

**THE CITY OF WEST JORDAN, UTAH
ORDINANCE NO. 24-58**

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(REPLACING THE BOARD OF ADJUSTMENT WITH THE LAND USE APPEAL
AUTHORITY);
MULTIPLE SECTIONS OF TITLES 2, 8, 10, 13, 14, AND 15**

WHEREAS, the City of West Jordan (“City”) adopted West Jordan City Code (“City Code”) in 2009; and the City Council of the City (“Council” or “City Council”) desires to amend various sections in titles 2, 8, 10, 13, 14, and 15 in the City Code (“proposed City Code amendments”); and

WHEREAS, the Planning Commission of the City (“Planning Commission”) held a public hearing and provided a recommendation on December 3, 2024, regarding the proposed City Code amendments, which are land use regulations, and which are primarily located in the land use titles; and determined the following, pursuant to City Code Section 13-7D-6B:

1. The proposed City Code amendments conform to the General Plan and are consistent with the adopted goals, objectives and policies described therein;
2. The proposed City Code amendments are appropriate given the context of the request and there is sufficient justification for a modification to the land use titles;
3. The proposed City Code amendments will not create a conflict with any other section or part of the land use titles or the General Plan; and
4. The proposed City Code amendments do not relieve a particular hardship, nor do they confer any special privileges to a single property owner or cause, and they are only necessary to make a modification to the land use titles in light of corrections or changes in public policy; and

WHEREAS, the City Council held a public hearing on December 18, 2024, regarding the proposed City Code amendments, and finds it to be in the best interest of the public health, safety, and welfare of the residents of the City to adopt the proposed City Code amendments.

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

Section 1. Amendment of City Code Provisions. City Code titles 2, 8, 10, 13, 14, and 15 are amended as shown in Attachments 1 (Legislative Version) and 2 (Clean Version) to this Ordinance.

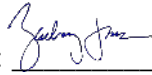
Section 2. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 3. Effective Date. This Ordinance shall become effective immediately upon posting or publication as provided by law and upon (i) the Mayor signing the Ordinance, (ii) the City Council duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance within fifteen (15) days after the City Council presents the Ordinance to the Mayor.

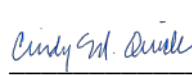

[See next page.]

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS 18TH DAY OF DECEMBER 2024.

CITY OF WEST JORDAN

By: 
Zach Jacob
Council Chair

ATTEST:

 
Cindy M. Quick, MMC
Council Office Clerk

Voting by the City Council

	"YES"	"NO"
Council Chair Zach Jacob	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Vice-Chair Chad Lamb	~ absent ~	
Council Member Bob Bedore	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Pamela Bloom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Kelvin Green	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Kent Shelton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Kayleen Whitelock	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON DECEMBER 19, 2024.

Mayor's Action: X Approve Veto

By: 
Mayor Dirk Burton

Dec 20, 2024
Date

ATTEST:

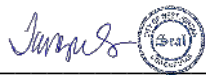
 
Tangee Sloan, CMC
City Recorder

STATEMENT OF APPROVAL/PASSAGE (check one)

 X The Mayor approved and signed Ordinance No. 24-58.

 The Mayor vetoed Ordinance No. 24-58 on _____ and the City Council timely overrode the veto of the Mayor by a vote of _____ to _____.

 Ordinance No. 24-58 became effective by operation of law without the Mayor's approval or disapproval.



Tangee Sloan, CMC
City Recorder

CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that a short summary of the foregoing ordinance was published on the Utah Public Notice Website on the 23rd day of December 2024. The fully executed copy of the ordinance is retained in the Office of the City Recorder pursuant to Utah Code Annotated, 10-3-711.



Tangee Sloan, CMC
City Recorder

(Attachment on the following pages.)

Attachments 1 and 2 to

ORDINANCE NO. 24-58

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE
(REPLACING THE BOARD OF ADJUSTMENT WITH THE LAND USE APPEAL
AUTHORITY);**

MULTIPLE SECTIONS OF TITLES 2, 8, 10, 13, 14, AND 15

Attachment 1 – Legislative Version

Attachment 2 - Clean Version

(See the following pages for the attachments.)

TITLE 2

CHAPTER 3

~~BOARD OF ADJUSTMENT~~ LAND USE APPEAL AUTHORITY

SECTION:

2-3-1: ~~Board Of Adjustment~~ Land Use Appeal Authority Established

2-3-2: Appointment ~~And Term~~

2-3-3: Powers And Duties

~~2-3-4: Savings Clause~~

2-3-1: ~~BOARD OF ADJUSTMENT~~ LAND USE APPEAL AUTHORITY ESTABLISHED:

The ~~board of adjustment~~ Land Use Appeal Authority is a ~~land use appeal authority and Statutory Committee~~ created pursuant to the authority provided in the Utah Municipal Land Use Development and Management Act, and other applicable state and city law. This chapter ~~and chapter 1 outline~~ outlines the ~~organization and governance of the board of adjustment~~ scope of the ~~Land Use Appeal Authority~~. (Ord. 24-19, 4-10-2024)

2-3-2: APPOINTMENT ~~AND TERM:~~

~~A. The mayor shall appoint, with the advice and consent of the city council, five (5) qualified persons to be regular members of the board of adjustment, and one (1) additional qualified person to be an alternate member contract with an administrative law judge to serve as the Land Use Appeal Authority. Compensation and term of the contract shall be set by the mayor.~~

~~B. Board of adjustment members may serve a maximum of two (2) consecutive terms of any length.~~

~~C. The compensation schedule adopted by the city council in the annual budget will set compensation for the board of adjustment members. (Ord. 24-19, 4-10-2024)~~

2-3-3: POWERS AND DUTIES:

The ~~board of adjustment~~ Land Use Appeal Authority shall have those powers and duties as set forth in the Municipal Land Use Development and Management Act, or any successor provision, and city law. These powers and duties include:

A. Hear and decide petitions for appeals of administrative decisions regarding the application or enforcement of title 13, ~~or other land use titles~~ of this code.

B. Hear and decide requests for variances from the terms of ~~Title title~~ 13, ~~or other land use titles~~ of this code, as described in Title 13, Chapter 7, Article G of this code, or any successor provision.

C. Obtain verification or make determinations regarding the legality of a claimed nonconforming use or nonconforming building.

67 ~~—D. Three members of the board of adjustment must concur to make any decision, including the~~
68 ~~reversal of any order, requirement, decision, or determination made by an administrative official or~~
69 ~~agency, or to rule in favor of an appellant.~~

70 ED. The ~~board of adjustment's~~ Land Use Appeal Authority's decisions become effective at the
71 meeting where the decision is made, unless the decision or the ~~board's applicable~~ bylaws specify a
72 different time.

73 ~~—F. Notice of all meetings or hearings shall be sent to each member no later than seven calendar~~
74 ~~days before the proposed meeting. Each member of the board of adjustment shall have access to~~
75 ~~all information, materials, briefs, and resources pertaining to each case. All members of the board~~
76 ~~of adjustment shall have access to the same city resources necessary in order to discharge their~~
77 ~~duties.~~

78 GE. The ~~board of adjustment~~ Land Use Appeal Authority shall make all decisions in writing and
79 must issue them no later than ~~fourteen (14)~~ days after the hearing. (2001 Code § 2-6-1501; and Ord.
80 19-53, 12-11-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020; Ord. 24-19, 4-
81 10-2024)

82 **~~2-3-4: SAVINGS CLAUSE:~~**

83 ~~This chapter does not affect any proceeding, or a board of adjustment member term length~~
84 ~~commenced prior to April 1, 2024. (Ord. 24-19, 4-10-2024)~~

TITLE 2
CHAPTER 3
LAND USE APPEAL AUTHORITY

SECTION:

2-3-1: Land Use Appeal Authority Established

2-3-2: Appointment

2-3-3: Powers And Duties

2-3-1: LAND USE APPEAL AUTHORITY ESTABLISHED:

The Land Use Appeal Authority is created pursuant to the authority provided in the Utah Municipal Land Use Development and Management Act, and other applicable state and city law. This chapter outlines the scope of the Land Use Appeal Authority. (Ord. 24-19, 4-10-2024)

2-3-2: APPOINTMENT:

The mayor shall contract with an administrative law judge to serve as the Land Use Appeal Authority. Compensation and term of the contract shall be set by the mayor.

2-3-3: POWERS AND DUTIES:

The Land Use Appeal Authority shall have those powers and duties as set forth in the Municipal Land Use Development and Management Act, or any successor provision, and city law. These powers and duties include:

- A. Hear and decide petitions for appeals of administrative decisions regarding the application or enforcement of title 13 of this code.
- B. Hear and decide requests for variances from the terms of Title 13 of this code, as described in Title 13, Chapter 7, Article G of this code, or any successor provision.
- C. Obtain verification or make determinations regarding the legality of a claimed nonconforming use or nonconforming building.
- D. The Land Use Appeal Authority's decisions become effective at the meeting where the decision is made, unless the decision or the applicable bylaws specify a different time.
- E. The Land Use Appeal Authority shall make all decisions in writing and must issue them no later than 14 days after the hearing. (2001 Code § 2-6-1501; and Ord. 19-53, 12-11-2019, Effective at 12 noon on January 6, 2020; Ord. 20-38, 9-30-2020; Ord. 24-19, 4-10-2024)

1 **8-2-4: UNDERGROUND UTILITIES REQUIRED:**

2 A. Utilities to be Underground: All electrical, communications, television service cables,
3 and similar distribution service wires and/or cables to serve properties in connection with
4 new subdivision developments shall be placed underground at the expense of the
5 developer, builder or property owner, regardless of whether the utilities are initially installed
6 with the development or are in place prior to development. The developer, builder or
7 property owner shall be responsible for complying with the requirements of this section,
8 and shall make necessary arrangements with each of the servicing utilities for installation
9 of such facilities. Efforts will be made by responsible persons to encourage and
10 accommodate collocation within underground utility conduits.

11 B. Aboveground Components: Transformers, terminal boxes, meter cabinets,
12 pedestals, concealed ducts, and other facilities necessarily appurtenant to such
13 underground facilities may be placed aboveground.

14 C. Water and Sewer: Water and sewer distribution facilities shall be installed in
15 conformance with the city public improvement standards, specifications and plans manual.

16 D. Site Plan Applications not Involving a Subdivision Application: Land use applications
17 not involving a subdivision creation or amendment in connection with property having a
18 frontage of four hundred feet (400') or more shall be governed by the requirements of
19 subsection A of this section.

20 E. Nonapplicability to Certain Utility Lines: The provisions of this section shall not apply
21 to low power radio service antennas, transmission lines with a capacity of sixty nine (69)
22 kV or greater, and overhead communication long distance trunk and feeder lines.

23 F. Easements: Unless waived for good and sufficient cause by the planning
24 commission, after receiving a recommendation from the city engineer, the developer shall
25 provide easements for all public utilities (electrical power, natural gas, telephone, cable
26 television, culinary water, irrigation water, sanitary sewer and storm sewer) which are not
27 located within a public right-of-way. The developer, builder or property owner shall obtain
28 from the telephone, natural gas, cable television and electrical power companies the
29 required location for easements to serve those utilities.

30 G. Variance: The requirements of this section applied to any particular development
31 application may be the subject of a preapplication variance appeal to the ~~board of~~
32 adjustmentLand Use Appeal Authority, which variance appeal must address and provide
33 substantial evidence of compliance with the existing variance criteria provided in this code.
34 (2001 Code § 89-6-405; amd. 2009 Code; Ord. 12-30, 12-12-2012; Ord. 19-48, 12-11-
35 2019, Effective at 12 noon on January 6, 2020)

37

38 **10-2-1: BUILDING AND SAFETY DIVISION:**

39 A. Building Division Inspections: The Building and Safety Division is hereby authorized
40 to inspect or cause to be inspected all buildings and structures in the course of
41 construction, modification, or repair.

42 B. Enforcement By Building And Safety Division: The Building and Safety Division shall
43 enforce all of the provisions of this chapter, with the exception of section 10-1-7 of this title,
44 employing all legal means available to do so. The building official is also an enforcement
45 official and may designate any other division employee as an enforcement official.

