exhibits.

Parks and recreational activities.

Pre-school center facility on minimum one acre lot.

Public facilities.

Religious activities.

Single-family dwelling planned unit development (PUD) or condominium projects. (Ord. 2011-01, 2-1-2011)

## Chapter 17.36 RESIDENTIAL R-2.5 ZONE

### 17.36.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the R-2.5 zone:

Daycare center facility on minimum one acre lot.

Educational ~~activities.~~ facilities that have direct access to a collector street.

Golf courses.

~~Group daycare facility on minimum one acre lot.~~

~~Group pre-school facility on minimum one acre lot.~~

Parks and recreational activities.

Pre-school center facility on minimum one acre lot.

Public facilities.

Religious activities.

Single-family dwelling planned unit development (PUD) or condominium project. (Ord. 2011-01, 2-1-2011)

## Chapter 17.40 RESIDENTIAL R-3 ZONE

### 17.40.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the R-3 zone:

Daycare center facility on minimum one acre lot.

Educational activities, facilities that have direct access to a collector street.

Golf courses.

~~Group daycare facility on minimum one acre lot.~~

~~Group pre-school facility on minimum one acre lot.~~

Parks and recreational activities.

~~Pre-school center facility on minimum one acre lot.~~

Public facilities.

Religious activities.

Single-family dwelling planned unit developments (PUD) or condominium projects. (Ord. 2011-01, 2-1-2011)

## **Chapter 17.45 RESIDENTIAL R-4 ZONE**

### **17.45.030: CONDITIONAL USES:**

A conditional use permit may be issued for the following uses in the R-4 zone:

~~Daycare center facility on minimum one acre lot.~~

Educational activities, facilities that have direct access to a collector street.

Golf courses.

~~Group daycare facility on minimum one acre lot.~~

~~Group pre-school facility on minimum one acre lot.~~

Parks and recreational activities.

~~Pre-school center facility on minimum one acre lot.~~

Public facilities.

Religious activities.

Single-family dwelling planned unit developments (PUD) or condominium projects. (Ord. 2011-01, 2-1-2011)

## **Chapter 17.46 RESIDENTIAL R-5 ZONE**

### **17.46.030: CONDITIONAL USES:**

A conditional use permit may be issued for the following uses in the R-5 zone:

~~Daycare center facility on minimum one acre lot.~~

Educational ~~activities.~~ facilities with direct access to a collector street.

Golf courses.

~~Group daycare facility on minimum one acre lot.~~

~~Group pre-school facility on minimum one acre lot.~~

Parks and recreational activities.

~~Pre-school center facility on minimum one acre lot.~~

Public facilities.

Religious activities.

Single-family dwelling planned unit developments (PUD) or condominium projects. (Ord. 2011-01, 2-1-2011)

## Chapter 17.48 RESIDENTIAL R-M ZONE

### 17.48.020: PERMITTED USES:

The following uses may be conducted in the R-M zone as limited herein:

Agriculture without livestock or poultry.

Assisted living centers and care centers, maximum two (2) stories with planning commission review and approval.

~~Educational activities, with planning commission review and approval.~~

Golf courses, with planning commission review and approval.

Home occupations according to city ordinances.

Integrated multi-family residential with "village" style design, building height, architecture and connectivity, minimum one acre projects with planning commission review and approval.

Parks and recreational activities, with planning commission review and approval.

Residential accessory buildings, the footprints of which do not exceed the footprint area of the dwelling.

Residential accessory uses.

Single-family residential, detached, maximum one per lot or parcel. (Ord. 2011-17, 12-6-2011)

### 17.48.030: CONDITIONAL USES:

A conditional use permit may be issued for the following uses in the R-M zone:

Daycare center facility on minimum one acre lot.

Educational facilities.

~~Group daycare facility on minimum one acre lot.~~

~~Group pre-school facility on minimum one acre lot.~~

Pre-school center facility on minimum one acre lot.

Public facilities.

Religious activities.

Retail or office uses on main building level with upper level residential. (Ord. 2011-17, 12-6-2011)

## **Chapter 17.50 OFFICE SERVICE (O-S) ZONE**

### **17.50.030: CONDITIONAL USES:**

A conditional use permit may be issued for the following uses in the O-S zone:

Assisted living centers, maximum two (2) stories.

Banks, credit unions, financial institutions.

Buildings exceeding two (2) stories with only allowed O-S uses.

Care centers, maximum two (2) stories.

Computer software and media production and distribution.

Convention, arena, reception and assembly facilities.

Cultural exhibits and activities.

Daycare center facility.

Educational and training activities.

Electronics and computer hardware production and distribution.

Golf courses.

~~Group daycare center.~~

Group pre-school.

Health and fitness centers.

Hospitals.

Hotels, motels.

Mortuary, funeral home.

