

**LAYTON CITY
ORDINANCE 20-38**

**PROPOSED AMENDMENTS TO LAYTON CITY MUNICIPAL CODE, TITLE 19,
"ZONING", CHAPTER 19.02, "DEFINITIONS", CHAPTER 19.06 "LAND USE
REGULATIONS", TABLES 6-1 AND 6-2 - TABLE OF LAND USE REGULATIONS,
CHAPTER 19.25, "MIXED-USE (MU) ZONING DISTRICT", AND CHAPTER 19.26,
"MIXED-USE/TRANSIT ORIENTED DEVELOPMENT (MU-TOD) ZONING
DISTRICT"**

WHEREAS, it is the desire of the City to support businesses and to encourage economic development in the community; and

WHEREAS, the City recognizes that retail and commercial land use trends are evolving as technology influences how products and services are created, shipped and purchases between suppliers, manufacturers, distributors, retailers and customers; and

WHEREAS, the City recognizes that evolving business models point to the need for a greater mix of uses/options where light manufacturing, retail, e-commerce and office uses can enjoy a clean and professional business image in highly visible locations; and

WHEREAS, the General Plan encourages smaller-scale light industrial uses for maker spaces or clean tech manufacturing that can be integrated into mixed-use areas, including Mixed-Use areas and corridors, Urban Districts and Town Centers; and

WHEREAS, the City recognizes the need to provide greater flexibility of use for businesses in Mixed-Use, Commercial and Manufacturing zoning districts, while maintaining appropriate use separations between commercial and residential uses where needed, and applying land use and design standards where appropriate to regulate compatible land use transitions; and

WHEREAS, a careful evaluation of commercial and residential land uses in the Land Use Tables 6-1 and 6-2 has identified opportunities to consolidate similar land uses, and to decrease some uses as "conditional", to "permitted", with new regulations and limitations to address anticipated negative impacts between land uses; and

WHEREAS, the Planning Commission has reviewed the petition request including to proposed ordinance and has recommended the text amendments be approved; and

WHEREAS, the City Council has reviewed the Planning Commission's recommendation and has received pertinent information in the public hearing regarding the proposal; and

WHEREAS, at the conclusion of the public hearing and upon making the necessary reviews, the City Council of Layton City finds it to be in the best interest of the health, safety, and welfare of citizens to make the proposed amendments to Title 19 of the Layton Municipal Code;

NOW THEREFORE, be it ordained by the Council of Layton City, in the State of Utah, as follows:

SECTION 1: AMENDMENT “19.02.020 Definitions” of the Layton Municipal Code is hereby *amended* as follows:

AMENDMENT

19.02.020 Definitions

“Accessory Agricultural Uses”: Agriculture and farm industry accessory uses intended to draw customers and participation of the general public, and provide a means of diversifying a farm’s income by broadening its offerings and adding value to its products. Accessory uses may include commercial activities such as; retail purchases, overnight accommodations, reception/event centers, concerts, events, restaurants, and bakeries. Produce stands and u-pick operations used to sell farmer-direct goods, recreational activities and educational events that are seasonal, such as; corn mazes, hay rides, farm tours, petting zoos, etc., are not considered as accessory agriculture uses, and are permitted agricultural or farm industry uses.

"Accessory Building": See Building, Accessory.

"Accessory, Residential Dwelling Unit": A secondary dwelling unit, either in, added to, or unattached from an existing single family detached dwelling, for use as a complete, independent living facility for a blood relative.

"Accessory Structure": See Structure, Accessory.

"Accessory Use": A use that (a) is clearly incidental to and customarily found in connection with a principal or main use; (b) is subordinate to and serves a principal or main use; (c) is subordinate in extent, area, or purpose to the principal or main use; (d) is located on the same lot as the principal or main use; and (e) contributes to the comfort, convenience, or necessity of occupants, business, or industry of the principal or main use. Home occupations shall be considered an accessory use.

"Agriculture": Farming activity including the tilling of the soil, raising of crops, horticulture, aquaculture and agri-tourism which includes direct sale of products, and public access to activities related directly to products grown or produced on the agricultural land. Agriculture also includes farm animal keeping as outlined in Chapter 19.06 of Layton Municipal Code.

"Altered, Structurally": Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.

"Altered": Any change in the construction of, or addition to, a building which would permit an increase in capacity, or a change of use.

~~**"Amusement, Arcade"**: An establishment offering coin-operated electronic games, shooting gallery, table games, and similar recreational diversions within an enclosed building.~~

"Amusement, Commercial/Indoor": Any place of amusement conducted wholly within a completely enclosed building.

"Amusement, Commercial/Outdoor": Any place of amusement not conducted wholly within a completely enclosed building.

"Antenna": Means a transmitting or receiving device used in telecommunications that radiates or captures radio signals.

"Apiary": An area where one or more colonies of honeybees are kept.

"Architectural and Integral Part": Any portions of, appendage to, or part of the general building layout of a main use planned for and/or constructed within the buildable area of a lot; and which is a functional part thereof; and which may be a structural part of or a detached accessory structure separated from the main building by a court not less than six feet (6') in width; and which is of the same general design or style and comparable in excellence of quality and construction to the main building.