46 C. Inspections: Any employee designated as an enforcement official is authorized to
47 enter upon any property or premises to ascertain whether the provisions of the codes
48 adopted by chapter 1 of this title; any applicable City or State codes; or any conditions
49 imposed by the Planning Commission or Land Use Appeal Authority Board of Adjustment
50 are being obeyed and to make any examinations and surveys as may be necessary in the
51 performance of the employee's enforcement duties, but only consistent with law. This may
52 include the taking of photographs, samples, or other physical evidence.

53 D. Owner Refusals; Warrants: All inspections, entries, examinations and surveys shall
54 be done in a reasonable manner based upon cause. If the property owner or person
55 responsible for the property refuses to allow the employee to enter the property, the
56 employee may obtain and execute a search warrant. The Building and Safety Division may
57 suspend or delay action on a building permit or other necessary approval if the person
58 responsible for the property refuses to allow an inspection. (2001 Code § 18-2-1001; amd.
59 2009 Code)

60

61

62 **13-4-4: POWERS OF DEVELOPMENT DEPARTMENT:**

63 A. To enforce this title, the development services department or its designee shall have
64 the power to:

65 1. Enter upon any property or premises to ascertain whether this title is being obeyed,
66 if exigent circumstances or probable cause exists;

67 2. Make reasonably necessary examinations and surveys, including, but not limited
68 to, taking photographs, samples or other physical evidence;

69 3. Obtain a search warrant if the owner, tenant or occupant refuses to allow entry;

70 4. Refer a violation to the code enforcement division, the police department or other
71 city agent or employee duly authorized by the city administrator to issue citations;

72 5. Stop work;

73 6. By following the procedures in title 16 of this code, revoke any permit, plan,
74 approval or other authorization granted by the development services department, the
75 zoning administrator, the Land Use Appeal Authority~~board of adjustment~~, the planning
76 commission, the city council, and any other city officer;

77 7. Withhold from or deny to the original applicant or current owner, regardless of who
78 is responsible for the violation, any future permits, certificates or other forms of
79 authorization;

80 8. Issue a future permit, certificate or other form of authorization to an original
81 applicant or current owner, regardless of who is responsible for the violation, subject to
82 correction of the violation;

83 9. Enforce this title by injunction, mandamus or abatement;

84 10. Commence administrative enforcement, civil or criminal actions. The city has sole
85 discretion to decide whether to commence an administrative enforcement, civil or criminal
86 case;

87 11. Seek enforcement without prior notice if delay in enforcement would seriously
88 threaten the effective enforcement of this title or pose imminent danger to the public
89 health, safety or welfare; and

90 12. Take any other action in law or equity available by state law or city ordinance.

91 B. The powers in this section are cumulative.

92 C. At the request of the development services department or its designee, the code
93 enforcement division, the police department, the city attorney or other city agent or
94 employee duly authorized by the city administrator shall assist in the administration of the
95 enforcement action authorized by this chapter. (2009 Code; amd. Ord. 12-10, 4-25-2012,
96 eff. 7-1-2012; Ord. 19-50, 12-11-2019, Effective at 12 noon on January 6, 2020)

97

98

99 **13-4-5: VIOLATIONS:**

100 It is a violation of this title to:

101 A. Use any land, building or structure for any purpose or use not allowed in the zone in
102 which such land, building or structure is located;

103 B. Engage in any development, use, construction, remodeling or other activity of any
104 nature upon the land and improvements thereon without all of the required permits,
105 approvals, certificates and other forms of authorization required by this title or other city
106 ordinance;

107 C. Fail to comply with this title or any condition imposed by the development services
108 department, zoning administrator, Land Use Appeal Authority~~board of adjustment~~,
109 planning commission, city council or other city officer;

110 D. Interfere in any way with enforcement action under this chapter; and

111 E. Fail to comply with any enforcement action under this chapter. (2001 Code § 89-7-
112 103; amd. 2009 Code; Ord. 19-50, 12-11-2019, Effective at 12 noon on January 6, 2020)

113

114

115 **13-4-12: ZONING ADMINISTRATOR:**

116 A. Designation and Appointment: The development services director may designate
117 and appoint a staff person who shall be primarily responsible for administering and
118 enforcing the provisions in this title, and related provisions in titles 14 and 15 of this Code.
119 Such person shall be known as the zoning administrator. The terms planning director,
120 and/or city planner, if and where used in this Code, shall refer to the zoning administrator.

121 B. Powers:

122 1. Interpretation: The zoning administrator shall interpret this title to members of the
123 public, city departments, and to other branches of government, subject to general and
124 specific policies established by the planning commission and city council. Upon request,
125 the zoning administrator shall make a written interpretation of the text of this title pursuant
126 to subsection C of this section.

127 2. Administrative Duties: The zoning administrator shall accomplish, or cause to be
128 accomplished, all administrative actions required by this title, including the giving of notice,
129 holding of hearings, preparation of staff reports, and receiving and processing of appeals.

130 3. Negotiation and Advice: The zoning administrator may advise all persons making
131 application for any project which requires approval by the planning commission or city
132 council for the purpose of seeking compliance with the requirements of this code and best
133 planning practices.

134 4. Routine and Uncontested Matters: The zoning administrator may decide routine
135 and uncontested matters that would normally be heard by the Land Use Appeal Authority
136 ~~board~~

137 ~~of adjustment~~ or planning commission. In doing so, the planning commission and Land
138 Use Appeal Authority ~~board of adjustment~~ may establish guidelines for the zoning
139 administrator to comply with in making such decisions.

140 5. Determination for Uses not Listed: The zoning administrator may make
141 determination as to the classification of uses not specifically listed in this title.

142 a. An application requesting such determination shall be filed with the zoning
143 administrator. The application shall include a detailed description of the use and other such
144 information as may be required.

145 b. The zoning administrator shall make such investigations as are deemed
146 necessary to compare the nature and characteristics of the proposed use with those of
147 uses specifically listed in this title and shall make a determination of its classification based
148 on his investigations. The determination shall state the zone classification(s) in which the
149 use will be allowed and whether the use will be a permitted use or a conditional use in the
150 zone(s).

151 c. The determination and all information pertaining to it shall be assigned a file
152 number classifying it as an administrative determination and shall become a permanent
153 public record in the office of the planning and zoning division, of the development services
154 department.

155 6. Administrative Relief: The zoning administrator may allow limited relief from the
156 application of certain standards required by this title. This relief shall be limited to the
157 following:

158 a. Up to a ten percent (10%) decrease of the code requirement for brick or other
159 architectural exterior materials in the district in which the subject property is located.

160 b. Up to a five percent (5%) decrease or increase in the off street parking
161 requirements in the zoning district in which the subject property is located.

162 c. Up to a five percent (5%) increase in lot coverage or height by a structure,
163 provided such increase does not result in an increase in approved density, will not result in
164 the decrease in area of any existing parcel or lot, and will not result in reduction of required
165 yard setbacks.

166 d. Up to a five percent (5%) decrease in the required area of a residential dwelling.

167 e. The substitution of landscape screening for fencing requirements provided the
168 purpose and intent of the requirement is met and all property owners adjacent to where a
169 fence is ordinarily required consent to the substitution.

170 f. Up to a ten percent (10%) reduction in the required side yard or back yard
171 setback for accessory structures over ten feet (10') in height.

172 g. Up to a twenty percent (20%) reduction in planting area widths or landscape
173 buffer area widths. Additional landscaping shall be added to the site to compensate for any
174 approved reduction in buffer and planting area widths. In the case of residential buffer
175 width reductions, additional trees within the residential buffer area may be required, up to
176 the amount of trees required for the original buffer width.

177 h. An allowed modification of overall landscaping requirements if the proposed
178 modification constitutes an innovative overall landscaping design which is superior to the
179 landscaping that would result from strict application of chapter 13 of this title.

180 i. Up to a sixty (60) day extension of the twelve (12) month limit based on a
181 developer demonstrating that a project is "under construction" within twelve (12) months of
182 receiving a successful bid under the balanced housing criteria outlined in subsection 13-8-
183 23C of this title.

184 7. Findings Necessary to Grant Administrative Relief: Prior to granting administrative
185 relief, the zoning administrator shall find in writing that all of the following conditions exist
186 for each application for relief:

187 a. The strict application of the regulation in question is unreasonable or the
188 interpretation is difficult given the development proposal or the measures proposed by the
189 applicant;

190 b. The intent of the zoning ordinance regulation in question is preserved; and

191 c. The granting of the administrative relief will not result in an adverse impact on
192 surrounding properties.

193 8. Uncertainties: Where physical or cultural features existing on the ground are at
194 variance with those shown on the official zoning map, or in case any other uncertainty
195 exists, the location of zone boundaries shall be determined by the zoning administrator,
196 subject to appeal as provided in this title.

197 C. Interpretation:

198 1. Written Interpretation: This section sets out procedures for formally interpreting the
199 text of this title.

200 2. Application: An application for an interpretation request shall be submitted to the
201 zoning administrator in a form established by the zoning administrator, along with any
202 applicable fee to cover the cost of processing the application. No application shall be
203 processed until the application is complete and the required fee has been paid.

204 3. Action by the Zoning Administrator: Within ten (10) days after the request for
205 interpretation has been submitted, the zoning administrator shall review and evaluate the
206 request in light of the text of this title, the official zoning map, the general plan, other

207 relevant interpretations of this title and any other relevant documents; and render a written
208 opinion.

209 4. Form: The interpretation shall be provided to the applicant and shall be filed in the
210 official record of interpretations.

211 5. Official Record: The zoning administrator shall maintain an official record of
212 opinions interpreting this title. The record of interpretations shall be a public record and
213 shall be available for public inspection in the office of the zoning administrator during
214 normal business hours. (Ord. 10-09, 2-24-2010; amd. Ord. 11-35, 11-22-2011; Ord. 13-07,
215 3-13-2013; Ord. 14-31, 10-22-2014; Ord. 19-50, 12-11-2019, Effective at 12 noon on
216 January 6, 2020; Ord. 21-41, 12-15-2021)

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218

219 **13-5B-6: RESIDENTIAL EXTERIOR MATERIALS AND DESIGN:**

220 A. Applicability:

221 1. This section applies to any new dwelling constructed within a subdivision or on a
222 parcel that received: (a) final approval from the city after May 5, 2021; and (b) is located
223 within a zone that resulted in an increase in density from the previous zone or is subject to
224 provisions outlined in a development agreement.

225 2. This section does not apply to a dwelling that is constructed within a subdivision or
226 on a parcel that received final approval from the city prior to May 5, 2021 and is not subject
227 to provisions outlined in a development agreement.

228 B. Exterior Masonry Required: As applicable, the minimum area (A) of brick or stone
229 required (measured in square feet) shall be determined by multiplying the outside
230 perimeter (P) of the foundation (measured in feet), including the garage, by two feet (2') (P
231 $\times 2 = A$).

232 C. Exception To Masonry Requirement: In order to encourage a variety of architectural
233 design in residential construction, the requirement for exterior masonry may be modified if
234 not less than four (4) of the following architectural features are combined in a design to
235 create an overall architectural style for a residential building:

236 1. Gabled, gambrel or hipped roof with a pitch of not less than six to twelve (6:12) and
237 heavy architectural shingles or tile.

238 2. Cornices.

239 3. 6/6 or 12/12 double hung windows with shutters.

- 240 4. Portico, sidelights and fan light.
241 5. Pediment entry with transom window.
242 6. Dormers.
243 7. Towers with conical roof.
244 8. Scallops or sunbursts.
245 9. Attached gazebos integrated into the front porch.
246 10. Front porches not less than six feet (6') in width with an integrated decorative
247 railing.

248 D. Approval Of Alternate Exterior Materials: If it is determined that an architectural style
249 has been established using the features described above, City planning staff may either:

250 1. Approve the use of clapboard, hardiboard or similar siding of not less than six
251 inches (6") in height, with corner boards on one hundred percent (100%) of the exterior of
252 the building (no aluminum or vinyl siding shall be permitted); or

253 2. Reduce the square footage or percentage of required brick, stone or stucco.