Nature or zoological exhibits.

Parks.

Personal or business services.

Personal or business services within an office building.

Pre-school center facility.

Public, quasi-public facilities.

Publishing, printing.

Religious activities.

Research and development with ancillary manufacturing and distribution.

Restaurants (not fast food). (Ord. 2008-19, 11-18-2008)

## **Chapter 17.52 COMMERCIAL-COMMUNITY (C-C) ZONE**

### **17.52.030: CONDITIONAL USES:**

A conditional use permit may be issued for the following uses in the C-C zone:

Automotive services, including lube, tune up, wash, inspection, tires, mufflers, minor repairs.

Banks, credit unions, financial institutions, freestanding banking kiosks.

Beauty and fitness centers.

Bed and breakfast inn.

Daycare center facility.

Drive-through facilities for allowed uses.

Educational and training activities.

Electronic vending machines.

Equipment and appliance light repairs and service enclosed within a building.

Fast food with no eating accommodations.

Gas stations, convenience stores.

~~Group daycare center.~~

~~Group pre school.~~

Laundry.

Lumber, building materials and landscaping retail sales yards.

Medical, health or dental services.

Mortuary, funeral home.

Office service.

Pharmacy.

Pre-school center facility.

Public or quasi-public facilities.

Religious activities.

Secondhand goods retailing.

Self-storage facilities, maximum total of six (6) acres.

Theaters, amusement, recreational activities.

Title loan, check cashing or other similar deferred deposit loan businesses no closer than one mile from a similar business. (Ord. 2010-08, 6-15-2010)

## **Chapter 17.64 COMMERCIAL-FREEWAY (C-F) ZONE**

### **17.64.030: CONDITIONAL USES:**

A conditional use permit may be issued for the following uses in the C-F zone:

Automobile sales, new and ancillary used.

Automobile sales, used; minimum eight thousand (8,000) square foot building required.

Automotive services enclosed within a building including lube, tune up, automatic wash, inspection, tires, mufflers, minor repairs.

Bed and breakfast inn.

Convention, arena, reception and assembly facilities.

Cultural exhibits and activities.

Daycare center facility.

Drive-through facilities for allowed use.

Educational and training activities.

Entertainment, amusement, recreational activities.

Equipment and appliance light repairs and service enclosed within a building.

Fast food with no eating accommodations.

Gas stations, convenience stores.

Golf courses and ranges.

~~Group daycare center.~~

~~Group pre-school.~~

Laundry.

Lumber, building material and landscaping retail sales yards.

Medical, health or dental services.

Nature or zoological exhibits.

Office buildings with commercial office uses.

Parks.

Pharmacy.

~~Pre-school center facility.~~

Public or quasi-public facilities.

Recreational vehicle and boat sales, new and ancillary used.

Religious activities.

Secondhand goods retailing. (Ord. 2008-19, 11-18-2008)

## **Chapter 17.68**

### **LIGHT INDUSTRIAL-FREEWAY (I-F) ZONE**

#### **17.68.030: CONDITIONAL USES:**

A conditional use permit may be issued for the following uses in the I-F zone:

Manufacturing, processing and/or distribution of the following items and those not listed elsewhere:

Agricultural products.

Chemical products.

Metal products.

Paper, cardboard and packaging products.

Rubber and plastic products.

Wood products.

Personal and business services:

Automotive services enclosed within a building including lube, tune up, automatic wash, inspection, tires, mufflers, minor repairs.

Bed and breakfast inn.

Building and maintenance services.

Catering, food services.

Coating, plating, engraving.

Convention, arena, reception and assembly facilities.

Cultural exhibits and activities.

Daycare center facility.

Drive-through facilities for allowed uses.

Educational and training activities.

Entertainment, amusement and recreational activities.

Equipment and appliance light repairs and service enclosed within a building.

Golf courses and ranges.

~~Group daycare center.~~

~~Group pre-school.~~

Laundry.

Medical, health or dental services.

Nature or zoological exhibits.

Parks.

Pre-school center facility.

Public or quasi-public facilities.

Printing and publishing.

Religious activities.

Retailing:

Agricultural products.

Automobile sales, new and ancillary used.

Automobile sales, used; minimum eight thousand (8,000) square foot building required.

Fast food with no eating accommodations.

Gas stations, convenience stores.

Lumber, building material and landscaping sales yards.

Recreational vehicle and boat sales, new and ancillary used.

Secondhand goods retailing. (Ord. 2008-19, 11-18-2008)

## **Chapter 17.70**

### **BANGERter HIGHWAY MIXED USE (BH-MU) ZONE**

#### **17.70.020: PERMITTED USES:**

The following uses are permitted in the BH-MU zone:

Auto and equipment parts retailing.

Banks, credit unions, financial institutions.

Beauty, health and fitness centers.