"Assisted Living": A residential setting that provides either routine general protective oversight or assistance with activities necessary for independent living to mentally or physically limited persons, most typically providing separate living quarters for residents, and centralized services such as dining, housekeeping, social and physical activities, medication administration, and communal transportation.

"Athletic, Tennis, or Racquet Club": An establishment providing facilities for physical development, exercise, sports, or recreation. Facilities may include exercise equipment, indoor and/or outdoor racquetball or tennis courts, jogging track, swimming pools, skating rink, indoor bathing, restaurant or snack bar, and sales of athletic equipment. Facilities may be open to the public for a fee, or available only to persons holding membership.

"Auto Repair, Major": A building or premises used for the repair of any passenger auto, pickup truck, semi-tractor, recreational vehicle, or similar vehicles where the repair includes, but is not limited to, the rebuilding of engines, transmissions, or differentials.

"Auto Wrecking, Salvage Yard": See also Junkyard. Any lot, portion of lot or tract of land used for the storage and keeping of salvage, including scrap metals or other scrap material, or for dismantling or demolition of automobiles or equipment, machinery or parts thereof; provided that this definition shall not be deemed to include such uses which are clearly accessory and incidental to any agricultural use permitted in the zoning district.

"Bank or Financial Institution": Means an organization involved in deposit banking, finance, investment, mortgages, trusts, and the like. Typical uses include commercial banks, credit unions, finance companies, and savings institutions (under State Law Title 7-23-103.1 and 7-24-305 exempt businesses).

"Basement House": A one-story dwelling of which 90% or more of the floor area is below the finished grade.

"Basement, Walk-out": That portion of a building located partly underground and having an exterior door, where the finished ground at the exterior door is lower than the finished main floor.

"Basketball Standard or Court": A basketball standard is any erected device which houses a basketball hoop and accompanying backboard. A basketball court is an accessory area designated for the sport of basketball that has at least one basketball standard.

"Bed and Breakfast": A dwelling having one kitchen and used for the purpose of providing meals and/or lodging for pay or compensation on a temporary basis.

"Bee": The common honeybee, *Apis Mellifera* species, at any stage of development, but not including the African honeybee, *Apis Mellifera Scutellata* species, or any hybrid thereof.

"Beekeeping Equipment": Anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.

"Big Box Retail": Any single retail store with a gross main floor area of over 80,000 square feet.

"Boardinghouse, Rooming House": A dwelling having one kitchen and used for the purpose of providing meals and/or lodging for pay or compensation of any kind for three or more persons.

"Body and Paint Shop": Means buildings or portions thereof used for the purposes of collision service such as body, frame, and fender straightening, and pointing of motor vehicles where all repairs are performed within a completely enclosed building.

"Buildable Area": That portion of a building lot not included within any required yard or open space upon which a main building may be located. Buildable areas must be defined on subdivision plats in areas of thirty percent (30%) slope or less. Buildable area does not include any area of an "A Zone" (100 year flood area) as defined in FEMA's Federal Insurance Relief Map of Layton City.

"Building": Any structure having a roof supported by columns or walls, intended or used for the shelter, housing, or enclosure of any person, animal, chattel, or property of any kind.

"Building, Accessory": A building that (a) is clearly incidental to and customarily found in connection with a principal or main building; (b) is subordinate to and serves a principal or main building; (c) is subordinate in area, extent, or purpose to the principal or main building served; (d) is located on the same lot as the principal or main building served; and (e) contributes to the comfort, convenience, or necessity of the occupants, business, or industry in the principal or main building.

"Building, Attached": Means an addition to the main structure that is tied together with a common roof line and access to the addition is obtainable from inside the main structure.

"Building, Detached": A freestanding building with open space on all four (4) sides.

"Building Height": The vertical distance from the average finished grade surface at the building wall to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or the mean height level between eaves and ridge for gable, hip, or gambrel roofs. (See [Diagram A-1](#))

"Building Inspector": The individual(s) appointed by Layton City to enforce the provisions of the building code.

"Building Lot": See Lot, Building.

"Building, Main": The principal building or one of the principal buildings upon a lot, or the building or one of the principal buildings housing the principal use upon the lot. This also includes all of the appendages to a principal building constructed as an architectural and integral part thereof.

"Building Official": The Layton City Building Official.

"Building, Public": A building owned and operated or owned and intended to be operated by a public agency of the United States of America, or the State of Utah, or any of its subdivisions including county and municipality in connection with a public use. It shall not be construed to mean buildings for use as warehouses, public garages, and equipment sheds.

"Bus Shelter": Means a shelter located at a designated bus stop accepted as such by the Utah Department of Transportation, used to aid in the loading and unloading of passengers for the convenience of passengers of public transportation systems. Said shelters also will include off-premise signage attached to the shelter.

"Cannabis Production": means a cannabis cultivation facility, a cannabis processing facility, or an independent cannabis testing laboratory, as those terms are defined in §4-41a of Utah Code (as amended).