254 E Appeal: A housing design meeting the requirements of this section should have an
255 easily identifiable architectural style, whether that style be Victorian, colonial, bungalow,
256 Cape Cod, Tudor, etc. The planning staff shall determine whether this has been
257 accomplished. If it is determined by staff that a proposed design does not establish an
258 identifiable architectural style, the applicant shall be required to meet the brick requirement
259 in subsection A of this section. If the applicant wishes to appeal the decision of planning
260 staff, the appeal shall first be heard by the Zoning Administrator and, if further appeal is
261 made, then the Land Use Appeal Authority Board of Adjustment. (2001 Code § 89-3-306;
262 amd. 2009 Code; Ord. 11-35, 11-22-2011; Ord. 21-32, 11-16-2021)

263

264

265 **13-6A-3: OFFICIAL AIRPORT OVERLAY MAP:**

266 A. Lands to Which the Zones Apply: The airport overlay zones shall be applied to all
267 land within the airport overlay zone designated on the zoning map, as periodically
268 amended.

269 B. Establishment of Official Airport Overlay Map: The official airport overlay map,
270 together with all explanatory matter thereon, is hereby adopted by reference and declared
271 to be a part of this title. The official airport overlay map is based on the airport area of
272 influence as established by Salt Lake City Corporation, owner of the Salt Lake City
273 Municipal 2 Airport, in conjunction with the federal aviation administration, and shall be on
274 file in the offices of the city recorder and the development services department.

275 C. Rules for Interpretation of Airport Overlay Boundaries: Boundaries of airport overlay
276 zones shall be determined by scaling distances on the official airport

277 overlay map. Where interpretation is needed as to exact location of airport overlay zone
278 boundaries, the zoning administrator shall make the necessary interpretation, subject to
279 appeal to the Land Use Appeal Authority board of adjustment as provided in this title.

280 D. Warning and Disclaimer of Liability: This article does not imply that areas outside the
281 airport overlay boundaries or land uses permitted within the overlay zones will be free from
282 noise or hazards related to airport activities. Therefore, this article shall not create liability
283 on the part of the city or its officers or employees for any damages that result from reliance
284 on this article, or any administrative decision made under this article. (2001 Code § 89-4-
285 103; amd. 2009 Code; Ord. 19-50, 12-11-2019, Effective at 12 noon on January 6, 2020)

286

287

288 **13-6E-4: OFFICIAL FLOODPLAIN OVERLAY MAP:**

289 A. Lands to Which the F-P Zone Applies: The F-P zone shall be applied to all lands
290 within the jurisdiction of the city shown on the FIRM maps as being located within the
291 boundaries of an area of special flood hazard.

292 B. Adoption of Official Floodplain Overlay Maps: The FIRM maps and all explanatory
293 matter thereon, on file in the offices of the city recorder and the development services
294 department, and any revisions thereto, are hereby adopted by reference as the official
295 floodplain overlay maps for the city and declared to be a part of this article.

296 C. Rules for Interpretation of Floodplain Boundaries: Scaling distances on the official
297 floodplain map shall determine the boundaries of the floodplain. When interpretation is
298 needed as to the exact location of the boundaries of the floodplain (for example, where a
299 conflict exists between a mapped boundary and actual field conditions) the zoning
300 administrator shall make the necessary interpretation, subject to appeal to the Land Use
301 Appeal Authority board of adjustment as provided in this code. The Land Use Appeal
302 Authority board of adjustment shall use the floodplain information reports as a guide in
303 interpreting boundaries. (2001 Code § 89-4-604; amd. 2009 Code; Ord. 10-07, 2-2-2010;
304 Ord. 19-50, 12-11-2019, Effective at 12 noon on January 6, 2020)

305

306

307 **13-6E-10: VARIANCES IN F-P ZONES:**

- 308 A. The Land Use Appeal Authority ~~board of adjustment~~ shall hear and render
309 judgments on requests for variances from the requirements of this title.
- 310 B. The Land Use Appeal Authority ~~board of adjustment~~ shall hear and render judgment
311 on an appeal only when it is alleged there is an error in any requirement, decision, or
312 determination made by the city engineer in the enforcement or administration of this article.
- 313 C. Any person or persons aggrieved by the decision of the Land Use Appeal Authority
314 ~~board of adjustment~~ with respect to an F-P zone, may appeal such decision to the district
315 court on the record developed by the Land Use Appeal Authority~~board of adjustment~~, and
316 not de novo.
- 317 D. The city engineer shall maintain a record of all actions involving an appeal and shall
318 report variances to the state and/or federal emergency management agency upon request.
- 319 E. Variances may be issued for the reconstruction, rehabilitation or restoration of
320 structures listed on the national register of historic places or on the state's corollary listing,
321 without regard to the procedures set forth in the remainder of this section.
- 322 F. Variances may be issued for new construction and substantial improvements to be
323 erected on a lot of one-half (1/2) acre or less in size contiguous to and surrounded by lots
324 with existing structures constructed below the base flood level, providing the relevant
325 factors in subsection 13-6E-7B7 of this article have been fully considered. As the lot size
326 increases beyond the one-half (1/2) acre, the technical justification required for issuing the
327 variance increases.
- 328 G. Upon consideration of the factors noted above and the intent of this article, the Land
329 Use Appeal Authority ~~board of adjustment~~ may attach such conditions to the granting of
330 variances as it deems necessary to further the purpose and objectives of this article.
- 331 H. Variances shall not be issued within any designated floodway if any increase in flood
332 levels during the base flood discharge would result.
- 333 I. Variances may be issued for the repair or rehabilitation of historic structures upon a
334 determination that the proposed repair or rehabilitation will not preclude the structure's
335 continued designation as a historic structure and the variance is the minimum necessary to
336 preserve the historic character and design of the structure.
- 337 J. Prerequisites for granting variances:
- 338 1. Variances shall only be issued upon a determination that the variance is the
339 minimum necessary, considering the flood hazard, to afford relief.
- 340 2. Variances shall only be issued upon:

- 341 a. Showing a good and sufficient cause;
- 342 b. A determination that failure to grant the variance would result in exceptional
343 hardship to the applicant, and
- 344 c. A determination that the granting of a variance will not result in increased flood
345 heights, additional threats to public safety, extraordinary public expense, create nuisances,
346 cause fraud on or victimization of the public, or conflict with other provisions of this code or
347 state or federal law.

348 3. Any application to whom a variance is granted shall be given written notice that the
349 structure will be permitted to be built with the lowest floor elevation below the base flood
350 elevation, and that the cost of flood insurance will be commensurate with the increased
351 risk resulting from the reduced lowest floor elevation.

352 K. Variances may be allowed by the Land Use Appeal Authority board of adjustment for
353 new construction and substantial improvements and for other development necessary for
354 the conduct of a functionally dependent use provided that:

- 355 1. The floodplain development variance criteria provided in this title are met, and
- 356 2. The structure or other development is protected by methods that minimize flood
357 damages during the base flood and create no additional threats to public safety. (Ord. 10-
358 07, 2-2-2010; amd. Ord. 19-50, 12-11-2019, Effective at 12 noon on January 6, 2020)

359

360

361 **13-7G-1: DECISION MAKING BODY:**

362 Petitions for variances shall be reviewed and a final decision made by the Land Use
363 Appeal Authority board of adjustment at a public hearing. The Land Use Appeal Authority
364 board of adjustment may approve, approve with conditions, or deny a variance request.
365 (2001 Code § 89-5-406)

366

367

368 **13-7G-3: VARIANCE CRITERIA:**

369 Before approving a request for variance, except in connection with variance requests in an
370 F-P zone (see section 13-6E-10 of this title), the Land Use Appeal Authority board of
371 adjustment shall make the following findings:

372 A. Literal enforcement of this title would cause an unreasonable hardship for the
373 applicant that is not necessary to carry out the general purpose of this title. The Land Use

374 ~~Appeal Authority board of adjustment~~ shall not find an unreasonable hardship if the
375 hardship is self-imposed or economic. To determine whether or not enforcement of this
376 title would cause unreasonable hardship, the ~~Land Use Appeal Authority board of~~
377 ~~adjustment~~ shall not find unreasonable hardship unless the alleged hardship:

378 1. Is located on or associated with the property for which the variance is sought; and

379 2. Comes from circumstances peculiar to the property, not from conditions that are
380 general to the neighborhood;

381 B. There are special circumstances attached to the property that do not generally apply
382 to other properties in the same district and relate directly to the hardship complained of;

383 C. Granting the variance is essential to the enjoyment of a substantial property right
384 possessed by other property in the same district;

385 D. The variance will not substantially affect the general plan and will not be contrary to
386 the public interest; and

387 E. The spirit of this title is observed and substantial justice done. (2001 Code § 89-5-
388 406; amd. Ord. 10-07, 2-2-2010)

389

390

391 **13-7G-6: USE VARIANCES:**

392 Neither the ~~Land Use Appeal Authority board of adjustment~~ nor any other body may grant
393 use variances. (2001 Code § 89-5-406)

394

395

396 **13-7G-7: CONDITIONS:**

397 In granting a variance, the ~~Land Use Appeal Authority board of adjustment~~ may impose
398 additional conditions on the applicant that will:

399 A. Mitigate any harmful effects of the variance; or

400 B. Serve the purpose of the standard or requirement that is waived or modified. (2001
401 Code § 89-5-406)

402

403

404 **13-9-2: NONCONFORMING USES:**

405 A. Continuation: A nonconforming use of any conforming structure, or a nonconforming
406 use of a nonconforming structure, may be continued as provided in this chapter. A
407 nonconforming use may be extended through the same structure, provided no structural
408 alteration of the structure is made for the purpose of the extension. If a nonconforming use
409 is discontinued for a continuous period of more than one year, any future use of such
410 structure shall conform to the provisions of the zone in which it is located.

411 B. Maintenance And Repair: Any structure that is part of a nonconforming use protected
412 under this chapter may be repaired or altered on the same terms set forth for
413 nonconforming structures under section 13-9-3 of this chapter.

414 C. Enlargement And Expansion: A nonconforming use may be expanded within the
415 floor area of an existing, conforming building or within an expanded conforming building,
416 subject to the limitations set forth in this section. In any agricultural or residential zone,
417 such expansion shall be permitted into an area equal to the original floor area of the
418 nonconforming use, subject to the following requirements:

419 1. No new dwelling units shall be created.

420 2. Off street parking and loading required to serve the expansion area shall be
421 provided.

422 3. The Land Use Appeal Authority board of adjustment shall review any expansion of
423 a nonconforming use that is greater than twenty five percent (25%) of the original floor
424 area. Before approving such expansion, the Land Use Appeal Authority board of
425 adjustment shall find that the expansion is compatible with the neighborhood and not
426 detrimental to the community, as determined by the effect of the expansion on traffic, value
427 of adjacent and nearby properties, and the availability of adequate public facilities and
428 services.

429 D. Nonconforming Use Of Open Land: A nonconforming use of open land may be
430 continued, provided such nonconforming use shall not be expanded or extended into any
431 other portion of a conforming building or open land, and no structures, additions,
432 alterations or enlargements thereto shall be made, except those required by law. If such
433 nonconforming use is discontinued for a continuous period of more than one year, any
434 future use of the land shall conform to the provisions of the zone in which it is located.

435 E. Expansion Of Outdoor Nonconforming Uses: A nonconforming use of a lot where the
436 principal use is not enclosed within a building, such as a salvage yard or a motor vehicle
437 sales lot, shall not be expanded, except in conformity with the requirements of this title.

438 F. Nonconforming Residential And Agricultural Uses And Structures In Nonresidential
439 Zones: Notwithstanding any provisions of this chapter to the contrary, an application for a
440 building permit to construct or repair an accessory building or repair a primary residential
441 structure, located on a lot which is within a nonresidential zone may be approved if the
442 structure meets applicable building codes; the lot on which the structure is located has
443 historically been used for agricultural or residential purposes; and the subject structure

444 and use therein, whether defined as "primary" or "accessory", is in conformity with similar
445 structures and uses normally conducted within the residential or agricultural zones. The
446 proposed structure shall conform to the height, size, setback and other requirements
447 established for agricultural or residential zones as though such requirements were actually
448 incorporated within the zone in which the structure is located.