Books, videos, media, photography, copies, art and drafting supplies, office supplies, stationery retail.

Department, discount and food stores.

[Educational facilities with direct access to a collector street.](#)

Furniture, electronics, appliances and home furnishings retailing.

Hardware and home improvement retailing.

Health, beauty and medical products retailing; prescription drugs retailing.

Hobbies and crafts retailing.

Hotels and motels.

Household goods retailing.

Medical, dental, health services.

Miscellaneous retail sales.

Movie theaters, concert halls.

Office uses.

Outdoor kiosks.

Pharmacy.

Restaurants, eating establishments.

Sewing supplies, apparel, footwear retailing.

Shopping centers and malls.

Sporting goods, toy retailing. (Ord. 2010-04, 5-18-2010)

### **17.70.030: CONDITIONAL USES:**

A conditional use permit may be issued for the following uses in the BH-MU zone:

Assisted living centers.

Automotive services enclosed within a building, including lube, tune up, automatic wash, inspection, tires, mufflers, minor repairs.

Bed and breakfast inn.

Convention, arena, reception and assembly facilities.

Cultural exhibits and activities.

Daycare center facility.

~~Daycare center.~~

Drive-through facilities, visually buffered, for allowed uses.

Entertainment, amusement, recreational activities.

Equipment and appliance light repairs and service enclosed within a building.

Fast food.

Gas stations, convenience stores.

Group daycare center.

Group pre-school.

Golf courses and ranges.

Hospitals.

Indoor/underground automobile sales, new and ancillary used.

Laundry.

Live/work units.

Lumber, building material and landscaping retail sales yards.

Nature or zoological exhibits.

Office buildings.

Parks.

Pre-school center facility.

Public or quasi-public facilities.

Recreational vehicle and boat sales, new and ancillary used.

Religious activities.

Retail nurseries, lawn and garden supply stores.

Schools, educational and training activities.

Single-family residential and integrated multi-family residential (projects with more than 1 housing land use type with "village" style design, building height and architecture), maximum eight (8) units per acre of the gross acreage of the master development plan. Additional dwelling units exceeding eight (8) units per acre may be approved by the city council as an amendment to the master development plan (MDP).

Street vendors.

Upper floor residential combined with commercial and/or office use on the main floor in the same building. (Ord. 2010-04, 5-18-2010)

## **Chapter 17.73 VILLAGE MIXED RESIDENTIAL (VMR) ZONE**

### **17.73.020: PERMITTED USES AND CONDITIONAL USES:**

A. Permitted Uses: The following uses shall be permitted in the village mixed residential (VMR) zone:

Agriculture without livestock or poultry.

Home occupations according to city ordinances.

Household pets not exceeding two (2) per species over the age of four (4) months per dwelling.

Multi-family dwellings, variegated/integrated with other uses in a "village" style.

Residential accessory buildings on single-family lots, that do not exceed that allowed under comparable lot size zoning requirements.

Residential accessory uses.

Residential facility for disabled persons as required by state law.

Single-family dwellings.

B. Conditional Uses: A conditional use permit may be issued for the following uses in the village mixed residential (VMR) zone:

Churches, excluding temporary revival tents or structures.

Daycare center facility.

Educational facilities with direct access to a collector street.

Group daycare center.

Group pre-school.

Health and fitness centers.

Live/work units.

Parks and recreational activities.

Pre-school center facility.

Public buildings.

Public or private schools. (Ord. 2011-03, 11-15-2011)

## **Chapter 17.74 MIXED USE (MU) ZONE**

### **17.74.100: REQUIREMENTS UNIQUE TO THE MIXED USE TRANSIT ORIENTED DEVELOPMENT (MU-TOD) SUBDISTRICT:**

B. Permitted Uses: The following uses shall be permitted in the MU-TOD subdistrict:

Accessory uses.

Agriculture without livestock or poultry.

Banks, credit unions, financial institutions without drive-up facilities.

Business services.

Educational facilities.

Home occupations in compliance with this title.

Household pets in accordance with this code.

Medical and dental offices or clinics.

Multi-family dwellings, varied and integrated with adjacent uses.

Office services.

Personal services.

Residential facility for disabled persons as required by state law.

Residential use above the first floor of commercial or office use.

Restaurants without drive-up facilities.

Retail sales and services; excluding auto services such as stand alone car wash, tires, repairs, gas stations and/or convenience store.

C. Conditional Uses: A conditional use permit may be issued for the following uses in the MU-TOD subdistrict:

Auto service, including stand alone car wash, tires, repairs, gas stations and/or convenience store wherein the building is built to the street with bays, pumps, etc., to the side or rear.

Banks, credit unions, financial institutions with drive-up facilities located to the rear of the structure.

Churches, excluding temporary revival tents or structures.

