

THE CITY OF WEST JORDAN, UTAH

ORDINANCE NO. 21-18

**AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY
CODE (ACCESSORY DWELLING UNITS FOR SINGLE FAMILY
DWELLINGS IN RESIDENTIAL ZONES)**

WHEREAS, the City of West Jordan (“City”) adopted West Jordan City Code (“City Code”) in 2009; and

WHEREAS, titles 5, 8, 9, 10, 11, 12, 13, 14, and 15 of the City Code have been adopted as “Land Use Regulations”, as defined by Utah Code Ann. Subsection 10-9a-103(32) or successor provisions; and

WHEREAS, the City desires to amend and repeal certain sections of the City Code, which have been adopted as Land Use Regulations (“proposed City Code amendments”); and

WHEREAS, the Planning Commission of the City (“Planning Commission”) held a public hearing(s) on August 18, 2020 regarding the proposed City Code amendments and forwarded a positive recommendation to the City Council of the City (“City Council”) on May 18, 2021 regarding the proposed code amendments; and

WHEREAS, after reviewing the Planning Commission’s recommendation, and after the City Council held its own public hearing on June 9, 2021 regarding the proposed City Code amendments, the City Council finds it to be in the best interest of the public health, safety, and welfare to adopt the following amendments to the City Code.

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

Section 1. Enacting and Amendment. City Code Section 13-5B-8, a land use regulation section, is hereby enacted, as shown on Attachment 1 to this Ordinance; and City Code Sections 13-5B-2 and 13-5C-4, as well as Subsections A and B of Section 13-5J-4, all land use regulation sections, are hereby amended, so that they shall now read as shown on Attachment 1 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 either (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 him.

(Continued on the following pages)

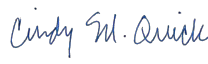

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS 9TH DAY OF JUNE 2021.

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 Kelvin Green	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Chad R. Lamb	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Christopher McConnehey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member David Pack	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Kayleen Whitelock	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council Member Melissa Worthen	<input checked="" type="checkbox"/>	<input type="checkbox"/>



PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON Jun 14, 2021.

Mayor's Action: X Approve Veto

By: 
Mayor Dirk Burton

Jun 14, 2021
Date

ATTEST:



Tangee Sloan
City Recorder

STATEMENT OF APPROVAL OE PASSAGE (check one)

The Mayor approved and signed Ordinance No. 21-18.

The Mayor vetoed Ordinance No. 21-18 on _____ and the City Council timely overrode the veto of the Mayor by a vote of _____ to _____.

Ordinance No. 21-18 became effective by operation of law without the Mayor's approval or disapproval.

Tangee Sloan
City Recorder



CERTIFICATE OF PUBLICATION

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that the foregoing ordinance was published in the Legal Section, of the Salt Lake Tribune, on the _____ day of _____, 2021 pursuant to Utah Code Annotated, 10-3-711.

Tangee Sloan
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 15th day of June, 2021. 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
City Recorder

(Attachment on the following page)

Attachment 1

[Attachment to ORDINANCE NO. 21-18 AN ORDINANCE AMENDING THE 2009 WEST JORDAN CITY CODE (ACCESSORY DWELLING UNITS FOR SINGLE FAMILY DWELLINGS IN RESIDENTIAL ZONES)]

Legislative Version:

[Residential Zones]

13-5B-2: PERMITTED AND CONDITIONAL USES:

Uses allowed in residential zones are listed in the table below. Those uses identified as "permitted" (P) are allowed by right; provided, that they comply with all other requirements of this article and all other applicable requirements of this title. Uses identified as "conditional" (C) must be approved by the planning commission pursuant to the standards and procedures for conditional uses set forth in chapter 7, article E of this title and title 15 of this code and comply with all other applicable requirements of this title. Uses identified as "administrative conditional uses" (AC) shall be approved by the zoning administrator pursuant to the standards set forth in chapter 7, article E of this title, except that the public hearing shall be conducted by the zoning administrator and shall comply with title 15 of this code and all other applicable requirements of this title. Uses not specifically listed in this section shall not be allowed in residential zones.