449 G. Change In Use: A nonconforming use may be changed to a new use; provided, that
450 the new use shall be of the same general character or of a character less intensive (and
451 thus more closely conforming) than the existing, nonconforming use. The initial
452 determination of whether a proposed use is a conforming use or is less intense shall be
453 made by the zoning administrator. A nonconforming use, if changed to a conforming use or
454 less intensive nonconforming use, shall not thereafter be changed back to a less
455 conforming use than that to which it was changed. (2001 Code § 89-6-202)

456

457

458 **13-9-3: NONCONFORMING STRUCTURES:**

459 A. Continuation: A nonconforming structure in any zone may be continued for the
460 period prescribed in this chapter, provided no additions or enlargements are made thereto
461 and no structural alterations are made therein, except those required by law. If any such
462 nonconforming structure is removed, every future use of the lot on which the structure was
463 located shall conform to the provisions of this title.

464 B. Maintenance And Repair: Remodeling of a nonconforming structure within the
465 existing footprint thereof shall be permitted without a variance.

466 C. Enlargement And Expansion: Any expansion of a nonconforming structure that
467 increases the degree of nonconformance is prohibited, except as provided in this section.
468 Other expansions shall be permitted and shall not require a variance.

469 1. The initial determination of whether a proposed expansion increases the degree of
470 nonconformity shall be made by the zoning administrator.

471 2. A structure which is nonconforming as to height, area or yard regulations may be
472 added to or enlarged upon authorization by the Land Use Appeal Authority~~board of~~
473 ~~adjustment~~; provided, that the Land Use Appeal Authority~~board of adjustment~~, after a
474 hearing, finds the expansion to be compatible with the neighborhood and not detrimental to
475 the community, as determined by the effect of the expansion on traffic, value of adjacent
476 and nearby properties, and the availability of adequate public facilities and services.

477 D. Relocation: If a nonconforming structure is relocated within the city, it shall be placed
478 only in a location where it fully conforms to the requirements of this title.

479 E. Restoration: Any nonconforming structure that is damaged to the extent of fifty
480 percent (50%) or less of its fair market value by fire, wind, tornado, earthquake, or other
481 natural disaster, may be restored and the use of such building may be continued. The
482 structure shall not be rebuilt closer to the property line than the original structure or the
483 applicable setback lines, whichever is closer. Any structure that is damaged to the extent
484 of more than fifty percent (50%) of its fair market value shall not be rebuilt, repaired or
485 used unless it conforms to all applicable requirements of this title.

486 F. Unsafe Structures: Nothing in this section shall be construed to permit the continuing
487 use of a structure found to be in violation of basic life safety or health codes of the city. The
488 right to continue use of a nonconforming structure shall be subject to all applicable
489 housing, building, health, and other life safety codes of the city. (2001 Code § 89-6-203)

490

491

492 **13-9-4: NONCONFORMING LOTS:**

493 A. Continuation: Lots or parcels of land that legally existed prior to adoption of this title
494 shall not be denied a building permit solely for reason of nonconformance with the lot
495 requirements of this title.

496 B. Vacant Lot: If the lot was vacant on the effective date hereof, then the lot may be
497 used as permitted by the zone in which the lot is located; provided, that such use shall
498 comply with applicable dimensional requirements of this title. The owner may seek a
499 variance from such requirements from the Land Use Appeal Authority~~board of adjustment~~.

500 C. Lot With Building Or Structure: If a lot contains a structure on the effective date
501 hereof, then the owner may continue the then existing use of such structure and may
502 expand the structure in any way that does not increase the degree of nonconformity. An
503 increase in building size shall not be deemed to increase the degree of nonconformity
504 unless it increases the encroachment on a required setback. Remodeling of a structure
505 within an existing footprint or expansion in compliance with this section shall not require a
506 variance, but shall be reviewed by the zoning administrator as though the lot were
507 conforming.

508 D. Lot Merger: If a lot is smaller than required by this title and such lot is at any time
509 after the effective date hereof under common ownership with an adjacent lot, then the two
510 (2) shall be considered merged for purposes of this title and shall in the future be
511 considered together for purposes of determining compliance. If merged lots contain
512 sufficient area for a use, then they shall be deemed fully conforming. If merged lots
513 together do not contain sufficient area for a use, they shall nonetheless be considered
514 together for purposes of reducing the degree of nonconformity. When a nonconforming lot
515 has been merged with

516 another lot, such lot shall not again be used separately, unless they are subdivided in
517 accordance with the provisions of this title.

518 E. Nonconforming Lots Created By Public Action: When lot area or setbacks are
519 reduced as a result of conveyance to a federal, state or local government for a public
520 purpose and the remaining area is at least seventy five percent (75%) of the required
521 minimum lot size in the zone where it is located, the lot shall be deemed to be in
522 compliance with the minimum lot size and setback standards of this title without resort to
523 the Land Use Appeal Authority~~board of adjustment~~. See section 13-8-10 of this title for
524 related provisions. (2001 Code § 89-6-204)

525

526

527 **13-9-10: EXTENSION OF TIME FOR RECOVERY OF INVESTMENT:**

528 A. Reason For Extension: The zoning administrator may grant an extension of the time
529 limits set forth in this chapter if the owner of a nonconforming lot, structure or use
530 demonstrates that before such time limit expires he will be unlikely to recover or amortize
531 the amount of his investment, if any, in the nonconforming lot, structure or use.

532 B. Written Request For Extension Required: In order to secure an extension of time, a
533 property owner shall submit to the zoning administrator a written request for an extension
534 forty five (45) calendar days prior to the expiration of the applicable time limit set forth in
535 this chapter.

536 C. Required Information: The following information shall accompany an extension
537 request:

538 1. The amount of the owner's investment in the lot, structure or use from the time it
539 became nonconforming.

540 2. The amount of such investment that has been realized to date and an estimate of
541 the amounts that will be realized on the date the time limit expires.

542 3. Evidence of any lease or purchase obligations undertaken in reliance on any
543 previously issued licenses or permits applying to the lot, structure or use, including any
544 contingency clauses in the license or permit permitting termination of such lease.

545 D. Appeal: Any person aggrieved by a decision of the zoning administrator may appeal
546 such decision to the Land Use Appeal Authority~~board of adjustment~~. (2001 Code § 89-6-
547 211)

548

549

550 **14-6-4: TYPES OF VIOLATIONS:**

551 It is a violation of this title to:

552 A. Use any land, building or structure for any purpose or use not allowed in the zone in
553 which such land, building and structure is located;

554 B. To engage in any subdivision of land and improvements thereon without all of the
555 required permits, approvals, certificates and other forms of authorization required by this
556 title or other city ordinance;

557 C. Fail to comply with this title or any condition imposed by the development services
558 department, zoning administrator, Land Use Appeal Authority~~board of adjustment~~,
559 planning commission, city council, or other duly authorized city officer.

560 D. Interfere in any way with enforcement action under this chapter.

561 E. Fail to comply with any enforcement action under this chapter. (2001 Code § 87-8-
562 103; amd. 2009 Code; Ord. 19-51, 12-11-2019, Effective at 12 noon on January 6, 2020)

563

564

565 **15-2-1: CLASSIFICATION OF REVIEW PROCESS TYPES:**

566 A. Authority of Zoning Administrator: If not otherwise specified by this code, the zoning
567 administrator shall determine the proper review process type classification, as described
568 below, for all development permit applications. If there is a question as to the appropriate
569 review process type classification, the zoning administrator shall resolve it in favor of the
570 higher classification number.

571 B. Applicant Choice Between Individual or Concurrent Processing of Applications: An
572 applicant whose application involves two (2) or more review process types may choose to
573 process these parts concurrently under the highest numbered classification required for
574 any part of the application, or may choose to process the parts individually under each of
575 the classifications identified in this title. If the application is processed under the individual
576 procedure option, the highest numbered classification must be processed prior to any
577 lower numbered review. For any action requiring a legislative decision, including a change
578 in the general plan (review process type IV), the legislative decision must be made prior to
579 processing another land use permit application (review process types I through III)
580 Exception: fee appeals (type V).

581 C. Concurrent Type III Applications: Review process type III applications processed
582 concurrently in accordance with subsection B of this section shall be heard and decided by
583 the Land Use Appeal Authority~~board of adjustment~~.

584 D. City Council Decision Priority: In applying this section and elsewhere in this title, the
585 city council is the highest ranking review process type classification, while an
586 administrative decision is the lowest ranked review process type classification. (2009
587 Code; amd. Ord. 19-52, 12-11-2019, Effective at 12 noon on January 6, 2020)

588

589

590 **15-2-4: REVIEW PROCESS TYPE III; ~~BOARD OF ADJUSTMENT~~LAND USE APPEAL**
591 **AUTHORITY:**

592 The zoning administrator may initially review and recommend a decision to the Land Use
593 Appeal Authority ~~board of adjustment~~ for the following applications:

594 A. Request for a variance from the terms of the land use ordinances;

595 B. Expansion of a nonconforming structure;

596 C. Appeals of property development and zoning code interpretations by a city designee;
597 and

598 D. Appeals from administrative decisions and planning commission decisions applying
599 the land use ordinances and regulations. (2009 Code; § 15-2-3 amd. Ord. 19-52, 12-11-
600 2019, Effective at 12 noon on January 6, 2020)

601

602

603 **15-3-10: PUBLIC HEARING NOTICE REQUIREMENTS:**

604 A. Public Hearing Notice Standards: All public notices shall follow the standards found
605 below, unless otherwise stated in this section:

606 1. Notice Time and Scope: At least ten (10) days prior to the date of the public
607 hearing, a notice of the hearing may be mailed to all property owners within three hundred
608 feet (300') of the subject property; provided, that the notice for variances shall be to all
609 property owners within one hundred feet (100'). The list of property owners shall be
610 compiled from the most current assessment rolls prepared by the Salt Lake County
611 assessor. Notice of public hearing shall be sent to property owners by mail for city initiated
612 amendments to the zoning map.

613 2. Content of Public Hearing Notice: All notices of public hearings shall begin with the
614 heading "Notice Of Public Hearing" in bold type at the top of the sheet, shall provide a brief
615 explanation of the purpose of the hearing, the location of the subject property and shall
616 indicate the date, time and location of the public hearing. If specific property or properties

617 are the subject of the application, the address of such property shall also be included in the
618 notice.

619 3. Notice to Neighboring Property Owners is Courtesy: Public hearing notices mailed
620 to neighboring property owners of a proposed action is a courtesy notice, and any defect in
621 or failure to receive such a courtesy notice shall not affect or invalidate any public hearing
622 or action by the city council or any board, administrator or commission.

623 B. Notice of Public Hearings and Public Meetings for Amendments to Text of General
624 Plan or Zoning Ordinance: Prior to conducting any public meeting before either the
625 planning commission or city council relating to adopting, amending or repealing any part of
626 the general plan or zoning ordinance, the following notice shall be provided:

627 1. Posted Notice: A notice of public meeting shall be posted in at least three (3) public
628 places in the city or on the city website at least ten (10) days prior to the date of the public
629 hearing.

630 2. Published Notice: A notice of public meeting shall be published on the state notice
631 website pursuant to Utah code section 45-1-101 at least ten (10) days prior to the date of
632 the public hearing.

633 C. Notice of Public Hearings and Public Meetings for Amendments to General Plan
634 Land Use Map or Zoning Map: Notice of a public meeting to review amendments to the
635 general plan land use map or zoning map shall be provided as follows:

636 1. Planning Commission: Ten (10) days prior to the date of a planning commission
637 public meeting, a notice may be mailed to all property owners within three hundred feet
638 (300') of the subject property. The list of property owners shall be compiled from the most
639 current assessment rolls prepared by the Salt Lake County assessor.

640 2. City Council: Prior to holding a public meeting relating to an amendment to the
641 general plan land use map or zoning map, a notice:

642 a. Shall be posted in at least three (3) public places in the city at least ten (10) days
643 prior to the date of the public hearing;

644 b. Shall be published on the state notice website pursuant to Utah code section 45-
645 1-101 at least ten (10) days prior to the date of the public hearing; and

646 c. May be mailed to all property owners, as shown on the most current assessment
647 rolls prepared by the Salt Lake County assessor, within three hundred feet (300') of the
648 subject property.

649 D. Vacating or Amending Subdivision Plat: Review, public hearings and public notice of
650 applications requesting amendments to, or vacation of, all or part of a subdivision plat shall
651 be consistent with Utah Code Annotated sections 10-9a-207 and 10-9a-608.