Daycare center facility.

Group daycare center.

Group pre-school.

Health and fitness centers.

Live/work units.

Parks and recreational activities.

Pre-school center facility.

Public buildings.

Public or private schools.

Restaurants with drive-up facilities located to the rear of the structure.

### **17.74.110: REQUIREMENTS UNIQUE TO THE MIXED USE TOWN CENTER (MU-TC) SUBDISTRICT:**

B. Permitted Uses: The following uses shall be permitted in the MU-TC subdistrict:

Accessory uses.

Agriculture without livestock or poultry.

Banks, credit unions, financial institutions without drive-up facilities.

Business services.

Educational facilities.

Healthcare facilities and services.

Home occupations in compliance with this title.

Household pets in accordance with this code.

Medical and dental offices or clinics.

Multi-family dwellings, varied and integrated with other uses in a "village" style.

Office services.

Personal services.

Residential accessory uses.

Residential facility for disabled persons as required by state law.

Residential use above the first floor of commercial or office use.

Restaurants without drive-up facilities.

Retail sales and services; excluding auto services such as stand alone car wash, tires, repairs, gas stations and/or convenience store.

C. Conditional Uses: A conditional use permit may be issued for the following uses in the MU-TC subdistrict:

Auto service, including stand alone car wash, tires, repairs, gas stations and/or convenience store wherein the building is built to the street with bays, pumps, etc., to the side or rear.

Banks, credit unions, financial institutions with drive-up facilities located to the rear of the structure.

Churches, excluding temporary revival tents or structures.

Daycare center facility.

Group daycare center.

Group pre-school.

Health and fitness centers.

Live/work units.

Park and recreational activities.

Pre-school center facility.

Public buildings.

Public or private schools.

Restaurants with drive-up facilities located to the rear of the structure.

## **17.74.120: REQUIREMENTS UNIQUE TO THE VILLAGE MIXED USE (VMU) SUBDISTRICT:**

A. Purpose of the VMU Subdistrict: The purpose of this subdistrict is to encourage the development of low intensity neighborhood mixed land uses with a "village" look and feel (i.e., human scale, pedestrian friendly, architecturally diverse). The location of such uses would be in appropriate locations along major collector streets.

B. Permitted Uses: The following uses shall be permitted in the VMU subdistrict:

Accessory uses.

Agriculture without livestock or poultry.

Banks, credit unions, financial institutions without drive-up facilities.

Business services.

Educational facilities.

Healthcare facilities and services.

Home occupations in compliance with this title.

Household pets in accordance with this code.

Medical and dental offices or clinics.

Multi-family dwellings, varied and integrated with other uses in a "village" style.

Office services.

Personal services.

Residential accessory buildings on single-family lots that do not exceed that allowed under comparable lot size zoning requirements.

Residential accessory uses.

Residential facility for disabled persons as required by state law.

Residential use above the first floor of permitted commercial and office use.

Restaurants, excluding establishments with drive-up facilities.

Retail sales and services; excluding auto services such as stand alone car wash, tires, repairs, gas stations and/or convenience store.

Single-family dwellings.

C. Conditional Uses: A conditional use permit may be issued for the following uses in the MU-VMU subdistrict:

Auto service, including stand alone car wash, tires, repairs, gas stations and/or convenience store wherein the building is built to the street with bays, pumps, etc., to the side or rear.

Banks, credit unions, financial institutions with drive-up facilities located to the rear of the structure.

Churches, excluding temporary revival tents or structures.

Daycare center facility.

Group daycare center.

Group pre-school.

Health and fitness centers.

Live/work units.

Parks and recreational activities.

Pre-school center facility.

Public buildings.

Public or private schools.


Restaurants with drive-up facilities located to the rear of the structure.


**Section 2. Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

**Section 3. Effective Date.** This Ordinance shall become effective immediately upon publication or posting as required by law.

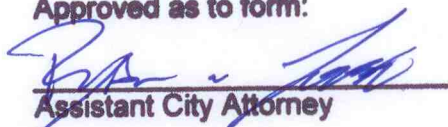
PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, STATE OF UTAH, ON THIS THE 2<sup>ND</sup> DAY OF October, 2012 BY THE FOLLOWING VOTE.

	YES	NO	ABSTAIN	ABSENT
Steve Barnes	<u>X</u>	___	___	___
Brian Butters	<u>X</u>	___	___	___
Chuck Newton	<u>X</u>	___	___	___
Mark Seethaler	<u>X</u>	___	___	___
Larry Short	<u>X</u>	___	___	___

  
 \_\_\_\_\_  
 Scott L. Osborne, Mayor

ATTEST:   
 \_\_\_\_\_  
 Anna M. West, City Recorder



**Approved as to form:**  
  
 \_\_\_\_\_  
 Assistant City Attorney