Legend:						
P = Permitted use						
C = Conditional use						
AC = Administrative conditional use						
Use	R-1	R-2	R-3	R-R	R-E	R-M
Accessory Dwelling Unit External ¹	P			P	P	
Accessory Dwelling Unit Internal ¹	P			P	P	
Active and independent adult community		C	P			C
Adult daycare, general			C			
Adult daycare, limited	AC	AC	AC	AC	AC	AC
Assisted living facility		C	C			
Building moved from another site (see section 13-8-12 of this title)	C	C	C	C	C	C
Church/place of worship	C	C	C	C	C	C
Continuing care retirement facility/ community		C	C			
Convalescent care facility		C	C			
Dwelling, multi-family			P			

Dwelling, single-family	P	P	P	P	P	P
Dwelling, two-family		P	P			
Golf course	C	C	C	C	C	C
Group home, large			C			
Group home, small	P	P	P	P	P	P
Household pets, subject to regulations of animals in title 6, chapter 3 of this code, or successor ordinance	P	P	P	P	P	P
Large scale public utilities	C	C	C	C	C	C
Manufactured/modular home ²	P	P	P	P	P	P
Mass transit railway system	P	P	P	P	P	P
Mental health care facility for elderly persons		C	C			
Mobile home						P
Mobile home park						C
Model home	P	P	P	P	P	P
Nursing home		C	C			
Public park	P	P	P	P	P	P
Residential substance abuse treatment home, large			C			
Residential substance abuse treatment home, small			AC			
Schools, K - 12	C	C	C	C	C	C
Temporary office for real estate sales and preleasing only	P	P	P	P	P	P
Transitional home, large			C			
Transitional home, small			AC			

Note:

1. Internal Accessory Dwelling Units permitted in all R-1 zones. External Accessory Dwelling Units are Permitted in R-1-10, R-1-12, R-1-14, RR and RE zones only. See 13-5B-8 for Requirements for both internal and external Accessory Dwelling Units.
2. A manufactured or modular housing structure, constructed to applicable federal or state construction standards, shall be deemed to be a permitted use if occupied as a single-family residence and may be located within this zoning district as though the structure were constructed on the site according to the international building code and other applicable standards if the structure meets or exceeds the pertinent provisions of this article for minimum living space, setback, side yard, required attached 2 car garage, and other similar building and zoning requirements.

13-5B-8: ACCESSORY DWELLING UNITS:

A. All accessory Dwelling Units.

1. Accessory dwelling units shall comply with all applicable building, health, and fire codes.
2. Only one accessory dwelling unit is allowed per property either internal or external. At no time will both an internal and external accessory dwelling unit be allowed on the same property.
3. Accessory dwelling units are prohibited on properties if the primary dwelling is served by a failing septic tank.
4. The property owner shall maintain a valid business license if renting the primary or accessory dwelling unit.
5. A minimum of one (1) off street, nine foot (9') by eighteen foot (18') parking space constructed of asphalt or concrete, in addition to those already required, shall be provided for accessory dwelling units. Accessory dwelling unit parking may not be in tandem with required parking of the primary dwelling or obstruct the required parking of the primary dwelling.
6. The primary dwelling is required to maintain the minimum parking standards for the primary dwelling including the two car garage parking requirement where applicable. Attached garages required and approved as part of the primary dwelling unit may not be converted to an accessory dwelling unit unless the required two car garage is replaced on the property meeting all requirements of 2009 City Code.
7. Accessory dwelling units are not allowed with any multi-family, mobile homes, or any form of attached housing units.
8. In all cases an Accessory Dwelling Unit shall remain subordinate and accessory to the primary dwelling unit.
9. An accessory dwelling unit must provide living areas for eating, sleeping and sanitation facilities separate from the primary dwelling unit.
10. The installation of a separate utility meters for accessory dwelling units is prohibited.
11. A notice of present condition will be recorded on the title of any property that has an accessory dwelling unit.