652 E. Additional Notice: This section is not intended to preclude the giving of additional
653 notice that may be deemed necessary by the planning commission, Land Use Appeal
654 Authority board-of-adjustment or city council. Each review body may have its own bylaws,
655 rules, policies and procedures and these could provide additional noticing procedures not
656 inconsistent with this title.

657 F. Challenge to Notice: If notice given under authority of this section is not challenged
658 as provided by state law within thirty (30) days from the date of the meeting for which
659 notice was given, the notice is considered adequate and proper. Failure of a property
660 owner to receive mailed notice as provided in this section shall not invalidate any hearing
661 or action taken pursuant thereto; provided, that the procedures in this chapter were
662 followed. (2009 Code § 15-3-9; amd. Ord. 10-09, 2-24-2010; Ord. 11-30, 9-28-2011; Ord.
663 19-52, 12-11-2019, Effective at 12 noon on January 6, 2020; Ord. 21-17, 5-26-2021)

664

665

666 **15-5-1: GENERAL PROVISIONS:**

667 A. Application: An application specifying the reasons for an appeal shall be submitted in
668 writing to the community development department within fifteen (15) calendar days
669 following the administrative decision, along with any applicable fee required by the
670 consolidated fee schedule. No application shall be processed until the application is
671 complete and the required fee has been paid.

672 B. Hearing Procedures: Hearing procedures shall be as set forth in the bylaws, rules,
673 policies, and/or procedures as may be adopted from time to time by the city council, mayor
674 and/or Land Use Appeal Authorityboard-of-adjustment.

675 C. Document Filing: All written documents and evidence from the applicant shall be
676 received by the community development department at least fifteen (15) calendar days in
677 advance of the public hearing.

678 D. Staff Report: Any staff reports shall be available at least five (5) calendar days prior
679 to the hearing.

680 E. Burden of Proof ("Error Standard"); and Scope of Review ("On the Record"): The
681 person making the appeal has the burden of proving that an error has been made and
682 shall present every theory of relief that the person could raise in district court. The appeal
683 shall be "on the record", not "de novo".

684 F. Standard of Review: The standard of review is the substantial evidence standard.

685 G. Appeal Authority: Appeals shall not be used to waive or modify the terms or
686 requirements of this title.

687 (2009 Code; amd. Ord. 19-52, 12-11-2019, Effective at 12 noon on January 6, 2020; Ord.
688 23-11, 6-14-2023)

689

690

691 **15-5-3: APPEALS TO BOARD OF ADJUSTMENT LAND USE APPEAL AUTHORITY:**

692 A. Right of Appeal: Appeals to the Land Use Appeal Authority board of adjustment may
693 be taken by any person aggrieved by any administrative decision or action of city staff or
694 the planning commission on matters pertaining to the interpretation and application of titles
695 5, 8 through 15 inclusive, or 17 of this code. The Land Use Appeal Authority board of
696 adjustment does not hear appeals on fees or any conditional use decision.

697 1. The appeal shall be filed within fifteen (15) calendar days following the decision at
698 issue; and

699 2. The person filing the appeal shall file written notice with community development
700 department specifying the reasons for the appeal. The community development staff shall,
701 without delay, transmit to the Land Use Appeal Authority board of adjustment all
702 documents and records constituting the record upon which the action appealed from is
703 taken.

704 B. Land Use Decisions: Unless otherwise set forth in this code, land use decisions
705 applying to titles 5, 8 through 15 inclusive, or 17 of this code may be appealed to the Land
706 Use Appeal Authority board of adjustment.

707 1. A person may not appeal, and the Land Use Appeal Authority board of adjustment
708 may not consider, any land use ordinance amendments, zoning map amendments, future
709 land use map amendments, or general plan amendments; and

710 2. Appeals may not be used to waive or modify the terms or requirements of this
711 code.

712 C. Burden of Proof ("Error Standard"); and Scope of Review ("On the Record"): The
713 person making the appeal has the burden of proving that an error has been made and
714 shall present every theory of relief that the person could raise in district court. The appeal
715 shall be "on the record", not "de novo", if the decision by the planning commission or the
716 zoning administrator was based upon substantial evidence in the record; otherwise, the
717 appeal shall be "de novo".

718 D. Standard of Review: The standard of review is the substantial evidence standard.

719 E. Stay of Proceedings: An appeal to the Land Use Appeal Authority board of
720 adjustment stays all proceedings in furtherance of the action appealed from, unless the
721 officer from whom the appeal is taken certifies to the Land Use Appeal Authority board of
722 adjustment

723 after the notice of appeal has been filed that, by reason of facts stated in the certification, a
724 stay would, in the officer's opinion, cause imminent peril to life or property. In such case
725 proceedings shall not be stayed except by a restraining order granted by the district court
726 on application and notice and on due cause shown.

727 F. Time and Notice of Hearing: The Land Use Appeal Authority ~~board of adjustment~~
728 shall fix a reasonable time for the hearing of the appeal, give public notice of the appeal as
729 well as notice to the parties in interest, and shall decide the appeal within a reasonable
730 time. Upon the hearing, a party may appear in person or by agent or by attorney.

731 G. Reverse of Decision: The Land Use Appeal Authority ~~board of adjustment~~, according
732 to its own rules, may reverse any order, requirement, or determination of an administrative
733 officer and may decide in favor of the appellant.

734 H. Other Possible Action: The Land Use Appeal Authority ~~board of adjustment~~, after
735 reviewing the decision of city staff or the planning commission, may affirm, reverse, alter,
736 or postpone any determination until further study can be conducted. This may include
737 referring the matter back to city staff or the planning commission for additional review.

738 I. Variances: Hearing and deciding requests for variances from the terms of titles 5, 8
739 through 15 inclusive, or 17 of this code, shall be as described in title 13, chapter 7, article
740 G of this code, or successor provisions.

741 J. Creation of Record: The Land Use Appeal Authority ~~board of adjustment~~ shall
742 develop a detailed record with appropriate records, findings, and conclusions as part of the
743 final order.

744 (2009 Code; §15-5-4, amd. Ord. 19-52, 12-11-2019, Effective at 12 noon on January 6,
745 2020; Ord. 21-11, 3-24-2021; Ord. 23-11, 6-14-2023)

746

747

748 **15-5-5: APPEAL OF LAND DISTURBANCE PERMIT DECISION:**

749 A. Right of Appeal: Any person aggrieved of a final determination of the city engineer in
750 the issuance, denial, suspension, or revocation of a land disturbance permit may appeal
751 such decision of the city engineer to the Land Use Appeal Authority ~~board of adjustment~~ by
752 filing a written appeal with the city recorder within thirty (30) days from the date of the city
753 engineer's decision. The Land Use Appeal Authority ~~board of adjustment~~ will give written
754 notice to the city engineer, the appellant, and all other persons requesting the same,
755 specifying the place, date and time of hearing the appeal.

756 B. Burden of Proof: The person or entity making the appeal has the burden of proving
757 that an error has been made.

758 C. Administrative Enforcement: Notices of violation seeking denial, suspension, or
759 revocation of a land disturbance permit may be challenged through the procedures in title
760 16 of this Code. (2009 Code; amd. Ord. 12-10, 4-25-2012, eff. 7-1-2012; §15-5-7, Ord. 19-
761 52, 12-11-2019, Effective at 12 noon on January 6, 2020)

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764 **15-6-1: JUDICIAL REVIEW OF ~~BOARD OF ADJUSTMENT~~ LAND USE APPEAL**
765 **AUTHORITY, CONDITIONAL USE APPEAL/REVOCAION AUTHORITY, OR CITY**
766 **COUNCIL DECISION:**

767 Any person aggrieved by any decision of the Land Use Appeal Authority~~board of~~
768 adjustment, the conditional use appeal/revocation authority (as defined in section 13-7E-9
769 of this code), or the city council (review process types III, IV, or V) may have and maintain
770 a plenary action for relief from any district court whose jurisdiction includes the city;
771 provided, that a petition for such relief is presented to the court within thirty (30) calendar
772 days after the rendering of the final decision on the matter in question, or as otherwise
773 required by law.

774 (2009 Code; amd. Ord. 19-52, 12-11-2019, Effective at 12 noon on January 6, 2020; Ord.
775 23-11, 6-14-2023)

8-2-4: UNDERGROUND UTILITIES REQUIRED:

A. Utilities to be Underground: All electrical, communications, television service cables, and similar distribution service wires and/or cables to serve properties in connection with new subdivision developments shall be placed underground at the expense of the developer, builder or property owner, regardless of whether the utilities are initially installed with the development or are in place prior to development. The developer, builder or property owner shall be responsible for complying with the requirements of this section, and shall make necessary arrangements with each of the servicing utilities for installation of such facilities. Efforts will be made by responsible persons to encourage and accommodate collocation within underground utility conduits.

B. Aboveground Components: Transformers, terminal boxes, meter cabinets, pedestals, concealed ducts, and other facilities necessarily appurtenant to such underground facilities may be placed aboveground.

C. Water and Sewer: Water and sewer distribution facilities shall be installed in conformance with the city public improvement standards, specifications and plans manual.

D. Site Plan Applications not Involving a Subdivision Application: Land use applications not involving a subdivision creation or amendment in connection with property having a frontage of four hundred feet (400') or more shall be governed by the requirements of subsection A of this section.

E. Nonapplicability to Certain Utility Lines: The provisions of this section shall not apply to low power radio service antennas, transmission lines with a capacity of sixty nine (69) kV or greater, and overhead communication long distance trunk and feeder lines.

F. Easements: Unless waived for good and sufficient cause by the planning commission, after receiving a recommendation from the city engineer, the developer shall provide easements for all public utilities (electrical power, natural gas, telephone, cable television, culinary water, irrigation water, sanitary sewer and storm sewer) which are not located within a public right-of-way. The developer, builder or property owner shall obtain from the telephone, natural gas, cable television and electrical power companies the required location for easements to serve those utilities.

G. Variance: The requirements of this section applied to any particular development application may be the subject of a preapplication variance appeal to the Land Use Appeal Authority, which variance appeal must address and provide substantial evidence of compliance with the existing variance criteria provided in this code. (2001 Code § 89-6-405; amd. 2009 Code; Ord. 12-30, 12-12-2012; Ord. 19-48, 12-11-2019, Effective at 12 noon on January 6, 2020)

10-2-1: BUILDING AND SAFETY DIVISION:

A. Building Division Inspections: The Building and Safety Division is hereby authorized to inspect or cause to be inspected all buildings and structures in the course of construction, modification, or repair.

B. Enforcement By Building And Safety Division: The Building and Safety Division shall enforce all of the provisions of this chapter, with the exception of section 10-1-7 of this title, employing all legal means available to do so. The building official is also an enforcement official and may designate any other division employee as an enforcement official.

C. Inspections: Any employee designated as an enforcement official is authorized to enter upon any property or premises to ascertain whether the provisions of the codes adopted by chapter 1 of this title; any applicable City or State codes; or any conditions imposed by the Planning Commission or Land Use Appeal Authority are being obeyed and to make any examinations and surveys as may be necessary in the performance of the employee's enforcement duties, but only consistent with law. This may include the taking of photographs, samples, or other physical evidence.