B. External Dwelling Units.

1. External Accessory Dwelling Units (EADU) are only Permitted in the R-1-10, R-1-12, R-1-14, RR, RE. zones. EADUs in the PC, LSFR and VLSFR zone are only allowed on platted lots 10,000 square feet and larger.
2. Detached accessory dwelling structures must be built on a permanent foundation which meets the Building Code.
3. External Accessory dwelling units shall be located on the same lot with the principal building and the footprint area shall be less than the principal building.
4. External Accessory Dwelling Units shall not cover more than twenty percent (20%) of the rear and side yard.
5. Setbacks for External Accessory Dwelling Units are: Six feet (6) from primary dwelling; fifteen feet (15) from rear property line; eight feet (8) from internal side property line and twenty feet (20) from the corner side property line.
6. External Accessory Dwelling Units (EADU) design and materials shall be similar to and compatible with the design of the primary dwelling and shall be approved by the Design Review Committee.

7. Lots with external accessory dwelling units are subject to all maximum building coverage requirements of city code.

[Planned Community (PC) Zones]

13-5C-4: PERMITTED AND CONDITIONAL USES:

A. Uses allowed in Planned Development Zones are listed in the table below. Those uses identified as "permitted" (P) are allowed by right; provided, that they comply with all other requirements of this article and all other applicable requirements of this title. Uses identified as "conditional" (C) must be approved by the Planning Commission pursuant to the standards and procedures for conditional uses set forth in chapter 7, article E of this title and title 15 of this Code and comply with all other applicable requirements of this title. Uses identified as "administrative conditional uses" (AC) shall be approved by the Zoning Administrator pursuant to the standards set forth in chapter 7, article E of this title, except that the public hearing shall be conducted by the Zoning Administrator, and shall comply with title 15 of this Code, and all other applicable requirements of this title. Uses not specifically listed in this section shall not be allowed in Planned Development Zones.

PERMITTED AND CONDITIONAL USES IN PLANNED RESIDENTIAL DEVELOPMENTS (PRD) AND PLANNED COMMUNITIES (PC)

Legend:		
P	=	Permitted use
C	=	Conditional use
AC	=	Administrative conditional use

Use	PRD	PC
<u>Accessory Dwelling Unit External 1</u>		<u>P</u>
<u>Accessory Dwelling Unit Internal 1</u>	<u>P</u>	<u>P</u>
Active and independent adult community	P	P
Adult daycare, general	C	C
Adult daycare, limited	AC	AC
Assisted living facility	C	C
Athletic field	C	C
Auditorium or stadium		C
Bank or financial institution		P
Building moved from another site (see section 13-8-12 of this title)	C	C
Church/place of worship	P	P
Club		C
Continuing care retirement facility/community	C	C
Convalescent care facility	C	C
Cultural service		C

Daycare, general	AC	AC
Daycare, limited	P	P
Dwelling, multiple-family	P	P
Dwelling, single-family	P	P
Dwelling, single-family, attached (no more than 8 units per building with no more than 2 walls in common and no units above other units)	P	P
Dwelling, two-family	P	P
Gated community	C	
Government service	C	P
Group home, large	C	C
Group home, small	P	P
Hotel or motel		C
Household pets, subject to regulations of animals in title 6, chapter 3 of this Code, or successor ordinance	P	P
Large scale public utilities	C	C
Mass transit railway system	P	P
Massage therapy		P
Media service		C
Medical service	C	AC
Mental health care facility for elderly persons	C	C
Model home	P	P
Neighborhood commercial	C	P
Nursing home	C	C
Office		P
Personal care service		P
Personal instruction service		C
Preschool	AC	AC
Public park, playgrounds, and athletic areas	P	P
Reception center		C
Recreation and entertainment, indoor		P
Recreation and entertainment, outdoor		P
Repair service, limited		P
Residential substance abuse treatment home, large	C	C
Residential substance abuse treatment home, small	AC	AC
Restaurant, fast food (general)		C
Restaurant, fast food (limited)		C
Restaurant, general		P