D. Owner Refusals; Warrants: All inspections, entries, examinations and surveys shall be done in a reasonable manner based upon cause. If the property owner or person responsible for the property refuses to allow the employee to enter the property, the employee may obtain and execute a search warrant. The Building and Safety Division may suspend or delay action on a building permit or other necessary approval if the person responsible for the property refuses to allow an inspection. (2001 Code § 18-2-1001; amd. 2009 Code)

13-4-4: POWERS OF DEVELOPMENT DEPARTMENT:

A. To enforce this title, the development services department or its designee shall have the power to:

1. Enter upon any property or premises to ascertain whether this title is being obeyed, if exigent circumstances or probable cause exists;
2. Make reasonably necessary examinations and surveys, including, but not limited to, taking photographs, samples or other physical evidence;
3. Obtain a search warrant if the owner, tenant or occupant refuses to allow entry;

4. Refer a violation to the code enforcement division, the police department or other city agent or employee duly authorized by the city administrator to issue citations;

5. Stop work;

6. By following the procedures in title 16 of this code, revoke any permit, plan, approval or other authorization granted by the development services department, the zoning administrator, the Land Use Appeal Authority, the planning commission, the city council, and any other city officer;

7. Withhold from or deny to the original applicant or current owner, regardless of who is responsible for the violation, any future permits, certificates or other forms of authorization;

8. Issue a future permit, certificate or other form of authorization to an original applicant or current owner, regardless of who is responsible for the violation, subject to correction of the violation;

9. Enforce this title by injunction, mandamus or abatement;

10. Commence administrative enforcement, civil or criminal actions. The city has sole discretion to decide whether to commence an administrative enforcement, civil or criminal case;

11. Seek enforcement without prior notice if delay in enforcement would seriously threaten the effective enforcement of this title or pose imminent danger to the public health, safety or welfare; and

12. Take any other action in law or equity available by state law or city ordinance.

B. The powers in this section are cumulative.

C. At the request of the development services department or its designee, the code enforcement division, the police department, the city attorney or other city agent or employee duly authorized by the city administrator shall assist in the administration of the enforcement action authorized by this chapter. (2009 Code; amd. Ord. 12-10, 4-25-2012, eff. 7-1-2012; Ord. 19-50, 12-11-2019, Effective at 12 noon on January 6, 2020)

13-4-5: VIOLATIONS:

It is a violation of this title to:

A. Use any land, building or structure for any purpose or use not allowed in the zone in which such land, building or structure is located;

B. Engage in any development, use, construction, remodeling or other activity of any nature upon the land and improvements thereon without all of the required permits, approvals, certificates and other forms of authorization required by this title or other city ordinance;

C. Fail to comply with this title or any condition imposed by the development services department, zoning administrator, Land Use Appeal Authority, planning commission, city council or other city officer;

D. Interfere in any way with enforcement action under this chapter; and

E. Fail to comply with any enforcement action under this chapter. (2001 Code § 89-7-103; amd. 2009 Code; Ord. 19-50, 12-11-2019, Effective at 12 noon on January 6, 2020)

13-4-12: ZONING ADMINISTRATOR:

A. Designation and Appointment: The development services director may designate and appoint a staff person who shall be primarily responsible for administering and enforcing the provisions in this title, and related provisions in titles 14 and 15 of this Code. Such person shall be known as the zoning administrator. The terms planning director, and/or city planner, if and where used in this Code, shall refer to the zoning administrator.

B. Powers:

1. Interpretation: The zoning administrator shall interpret this title to members of the public, city departments, and to other branches of government, subject to general and specific policies established by the planning commission and city council. Upon request, the zoning administrator shall make a written interpretation of the text of this title pursuant to subsection C of this section.

2. Administrative Duties: The zoning administrator shall accomplish, or cause to be accomplished, all administrative actions required by this title, including the giving of notice, holding of hearings, preparation of staff reports, and receiving and processing of appeals.

3. Negotiation and Advice: The zoning administrator may advise all persons making application for any project which requires approval by the planning commission or city council for the purpose of seeking compliance with the requirements of this code and best planning practices.

4. Routine and Uncontested Matters: The zoning administrator may decide routine and uncontested matters that would normally be heard by the Land Use Appeal Authority or planning commission. In doing so, the planning commission and Land Use Appeal

Authority may establish guidelines for the zoning administrator to comply with in making such decisions.

5. Determination for Uses not Listed: The zoning administrator may make determination as to the classification of uses not specifically listed in this title.

a. An application requesting such determination shall be filed with the zoning administrator. The application shall include a detailed description of the use and other such information as may be required.

b. The zoning administrator shall make such investigations as are deemed necessary to compare the nature and characteristics of the proposed use with those of uses specifically listed in this title and shall make a determination of its classification based on his investigations. The determination shall state the zone classification(s) in which the use will be allowed and whether the use will be a permitted use or a conditional use in the zone(s).

c. The determination and all information pertaining to it shall be assigned a file number classifying it as an administrative determination and shall become a permanent public record in the office of the planning and zoning division, of the development services department.

6. Administrative Relief: The zoning administrator may allow limited relief from the application of certain standards required by this title. This relief shall be limited to the following:

a. Up to a ten percent (10%) decrease of the code requirement for brick or other architectural exterior materials in the district in which the subject property is located.

b. Up to a five percent (5%) decrease or increase in the off street parking requirements in the zoning district in which the subject property is located.

c. Up to a five percent (5%) increase in lot coverage or height by a structure, provided such increase does not result in an increase in approved density, will not result in the decrease in area of any existing parcel or lot, and will not result in reduction of required yard setbacks.

d. Up to a five percent (5%) decrease in the required area of a residential dwelling.

e. The substitution of landscape screening for fencing requirements provided the purpose and intent of the requirement is met and all property owners adjacent to where a fence is ordinarily required consent to the substitution.

f. Up to a ten percent (10%) reduction in the required side yard or back yard setback for accessory structures over ten feet (10') in height.

g. Up to a twenty percent (20%) reduction in planting area widths or landscape buffer area widths. Additional landscaping shall be added to the site to compensate for any approved reduction in buffer and planting area widths. In the case of residential buffer width reductions, additional trees within the residential buffer area may be required, up to the amount of trees required for the original buffer width.

h. An allowed modification of overall landscaping requirements if the proposed modification constitutes an innovative overall landscaping design which is superior to the landscaping that would result from strict application of chapter 13 of this title.

i. Up to a sixty (60) day extension of the twelve (12) month limit based on a developer demonstrating that a project is "under construction" within twelve (12) months of receiving a successful bid under the balanced housing criteria outlined in subsection 13-8-23C of this title.

7. Findings Necessary to Grant Administrative Relief: Prior to granting administrative relief, the zoning administrator shall find in writing that all of the following conditions exist for each application for relief:

a. The strict application of the regulation in question is unreasonable or the interpretation is difficult given the development proposal or the measures proposed by the applicant;

b. The intent of the zoning ordinance regulation in question is preserved; and

c. The granting of the administrative relief will not result in an adverse impact on surrounding properties.

8. Uncertainties: Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map, or in case any other uncertainty exists, the location of zone boundaries shall be determined by the zoning administrator, subject to appeal as provided in this title.

C. Interpretation:

1. Written Interpretation: This section sets out procedures for formally interpreting the text of this title.

2. Application: An application for an interpretation request shall be submitted to the zoning administrator in a form established by the zoning administrator, along with any applicable fee to cover the cost of processing the application. No application shall be processed until the application is complete and the required fee has been paid.

3. Action by the Zoning Administrator: Within ten (10) days after the request for interpretation has been submitted, the zoning administrator shall review and evaluate the request in light of the text of this title, the official zoning map, the general plan, other

relevant interpretations of this title and any other relevant documents; and render a written opinion.

4. Form: The interpretation shall be provided to the applicant and shall be filed in the official record of interpretations.

5. Official Record: The zoning administrator shall maintain an official record of opinions interpreting this title. The record of interpretations shall be a public record and shall be available for public inspection in the office of the zoning administrator during normal business hours. (Ord. 10-09, 2-24-2010; amd. Ord. 11-35, 11-22-2011; Ord. 13-07, 3-13-2013; Ord. 14-31, 10-22-2014; Ord. 19-50, 12-11-2019, Effective at 12 noon on January 6, 2020; Ord. 21-41, 12-15-2021)

13-5B-6: RESIDENTIAL EXTERIOR MATERIALS AND DESIGN:

A. Applicability:

1. This section applies to any new dwelling constructed within a subdivision or on a parcel that received: (a) final approval from the city after May 5, 2021; and (b) is located within a zone that resulted in an increase in density from the previous zone or is subject to provisions outlined in a development agreement.

2. This section does not apply to a dwelling that is constructed within a subdivision or on a parcel that received final approval from the city prior to May 5, 2021 and is not subject to provisions outlined in a development agreement.

B. Exterior Masonry Required: As applicable, the minimum area (A) of brick or stone required (measured in square feet) shall be determined by multiplying the outside perimeter (P) of the foundation (measured in feet), including the garage, by two feet (2') ($P \times 2 = A$).

C. Exception To Masonry Requirement: In order to encourage a variety of architectural design in residential construction, the requirement for exterior masonry may be modified if not less than four (4) of the following architectural features are combined in a design to create an overall architectural style for a residential building:

1. Gabled, gambrel or hipped roof with a pitch of not less than six to twelve (6:12) and heavy architectural shingles or tile.

2. Cornices.

3. 6/6 or 12/12 double hung windows with shutters.

4. Portico, sidelights and fan light.

5. Pediment entry with transom window.
6. Dormers.
7. Towers with conical roof.
8. Scallops or sunbursts.
9. Attached gazebos integrated into the front porch.
10. Front porches not less than six feet (6') in width with an integrated decorative railing.

D. Approval Of Alternate Exterior Materials: If it is determined that an architectural style has been established using the features described above, City planning staff may either:

1. Approve the use of clapboard, hardiboard or similar siding of not less than six inches (6") in height, with corner boards on one hundred percent (100%) of the exterior of the building (no aluminum or vinyl siding shall be permitted); or
2. Reduce the square footage or percentage of required brick, stone or stucco.

E Appeal: A housing design meeting the requirements of this section should have an easily identifiable architectural style, whether that style be Victorian, colonial, bungalow, Cape Cod, Tudor, etc. The planning staff shall determine whether this has been accomplished. If it is determined by staff that a proposed design does not establish an identifiable architectural style, the applicant shall be required to meet the brick requirement in subsection A of this section. If the applicant wishes to appeal the decision of planning staff, the appeal shall first be heard by the Zoning Administrator and, if further appeal is made, then the Land Use Appeal Authority. (2001 Code § 89-3-306; amd. 2009 Code; Ord. 11-35, 11-22-2011; Ord. 21-32, 11-16-2021)

13-6A-3: OFFICIAL AIRPORT OVERLAY MAP:

A. Lands to Which the Zones Apply: The airport overlay zones shall be applied to all land within the airport overlay zone designated on the zoning map, as periodically amended.

B. Establishment of Official Airport Overlay Map: The official airport overlay map, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this title. The official airport overlay map is based on the airport area of influence as established by Salt Lake City Corporation, owner of the Salt Lake City Municipal 2 Airport, in conjunction with the federal aviation administration, and shall be on file in the offices of the city recorder and the development services department.

C. Rules for Interpretation of Airport Overlay Boundaries: Boundaries of airport overlay zones shall be determined by scaling distances on the official airport

overlay map. Where interpretation is needed as to exact location of airport overlay zone boundaries, the zoning administrator shall make the necessary interpretation, subject to appeal to the Land Use Appeal Authority as provided in this title.

D. Warning and Disclaimer of Liability: This article does not imply that areas outside the airport overlay boundaries or land uses permitted within the overlay zones will be free from noise or hazards related to airport activities. Therefore, this article shall not create liability on the part of the city or its officers or employees for any damages that result from reliance on this article, or any administrative decision made under this article. (2001 Code § 89-4-103; amd. 2009 Code; Ord. 19-50, 12-11-2019, Effective at 12 noon on January 6, 2020)

13-6E-4: OFFICIAL FLOODPLAIN OVERLAY MAP:

A. Lands to Which the F-P Zone Applies: The F-P zone shall be applied to all lands within the jurisdiction of the city shown on the FIRM maps as being located within the boundaries of an area of special flood hazard.

B. Adoption of Official Floodplain Overlay Maps: The FIRM maps and all explanatory matter thereon, on file in the offices of the city recorder and the development services department, and any revisions thereto, are hereby adopted by reference as the official floodplain overlay maps for the city and declared to be a part of this article.

C. Rules for Interpretation of Floodplain Boundaries: Scaling distances on the official floodplain map shall determine the boundaries of the floodplain. When interpretation is needed as to the exact location of the boundaries of the floodplain (for example, where a conflict exists between a mapped boundary and actual field conditions) the zoning administrator shall make the necessary interpretation, subject to appeal to the Land Use Appeal Authority as provided in this code. The Land Use Appeal Authority shall use the floodplain information reports as a guide in interpreting boundaries. (2001 Code § 89-4-604; amd. 2009 Code; Ord. 10-07, 2-2-2010; Ord. 19-50, 12-11-2019, Effective at 12 noon on January 6, 2020)

13-6E-10: VARIANCES IN F-P ZONES:

A. The Land Use Appeal Authority shall hear and render judgments on requests for variances from the requirements of this title.