Retail, general		P
School, vocational		P
Schools, K – 12	P	P
Secondhand store		C
Temporary office	AC	AC
Transitional home, large	C	C
Transitional home, small	AC	AC
Utility, major	C	C
Vehicle and equipment repair, limited		C ²
Veterinarian services	C	C

Note:

1. In the Planned Community (PC) zone External Accessory Dwelling Units are only permitted on lots platted 10,000 square feet and larger. See 13-5B-8 for Requirements for both internal and external Accessory Dwelling Units.
2. Only if immediately adjacent to an arterial street and if not included in a residential development.

[West Side Planning Area Zone (WSPA)]

13-5J-4: PERMITTED AND CONDITIONAL USES:

A. Scope:

1. Uses allowed in the WSPA are listed in the following tables. Those uses identified with a (P) are "permitted" and allowed by right. Those uses identified with a (C) are "conditional" and require approval by the planning commission. Those uses identified with an (AC) are "administrative conditional uses" and may be approved by the zoning administrator. All uses are subject to all other applicable provisions of this code. Uses not specifically listed are not allowed in the WSPA.

2. Due to the commercial component of the MU zone, a separate land use chart has been created to differentiate the district from the four (4) zones that are entirely residential in nature.

B. Residential Permitted and Conditional Land Use Chart:

Legend:			
P	=	Permitted use	
C	=	Conditional use	
AC	=	Administrative conditional use	

Use	VLSFR	LSFR	MFR	HFR
Accessory Dwelling Unit External ³	P	P		
Accessory Dwelling Unit Internal ³	P	P		
Active and independent adult community		C	P	P
Adult daycare, general			C	C
Adult daycare, limited	AC	AC	AC	AC
Agriculture (parcels over 5 acres) ¹	P			
Assisted living facility			C	C
Athletic field	C	C	C	C
Church/place of worship	C	C	C	C
Continuing care retirement facility/community			C	C
Convalescent care facility			C	C
Dwelling, attached single-family		P	P	P
Dwelling, detached single-family	P	P	P	
Dwelling, multi-family			P	P
Dwelling, two-family			P	P
Gated community	C	C	C	C
Golf course	C	C	C	C
Group home, large			C	C
Group home, small	P	P	P	P

Household pets, subject to regulations of animals in title 6, chapter 3 of this code, or successor ordinance	P	P	P	P
Manufactured/prefabricated home ²	P	P	P	
Mass transit railway system	P	P	P	P
Mental health facility for elderly persons			C	C
Model home	P	P	P	P
Nursing home			C	C
Park, public or private	P	P	P	P
Public utilities, large scale	C	C	C	C
Public utilities, small scale	C	C	C	C
Residential substance abuse treatment home, large			C	C
Residential substance abuse treatment home, small			AC	AC
Schools, K - 12	C	C	C	C
Temporary office for real estate and preleasing	P	P	P	P
Transitional home, large			C	C
Transitional home, small			AC	AC

¹ For agricultural uses in the VLSFR zone, the zoning standards of section 13-5A-2 of this chapter are applicable, subject to the A-5 zoning criteria requirements for permitted/conditional agricultural uses and lot/bulk standards.

² Subject to meeting the improvement requirements of the WSPA required standards and optional improvement density.

³ In VLSFR and LSFR, External Accessory Dwelling Units are only permitted on lots platted 10,000 square feet and larger. See 13-5B-8 for Requirements for both internal and external Accessory Dwelling Units

Clean Version:

[Residential Zones]

13-5B-2: PERMITTED AND CONDITIONAL USES:

Uses allowed in residential zones are listed in the table below. Those uses identified as "permitted" (P) are allowed by right; provided, that they comply with all other requirements of this article and all other applicable requirements of this title. Uses identified as "conditional" (C) must be approved by the planning commission pursuant to the standards and procedures for conditional uses set forth in chapter 7, article E of this title and title 15 of this code and comply with all other applicable requirements of this title. Uses identified as "administrative conditional uses" (AC) shall be approved by the zoning administrator pursuant to the standards set forth in chapter 7, article E of this title, except that the public hearing shall be conducted by the zoning administrator and shall comply with title 15 of this code and all other applicable requirements of this title. Uses not specifically listed in this section shall not be allowed in residential zones.

Legend:						
P = Permitted use						
C = Conditional use						
AC = Administrative conditional use						
Use	R-1	R-2	R-3	R-R	R-E	R-M
Accessory Dwelling Unit External ¹	P			P	P	
Accessory Dwelling Unit Internal ¹	P			P	P	
Active and independent adult community		C	P			C
Adult daycare, general			C			
Adult daycare, limited	AC	AC	AC	AC	AC	AC
Assisted living facility		C	C			
Building moved from another site (see section 13-8-12 of this title)	C	C	C	C	C	C
Church/place of worship	C	C	C	C	C	C
Continuing care retirement facility/ community		C	C			
Convalescent care facility		C	C			
Dwelling, multi-family			P			
Dwelling, single-family	P	P	P	P	P	P
Dwelling, two-family		P	P			
Golf course	C	C	C	C	C	C
Group home, large			C			
Group home, small	P	P	P	P	P	P

Household pets, subject to regulations of animals in title 6, chapter 3 of this code, or successor ordinance	P	P	P	P	P	P
Large scale public utilities	C	C	C	C	C	C
Manufactured/modular home ²	P	P	P	P	P	P
Mass transit railway system	P	P	P	P	P	P
Mental health care facility for elderly persons		C	C			
Mobile home						P
Mobile home park						C
Model home	P	P	P	P	P	P
Nursing home		C	C			
Public park	P	P	P	P	P	P
Residential substance abuse treatment home, large			C			
Residential substance abuse treatment home, small			AC			
Schools, K - 12	C	C	C	C	C	C
Temporary office for real estate sales and preleasing only	P	P	P	P	P	P
Transitional home, large			C			
Transitional home, small			AC			

Note:

1. Internal Accessory Dwelling Units permitted in all R-1 zones. External Accessory Dwelling Units are Permitted in R-1-10, R-1-12, R-1-14, RR and RE zones only. See 13-5B-8 for Requirements for both internal and external Accessory Dwelling Units.
2. A manufactured or modular housing structure, constructed to applicable federal or state construction standards, shall be deemed to be a permitted use if occupied as a single-family residence and may be located within this zoning district as though the structure were constructed on the site according to the international building code and other applicable standards if the structure meets or exceeds the pertinent provisions of this article for minimum living space, setback, side yard, required attached 2 car garage, and other similar building and zoning requirements.

13-5B-8: ACCESSORY DWELLING UNITS:

A. All accessory Dwelling Units.

1. Accessory dwelling units shall comply with all applicable building, health, and fire codes.
2. Only one accessory dwelling unit is allowed per property either internal or external. At no time will both an internal and external accessory dwelling unit be allowed on the same property.
3. Accessory dwelling units are prohibited on properties if the primary dwelling is served by a failing septic tank.
4. The property owner shall maintain a valid business license if renting the primary or accessory dwelling unit.
5. A minimum of one (1) off street, nine foot (9') by eighteen foot (18') parking space constructed of asphalt or concrete, in addition to those already required, shall be provided for accessory dwelling units. Accessory dwelling unit parking may not be in tandem with required parking of the primary dwelling or obstruct the required parking of the primary dwelling.
6. The primary dwelling is required to maintain the minimum parking standards for the primary dwelling including the two car garage parking requirement where applicable. Attached garages required and approved as part of the primary dwelling unit may not be converted to an accessory dwelling unit unless the required two car garage is replaced on the property meeting all requirements of 2009 City Code.
7. Accessory dwelling units are not allowed with any multi-family, mobile homes, or any form of attached housing units.
8. In all cases an Accessory Dwelling Unit shall remain subordinate and accessory to the primary dwelling unit.
9. An accessory dwelling unit must provide living areas for eating, sleeping and sanitation facilities separate from the primary dwelling unit.
10. The installation of a separate utility meters for accessory dwelling units is prohibited.
11. A notice of present condition will be recorded on the title of any property that has an accessory dwelling unit.