B. The Land Use Appeal Authority shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the city engineer in the enforcement or administration of this article.

C. Any person or persons aggrieved by the decision of the Land Use Appeal Authority with respect to an F-P zone, may appeal such decision to the district court on the record developed by the Land Use Appeal Authority, and not de novo.

D. The city engineer shall maintain a record of all actions involving an appeal and shall report variances to the state and/or federal emergency management agency upon request.

E. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the national register of historic places or on the state's corollary listing, without regard to the procedures set forth in the remainder of this section.

F. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half (1/2) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in subsection 13-6E-7B7 of this article have been fully considered. As the lot size increases beyond the one-half (1/2) acre, the technical justification required for issuing the variance increases.

G. Upon consideration of the factors noted above and the intent of this article, the Land Use Appeal Authority may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this article.

H. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

I. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

J. Prerequisites for granting variances:

1. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

2. Variances shall only be issued upon:

a. Showing a good and sufficient cause;

b. A determination that failure to grant the variance would result in exceptional hardship to the applicant, and

c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with other provisions of this code or state or federal law.

3. Any application to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

K. Variances may be allowed by the Land Use Appeal Authority for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:

1. The floodplain development variance criteria provided in this title are met, and

2. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety. (Ord. 10-07, 2-2-2010; amd. Ord. 19-50, 12-11-2019, Effective at 12 noon on January 6, 2020)

13-7G-1: DECISION MAKING BODY:

Petitions for variances shall be reviewed and a final decision made by the Land Use Appeal Authority at a public hearing. The Land Use Appeal Authority may approve, approve with conditions, or deny a variance request. (2001 Code § 89-5-406)

13-7G-3: VARIANCE CRITERIA:

Before approving a request for variance, except in connection with variance requests in an F-P zone (see section 13-6E-10 of this title), the Land Use Appeal Authority shall make the following findings:

A. Literal enforcement of this title would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of this title. The Land Use Appeal Authority shall not find an unreasonable hardship if the hardship is self-imposed or economic. To determine whether or not enforcement of this title would cause unreasonable hardship, the Land Use Appeal Authority shall not find unreasonable hardship unless the alleged hardship:

1. Is located on or associated with the property for which the variance is sought; and

2. Comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood;

B. There are special circumstances attached to the property that do not generally apply to other properties in the same district and relate directly to the hardship complained of;

C. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same district;

D. The variance will not substantially affect the general plan and will not be contrary to the public interest; and

E. The spirit of this title is observed and substantial justice done. (2001 Code § 89-5-406; amd. Ord. 10-07, 2-2-2010)

13-7G-6: USE VARIANCES:

Neither the Land Use Appeal Authority nor any other body may grant use variances. (2001 Code § 89-5-406)

13-7G-7: CONDITIONS:

In granting a variance, the Land Use Appeal Authority may impose additional conditions on the applicant that will:

A. Mitigate any harmful effects of the variance; or

B. Serve the purpose of the standard or requirement that is waived or modified. (2001 Code § 89-5-406)

13-9-2: NONCONFORMING USES:

A. Continuation: A nonconforming use of any conforming structure, or a nonconforming use of a nonconforming structure, may be continued as provided in this chapter. A nonconforming use may be extended through the same structure, provided no structural alteration of the structure is made for the purpose of the extension. If a nonconforming use is discontinued for a continuous period of more than one year, any future use of such structure shall conform to the provisions of the zone in which it is located.

B. Maintenance And Repair: Any structure that is part of a nonconforming use protected under this chapter may be repaired or altered on the same terms set forth for nonconforming structures under section 13-9-3 of this chapter.

C. Enlargement And Expansion: A nonconforming use may be expanded within the floor area of an existing, conforming building or within an expanded conforming building, subject to the limitations set forth in this section. In any agricultural or residential zone, such expansion shall be permitted into an area equal to the original floor area of the nonconforming use, subject to the following requirements:

1. No new dwelling units shall be created.
2. Off street parking and loading required to serve the expansion area shall be provided.

3. The Land Use Appeal Authority shall review any expansion of a nonconforming use that is greater than twenty five percent of the original floor area. Before approving such expansion, the Land Use Appeal Authority shall find that the expansion is compatible with the neighborhood and not detrimental to the community, as determined by the effect of the expansion on traffic, value of adjacent and nearby properties, and the availability of adequate public facilities and services.

D. Nonconforming Use Of Open Land: A nonconforming use of open land may be continued, provided such nonconforming use shall not be expanded or extended into any other portion of a conforming building or open land, and no structures, additions, alterations or enlargements thereto shall be made, except those required by law. If such nonconforming use is discontinued for a continuous period of more than one year, any future use of the land shall conform to the provisions of the zone in which it is located.

E. Expansion Of Outdoor Nonconforming Uses: A nonconforming use of a lot where the principal use is not enclosed within a building, such as a salvage yard or a motor vehicle sales lot, shall not be expanded, except in conformity with the requirements of this title.

F. Nonconforming Residential And Agricultural Uses And Structures In Nonresidential Zones: Notwithstanding any provisions of this chapter to the contrary, an application for a building permit to construct or repair an accessory building or repair a primary residential structure, located on a lot which is within a nonresidential zone may be approved if the structure meets applicable building codes; the lot on which the structure is located has historically been used for agricultural or residential purposes; and the subject structure and use therein, whether defined as "primary" or "accessory", is in conformity with similar structures and uses normally conducted within the residential or agricultural zones. The proposed structure shall conform to the height, size, setback and other requirements established for agricultural or residential zones as though such requirements were actually incorporated within the zone in which the structure is located.

G. Change In Use: A nonconforming use may be changed to a new use; provided, that the new use shall be of the same general character or of a character less intensive (and thus more closely conforming) than the existing, nonconforming use. The initial determination of whether a proposed use is a conforming use or is less intense shall be made by the zoning administrator. A nonconforming use, if changed to a conforming use or less intensive nonconforming use, shall not thereafter be changed back to a less conforming use than that to which it was changed. (2001 Code § 89-6-202)

13-9-3: NONCONFORMING STRUCTURES:

A. Continuation: A nonconforming structure in any zone may be continued for the period prescribed in this chapter, provided no additions or enlargements are made thereto and no structural alterations are made therein, except those required by law. If any such nonconforming structure is removed, every future use of the lot on which the structure was located shall conform to the provisions of this title.

B. Maintenance And Repair: Remodeling of a nonconforming structure within the existing footprint thereof shall be permitted without a variance.

C. Enlargement And Expansion: Any expansion of a nonconforming structure that increases the degree of nonconformance is prohibited, except as provided in this section. Other expansions shall be permitted and shall not require a variance.

1. The initial determination of whether a proposed expansion increases the degree of nonconformity shall be made by the zoning administrator.

2. A structure which is nonconforming as to height, area or yard regulations may be added to or enlarged upon authorization by the Land Use Appeal Authority; provided, that the Land Use Appeal Authority, after a hearing, finds the expansion to be compatible with the neighborhood and not detrimental to the community, as determined by the effect of the expansion on traffic, value of adjacent and nearby properties, and the availability of adequate public facilities and services.

D. Relocation: If a nonconforming structure is relocated within the city, it shall be placed only in a location where it fully conforms to the requirements of this title.

E. Restoration: Any nonconforming structure that is damaged to the extent of fifty percent (50%) or less of its fair market value by fire, wind, tornado, earthquake, or other natural disaster, may be restored and the use of such building may be continued. The structure shall not be rebuilt closer to the property line than the original structure or the applicable setback lines, whichever is closer. Any structure that is damaged to the extent of

more than fifty percent (50%) of its fair market value shall not be rebuilt, repaired or used unless it conforms to all applicable requirements of this title.

F. **Unsafe Structures:** Nothing in this section shall be construed to permit the continuing use of a structure found to be in violation of basic life safety or health codes of the city. The right to continue use of a nonconforming structure shall be subject to all applicable housing, building, health, and other life safety codes of the city. (2001 Code § 89-6-203)

13-9-4: NONCONFORMING LOTS:

A. **Continuation:** Lots or parcels of land that legally existed prior to adoption of this title shall not be denied a building permit solely for reason of nonconformance with the lot requirements of this title.

B. **Vacant Lot:** If the lot was vacant on the effective date hereof, then the lot may be used as permitted by the zone in which the lot is located; provided, that such use shall comply with applicable dimensional requirements of this title. The owner may seek a variance from such requirements from the Land Use Appeal Authority.

C. **Lot With Building Or Structure:** If a lot contains a structure on the effective date hereof, then the owner may continue the then existing use of such structure and may expand the structure in any way that does not increase the degree of nonconformity. An increase in building size shall not be deemed to increase the degree of nonconformity unless it increases the encroachment on a required setback. Remodeling of a structure within an existing footprint or expansion in compliance with this section shall not require a variance, but shall be reviewed by the zoning administrator as though the lot were conforming.

D. **Lot Merger:** If a lot is smaller than required by this title and such lot is at any time after the effective date hereof under common ownership with an adjacent lot, then the two (2) shall be considered merged for purposes of this title and shall in the future be considered together for purposes of determining compliance. If merged lots contain sufficient area for a use, then they shall be deemed fully conforming. If merged lots together do not contain sufficient area for a use, they shall nonetheless be considered together for purposes of reducing the degree of nonconformity. When a nonconforming lot has been merged with another lot, such lot shall not again be used separately, unless they are subdivided in accordance with the provisions of this title.

E. **Nonconforming Lots Created By Public Action:** When lot area or setbacks are reduced as a result of conveyance to a federal, state or local government for a public purpose and the remaining area is at least seventy five percent (75%) of the required minimum lot size in

the zone where it is located, the lot shall be deemed to be in compliance with the minimum lot size and setback standards of this title without resort to the Land Use Appeal Authority. See section 13-8-10 of this title for related provisions. (2001 Code § 89-6-204)

13-9-10: EXTENSION OF TIME FOR RECOVERY OF INVESTMENT:

A. Reason For Extension: The zoning administrator may grant an extension of the time limits set forth in this chapter if the owner of a nonconforming lot, structure or use demonstrates that before such time limit expires he will be unlikely to recover or amortize the amount of his investment, if any, in the nonconforming lot, structure or use.

B. Written Request For Extension Required: In order to secure an extension of time, a property owner shall submit to the zoning administrator a written request for an extension forty five (45) calendar days prior to the expiration of the applicable time limit set forth in this chapter.

C. Required Information: The following information shall accompany an extension request:

1. The amount of the owner's investment in the lot, structure or use from the time it became nonconforming.
2. The amount of such investment that has been realized to date and an estimate of the amounts that will be realized on the date the time limit expires.
3. Evidence of any lease or purchase obligations undertaken in reliance on any previously issued licenses or permits applying to the lot, structure or use, including any contingency clauses in the license or permit permitting termination of such lease.

D. Appeal: Any person aggrieved by a decision of the zoning administrator may appeal such decision to the Land Use Appeal Authority. (2001 Code § 89-6-211)

14-6-4: TYPES OF VIOLATIONS:

It is a violation of this title to:

- A. Use any land, building or structure for any purpose or use not allowed in the zone in which such land, building and structure is located;

B. To engage in any subdivision of land and improvements thereon without all of the required permits, approvals, certificates and other forms of authorization required by this title or other city ordinance;

C. Fail to comply with this title or any condition imposed by the development services department, zoning administrator, Land Use Appeal Authority, planning commission, city council, or other duly authorized city officer.

D. Interfere in any way with enforcement action under this chapter.

E. Fail to comply with any enforcement action under this chapter. (2001 Code § 87-8-103; amd. 2009 Code; Ord. 19-51, 12-11-2019, Effective at 12 noon on January 6, 2020)

15-2-1: CLASSIFICATION OF REVIEW PROCESS TYPES:

A. Authority of Zoning Administrator: If not otherwise specified by this code, the zoning administrator shall determine the proper review process type classification, as described below, for all development permit applications. If there is a question as to the appropriate review process type classification, the zoning administrator shall resolve it in favor of the higher classification number.