B. External Dwelling Units.

1. External Accessory Dwelling Units (EADU) are only Permitted in the R-1-10, R-1-12, R-1-14, RR, RE. zones. EADUs in the PC, LSFR and VLSFR zone are only allowed on platted lots 10,000 square feet and larger.
2. Detached accessory dwelling structures must be built on a permanent foundation which meets the Building Code.
3. External Accessory dwelling units shall be located on the same lot with the principal building and the footprint area shall be less than the principal building.
4. External Accessory Dwelling Units shall not cover more than 20% of the rear and side yard.
5. Setbacks for External Accessory Dwelling Units are: Six feet (6) from primary dwelling; fifteen feet (15) from rear property line; eight feet (8) from internal side property line and twenty feet (20) from the corner side property line.
6. External Accessory Dwelling Units (EADU) design and materials shall be similar to and compatible with the design of the primary dwelling and shall be approved by the Design Review Committee.

7. Lots with external accessory dwelling units are subject to all maximum building coverage requirements of city code.

[Planned Community (PC) Zones]

13-5C-4: PERMITTED AND CONDITIONAL USES:

A. Uses allowed in Planned Development Zones are listed in the table below. Those uses identified as "permitted" (P) are allowed by right; provided, that they comply with all other requirements of this article and all other applicable requirements of this title. Uses identified as "conditional" (C) must be approved by the Planning Commission pursuant to the standards and procedures for conditional uses set forth in chapter 7, article E of this title and title 15 of this Code and comply with all other applicable requirements of this title. Uses identified as "administrative conditional uses" (AC) shall be approved by the Zoning Administrator pursuant to the standards set forth in chapter 7, article E of this title, except that the public hearing shall be conducted by the Zoning Administrator, and shall comply with title 15 of this Code, and all other applicable requirements of this title. Uses not specifically listed in this section shall not be allowed in Planned Development Zones.

PERMITTED AND CONDITIONAL USES IN PLANNED RESIDENTIAL DEVELOPMENTS (PRD) AND PLANNED COMMUNITIES (PC)

Legend:		
P	=	Permitted use
C	=	Conditional use
AC	=	Administrative conditional use

Use	PRD	PC
Accessory Dwelling Unit External ¹		P
Accessory Dwelling Unit Internal ¹	P	P
Active and independent adult community	P	P
Adult daycare, general	C	C
Adult daycare, limited	AC	AC
Assisted living facility	C	C
Athletic field	C	C
Auditorium or stadium		C
Bank or financial institution		P
Building moved from another site (see section 13-8-12 of this title)	C	C
Church/place of worship	P	P
Club		C
Continuing care retirement facility/community	C	C
Convalescent care facility	C	C
Cultural service		C

Daycare, general	AC	AC
Daycare, limited	P	P
Dwelling, multiple-family	P	P
Dwelling, single-family	P	P
Dwelling, single-family, attached (no more than 8 units per building with no more than 2 walls in common and no units above other units)	P	P
Dwelling, two-family	P	P
Gated community	C	
Government service	C	P
Group home, large	C	C
Group home, small	P	P
Hotel or motel		C
Household pets, subject to regulations of animals in title 6, chapter 3 of this Code, or successor ordinance	P	P
Large scale public utilities	C	C
Mass transit railway system	P	P
Massage therapy		P
Media service		C
Medical service	C	AC
Mental health care facility for elderly persons	C	C
Model home	P	P
Neighborhood commercial	C	P
Nursing home	C	C
Office		P
Personal care service		P
Personal instruction service		C
Preschool	AC	AC
Public park, playgrounds, and athletic areas	P	P
Reception center		C
Recreation and entertainment, indoor		P
Recreation and entertainment, outdoor		P
Repair service, limited		P
Residential substance abuse treatment home, large	C	C
Residential substance abuse treatment home, small	AC	AC
Restaurant, fast food (general)		C
Restaurant, fast food (limited)		C
Restaurant, general		P

Retail, general		P
School, vocational		P
Schools, K – 12	P	P
Secondhand store		C
Temporary office	AC	AC
Transitional home, large	C	C
Transitional home, small	AC	AC
Utility, major	C	C
Vehicle and equipment repair, limited		C ²
Veterinarian services	C	C

Note:

1. In the Planned Community (PC) zone External Accessory Dwelling Units are only permitted on lots platted 10,000 square feet and larger. See 13-5B-8 for Requirements for both internal and external Accessory Dwelling Units.
2. Only if immediately adjacent to an arterial street and if not included in a residential development.

[West Side Planning Area Zone (WSPA)]

13-5J-4: PERMITTED AND CONDITIONAL USES:

A. Scope:

1. Uses allowed in the WSPA are listed in the following tables. Those uses identified with a (P) are "permitted" and allowed by right. Those uses identified with a (C) are "conditional" and require approval by the planning commission. Those uses identified with an (AC) are "administrative conditional uses" and may be approved by the zoning administrator. All uses are subject to all other applicable provisions of this code. Uses not specifically listed are not allowed in the WSPA.

2. Due to the commercial component of the MU zone, a separate land use chart has been created to differentiate the district from the four (4) zones that are entirely residential in nature.

B. Residential Permitted and Conditional Land Use Chart:

Legend:			
	P	=	Permitted use
	C	=	Conditional use
	AC	=	Administrative conditional use

Use	VLSFR	LSFR	MFR	HFR
Accessory Dwelling Unit External 3	P	P		
Accessory Dwelling Unit Internal 3	P	P		
Active and independent adult community		C	P	P
Adult daycare, general			C	C
Adult daycare, limited	AC	AC	AC	AC
Agriculture (parcels over 5 acres) ¹	P			
Assisted living facility			C	C
Athletic field	C	C	C	C
Church/place of worship	C	C	C	C
Continuing care retirement facility/community			C	C
Convalescent care facility			C	C
Dwelling, attached single-family		P	P	P
Dwelling, detached single-family	P	P	P	
Dwelling, multi-family			P	P
Dwelling, two-family			P	P
Gated community	C	C	C	C
Golf course	C	C	C	C
Group home, large			C	C
Group home, small	P	P	P	P

Household pets, subject to regulations of animals in title 6, chapter 3 of this code, or successor ordinance	P	P	P	P
Manufactured/prefabricated home ²	P	P	P	
Mass transit railway system	P	P	P	P
Mental health facility for elderly persons			C	C
Model home	P	P	P	P
Nursing home			C	C
Park, public or private	P	P	P	P
Public utilities, large scale	C	C	C	C
Public utilities, small scale	C	C	C	C
Residential substance abuse treatment home, large			C	C
Residential substance abuse treatment home, small			AC	AC
Schools, K - 12	C	C	C	C
Temporary office for real estate and preleasing	P	P	P	P
Transitional home, large			C	C
Transitional home, small			AC	AC

¹ For agricultural uses in the VLSFR zone, the zoning standards of section 13-5A-2 of this chapter are applicable, subject to the A-5 zoning criteria requirements for permitted/conditional agricultural uses and lot/bulk standards.

² Subject to meeting the improvement requirements of the WSPA required standards and optional improvement density.

³ In VLSFR and LSFR, External Accessory Dwelling Units are only permitted on lots platted 10,000 square feet and larger. See 13-5B-8 for Requirements for both internal and external Accessory Dwelling Units












Ordinance No. 21-18 ADUs Text Amendment


Final Audit Report

2021-06-15


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