B. Applicant Choice Between Individual or Concurrent Processing of Applications: An applicant whose application involves two (2) or more review process types may choose to process these parts concurrently under the highest numbered classification required for any part of the application, or may choose to process the parts individually under each of the classifications identified in this title. If the application is processed under the individual procedure option, the highest numbered classification must be processed prior to any lower numbered review. For any action requiring a legislative decision, including a change in the general plan (review process type IV), the legislative decision must be made prior to processing another land use permit application (review process types I through III)
Exception: fee appeals (type V).

C. Concurrent Type III Applications: Review process type III applications processed concurrently in accordance with subsection B of this section shall be heard and decided by the Land Use Appeal Authority.

D. City Council Decision Priority: In applying this section and elsewhere in this title, the city council is the highest ranking review process type classification, while an administrative decision is the lowest ranked review process type classification. (2009 Code; amd. Ord. 19-52, 12-11-2019, Effective at 12 noon on January 6, 2020)

15-2-4: REVIEW PROCESS TYPE III; LAND USE APPEAL AUTHORITY:

The zoning administrator may initially review and recommend a decision to the Land Use Appeal Authority for the following applications:

- A. Request for a variance from the terms of the land use ordinances;
- B. Expansion of a nonconforming structure;
- C. Appeals of property development and zoning code interpretations by a city designee;
and
- D. Appeals from administrative decisions and planning commission decisions applying the land use ordinances and regulations. (2009 Code; § 15-2-3 amd. Ord. 19-52, 12-11-2019, Effective at 12 noon on January 6, 2020)

15-3-9: PUBLIC HEARING REQUIRED:

A. Public Hearing Defined: For purposes of this title, "public hearing" shall mean any special meeting, either required by law or deemed necessary by the city council, planning commission, Land Use Appeal Authority or zoning administrator, for which public notice is required to solicit public input on matters under discussion. Notices of public hearings required by this title before the city council, planning commission, Land Use Appeal Authority or zoning administrator shall be given in a manner as set forth in section 15-3-10 of this chapter.

B. Public Hearing Required: Utah Code Annotated title 10, chapter 9a, requires certain applications to go through a public hearing prior to any decision being made by the city. Those applications include, but are not limited to, the following:

1. General plan adoption and amendments;
2. Land use ordinance adoption and amendments;
3. Vacation, alteration or amendment of a public right of way;
4. Preliminary subdivisions and amendments;
5. Preliminary plats for multi-family, commercial or industrial developments;
6. Variances;
7. Conditional use permits. (2009 Code § 15-3-8; amd. Ord. 10-09, 2-24-2010)

15-3-10: PUBLIC HEARING NOTICE REQUIREMENTS:

A. Public Hearing Notice Standards: All public notices shall follow the standards found below, unless otherwise stated in this section:

1. Notice Time and Scope: At least ten (10) days prior to the date of the public hearing, a notice of the hearing may be mailed to all property owners within three hundred feet (300') of the subject property; provided, that the notice for variances shall be to all property owners within one hundred feet (100'). The list of property owners shall be compiled from the most current assessment rolls prepared by the Salt Lake County assessor. Notice of public hearing shall be sent to property owners by mail for city initiated amendments to the zoning map.

2. Content of Public Hearing Notice: All notices of public hearings shall begin with the heading "Notice Of Public Hearing" in bold type at the top of the sheet, shall provide a brief explanation of the purpose of the hearing, the location of the subject property and shall indicate the date, time and location of the public hearing. If specific property or properties are the subject of the application, the address of such property shall also be included in the notice.

3. Notice to Neighboring Property Owners is Courtesy: Public hearing notices mailed to neighboring property owners of a proposed action is a courtesy notice, and any defect in or failure to receive such a courtesy notice shall not affect or invalidate any public hearing or action by the city council or any board, administrator or commission.

B. Notice of Public Hearings and Public Meetings for Amendments to Text of General Plan or Zoning Ordinance: Prior to conducting any public meeting before either the planning commission or city council relating to adopting, amending or repealing any part of the general plan or zoning ordinance, the following notice shall be provided:

1. Posted Notice: A notice of public meeting shall be posted in at least three (3) public places in the city or on the city website at least ten (10) days prior to the date of the public hearing.

2. Published Notice: A notice of public meeting shall be published on the state notice website pursuant to Utah code section 45-1-101 at least ten (10) days prior to the date of the public hearing.

C. Notice of Public Hearings and Public Meetings for Amendments to General Plan Land Use Map or Zoning Map: Notice of a public meeting to review amendments to the general plan land use map or zoning map shall be provided as follows:

1. Planning Commission: Ten (10) days prior to the date of a planning commission public meeting, a notice may be mailed to all property owners within three hundred feet (300') of the subject property. The list of property owners shall be compiled from the most current assessment rolls prepared by the Salt Lake County assessor.

2. City Council: Prior to holding a public meeting relating to an amendment to the general plan land use map or zoning map, a notice:

a. Shall be posted in at least three (3) public places in the city at least ten (10) days prior to the date of the public hearing;

b. Shall be published on the state notice website pursuant to Utah code section 45-1-101 at least ten (10) days prior to the date of the public hearing; and

c. May be mailed to all property owners, as shown on the most current assessment rolls prepared by the Salt Lake County assessor, within three hundred feet (300') of the subject property.

D. Vacating or Amending Subdivision Plat: Review, public hearings and public notice of applications requesting amendments to, or vacation of, all or part of a subdivision plat shall be consistent with Utah Code Annotated sections 10-9a-207 and 10-9a-608.

E. Additional Notice: This section is not intended to preclude the giving of additional notice that may be deemed necessary by the planning commission, Land Use Appeal Authority or city council. Each review body may have its own bylaws, rules, policies and procedures and these could provide additional noticing procedures not inconsistent with this title.

F. Challenge to Notice: If notice given under authority of this section is not challenged as provided by state law within thirty (30) days from the date of the meeting for which notice was given, the notice is considered adequate and proper. Failure of a property owner to receive mailed notice as provided in this section shall not invalidate any hearing or action taken pursuant thereto; provided, that the procedures in this chapter were followed. (2009 Code § 15-3-9; amd. Ord. 10-09, 2-24-2010; Ord. 11-30, 9-28-2011; Ord. 19-52, 12-11-2019, Effective at 12 noon on January 6, 2020; Ord. 21-17, 5-26-2021)

15-5-1: GENERAL PROVISIONS:

A. Application: An application specifying the reasons for an appeal shall be submitted in writing to the community development department within fifteen (15) calendar days following the administrative decision, along with any applicable fee required by the

consolidated fee schedule. No application shall be processed until the application is complete and the required fee has been paid.

B. Hearing Procedures: Hearing procedures shall be as set forth in the bylaws, rules, policies, and/or procedures as may be adopted from time to time by the city council, mayor and/or Land Use Appeal Authority.

C. Document Filing: All written documents and evidence from the applicant shall be received by the community development department at least fifteen (15) calendar days in advance of the public hearing.

D. Staff Report: Any staff reports shall be available at least five (5) calendar days prior to the hearing.

E. Burden of Proof ("Error Standard"); and Scope of Review ("On the Record"): The person making the appeal has the burden of proving that an error has been made and shall present every theory of relief that the person could raise in district court. The appeal shall be "on the record", not "de novo".

F. Standard of Review: The standard of review is the substantial evidence standard.

G. Appeal Authority: Appeals shall not be used to waive or modify the terms or requirements of this title.

(2009 Code; amd. Ord. 19-52, 12-11-2019, Effective at 12 noon on January 6, 2020; Ord. 23-11, 6-14-2023)

15-5-3: APPEALS TO LAND USE APPEAL AUTHORITY:

A. Right of Appeal: Appeals to the Land Use Appeal Authority may be taken by any person aggrieved by any administrative decision or action of city staff or the planning commission on matters pertaining to the interpretation and application of titles 5, 8 through 15 inclusive, or 17 of this code. The Land Use Appeal Authority does not hear appeals on fees or any conditional use decision.

1. The appeal shall be filed within fifteen (15) calendar days following the decision at issue; and

2. The person filing the appeal shall file written notice with community development department specifying the reasons for the appeal. The community development staff shall, without delay, transmit to the Land Use Appeal Authority all documents and records constituting the record upon which the action appealed from is taken.

B. Land Use Decisions: Unless otherwise set forth in this code, land use decisions applying to titles 5, 8 through 15 inclusive, or 17 of this code may be appealed to the Land Use Appeal Authority.

1. A person may not appeal, and the Land Use Appeal Authority may not consider, any land use ordinance amendments, zoning map amendments, future land use map amendments, or general plan amendments; and

2. Appeals may not be used to waive or modify the terms or requirements of this code.

C. Burden of Proof ("Error Standard"); and Scope of Review ("On the Record"): The person making the appeal has the burden of proving that an error has been made and shall present every theory of relief that the person could raise in district court. The appeal shall be "on the record", not "de novo", if the decision by the planning commission or the zoning administrator was based upon substantial evidence in the record; otherwise, the appeal shall be "de novo".

D. Standard of Review: The standard of review is the substantial evidence standard.

E. Stay of Proceedings: An appeal to the Land Use Appeal Authority stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Land Use Appeal Authority after the notice of appeal has been filed that, by reason of facts stated in the certification, a stay would, in the officer's opinion, cause imminent peril to life or property. In such case proceedings shall not be stayed except by a restraining order granted by the district court on application and notice and on due cause shown.

F. Time and Notice of Hearing: The Land Use Appeal Authority shall fix a reasonable time for the hearing of the appeal, give public notice of the appeal as well as notice to the parties in interest, and shall decide the appeal within a reasonable time. Upon the hearing, a party may appear in person or by agent or by attorney.

G. Reverse of Decision: The Land Use Appeal Authority, according to its own rules, may reverse any order, requirement, or determination of an administrative officer and may decide in favor of the appellant.

H. Other Possible Action: The Land Use Appeal Authority, after reviewing the decision of city staff or the planning commission, may affirm, reverse, alter, or postpone any determination until further study can be conducted. This may include referring the matter back to city staff or the planning commission for additional review.

I. Variances: Hearing and deciding requests for variances from the terms of titles 5, 8 through 15 inclusive, or 17 of this code, shall be as described in title 13, chapter 7, article G of this code, or successor provisions.

J. Creation of Record: The Land Use Appeal Authority shall develop a detailed record with appropriate records, findings, and conclusions as part of the final order.

(2009 Code; §15-5-4, amd. Ord. 19-52, 12-11-2019, Effective at 12 noon on January 6, 2020; Ord. 21-11, 3-24-2021; Ord. 23-11, 6-14-2023)

15-5-5: APPEAL OF LAND DISTURBANCE PERMIT DECISION:

A. Right of Appeal: Any person aggrieved of a final determination of the city engineer in the issuance, denial, suspension, or revocation of a land disturbance permit may appeal such decision of the city engineer to the Land Use Appeal Authority by filing a written appeal with the city recorder within thirty (30) days from the date of the city engineer's decision. The Land Use Appeal Authority will give written notice to the city engineer, the appellant, and all other persons requesting the same, specifying the place, date and time of hearing the appeal.

B. Burden of Proof: The person or entity making the appeal has the burden of proving that an error has been made.

C. Administrative Enforcement: Notices of violation seeking denial, suspension, or revocation of a land disturbance permit may be challenged through the procedures in title 16 of this Code. (2009 Code; amd. Ord. 12-10, 4-25-2012, eff. 7-1-2012; §15-5-7, Ord. 19-52, 12-11-2019, Effective at 12 noon on January 6, 2020)

15-6-1: JUDICIAL REVIEW OF LAND USE APPEAL AUTHORITY, CONDITIONAL USE APPEAL/REVOCAION AUTHORITY, OR CITY COUNCIL DECISION:

Any person aggrieved by any decision of the Land Use Appeal Authority, the conditional use appeal/revocation authority (as defined in section 13-7E-9 of this code), or the city council (review process types III, IV, or V) may have and maintain a plenary action for relief from any district court whose jurisdiction includes the city; provided, that a petition for such relief is presented to the court within thirty (30) calendar days after the rendering of the final decision on the matter in question, or as otherwise required by law.

(2009 Code; amd. Ord. 19-52, 12-11-2019, Effective at 12 noon on January 6, 2020; Ord. 23-11, 6-14-2023)











Ordinance No. 24-58 City Code Text Amendment for Land Use Appeal Authority

Final Audit Report

2024-12-23


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