"Carport": A private garage not completely enclosed by walls or doors.

"Cemetery": Means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

"Charter Schools": A charter school includes an operating charter school; a charter school applicant that has its application approved by a chartering entity in accordance with Title 53A, Chapter 1a, Part 5, of the Utah Code. The Utah Charter School Act; and an entity who is working on behalf of a charter school or approved charter applicant to develop or construct a charter school building.

"Child-Care, Center": A child care facility which regularly provides custodial care for six (6) or more children during the part of any day.

"Child-Care, Home": A child care facility operated on a residential premises.

"Church or Temple": A building, together with its accessory buildings and uses, where persons regularly assemble for worship, which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

"Clinic, Dental and Medical": A building in which a group of physicians, dentists, and allied professional assistants are associated for the carrying on of their professions including a dental or medical laboratory. Clinic does not include inpatient care or operating rooms for major surgery.

"Club, Athletic, Tennis, or Racquet": See Athletic, Tennis, or Racquet Club.

"College": An independent institution of higher learning offering a course of general study.

"Colony": Honeybees, as defined in this Section, in any hive including queens, workers, or drones.

"Commercial Vehicle": A motor vehicle, trailer, or semi-tractor/trailer used or maintained for business, compensation, or profit, to transport passengers or property, that has a manufacturers gross weight of 10,001 or more pounds.

"Community Center": A building facility that may include outdoor amenity areas for community members to gather for a variety of purposes, such as group activities, social support, recreational programs, public information, training, youth support and child care.

"Community Location" means a public or private kindergarten, elementary, middle, junior, or high school; a licensed child-care facility or preschool; a trade or technical school; a church; a public library; a public playground; a public park; a youth center or other space used primarily for youth oriented activities; a public recreational facility; or a public arcade.

"Community Use": The uses which have the primary purpose of serving the educational, recreational, religious, or governmental needs of the community in general. Such uses may include churches, public and private educational institutions, private non-profit recreation grounds, public parks, public buildings, public facilities, cemeteries, and other similar uses. This definition shall not include such uses as detention facilities, half-way houses, alcohol rehabilitation centers, and other similar uses.

"Conditional Use": A use that is not authorized as a permitted use in a particular zoning district, but which use may be allowed, allowed with conditions, or denied based on compliance with standards and criteria set forth in the zoning ordinance for those uses.

"Condominium": The ownership of a single unit in a multi-unit project or structure which may be combined with an undivided interest in the common areas and facilities of the property and meeting all requirements of the "Condominium Ownership Act" of the State of Utah.

"Construction Staff": A body of City staff made up of the City Engineer, Public Works Director, Fire Chief, Planning Director, and Building Official or their designates.

"Contractor Storage Yard": A facility and/or outside area dedicated to the storage or keeping of materials, construction/heavy equipment, business/commercial vehicles, construction forms, and other items related to construction practices, which are in active use by building/construction contractors, craftsmen, and tradesmen.

"Convenience Store": A building which contains less than 5,000 square feet and is primarily engaged in the provision of frequently needed, day to day retail goods including gasoline, food, and non-food products.

"Corner Lot": See Lot, Corner.

"Dairy": A farming operation for the production of milk in commercial quantities and which is regularly inspected by the State Department of Agriculture or its cooperating agencies. It includes the raising of the natural increase to the dairy herd but does not include the feeding and fattening of livestock for slaughter in conjunction therewith.

"Dairy Processing Plant": A commercial establishment for the manufacture, processing, or distribution of dairy products.

"Day-Care, Center": See Child-Care, Center.

"Day-Care, Home": See Child-Care, Home.

"Dealership": A business specializing in the sale of any number of new and/or used vehicles, where vehicle sales is the primary purpose of the business.

"Dealership, Small": A business specializing in the sale of a limited number of new and/or used vehicles. A small dealership may be accessory to a related business on the same property and under the same ownership.

"Deferred Deposit Lender": Means a business that conducts transactions where a person presents to a check casher a check written on that person's account or provides written or electronic authorization to a check casher to effect a debit from that person's account using an electronic payment, and the check casher provides the maker an amount of money that is equal to the face value of the check or the amount of the debit less any fee or interest charged for the transaction, and agrees not to cash the check or process the debit until a specific date.

"Domestic Animals": Animals accustomed to living in or about the habitation of man, including but not limited to: cats, dogs, fowls, horses, swine, goats, sheep, mules, donkeys, and cattle.

"Dwelling": Any building or portion thereof which is designed for residential purposes except hotels, apartment hotels, boardinghouses, rooming houses, tourist courts, and mobile homes when not connected to public utilities. A mobile home will be considered a dwelling when it is connected to public utilities and the occupants thereof take meals and sleep within the confines of the mobile home.

"Dwelling, Multiple Unit": A building containing three or more dwelling units.

"Dwelling, Single Family Detached": A building designed for and occupied exclusively by one family on a separate lot and not sharing any common wall.

"Dwelling, Single Family Attached": A dwelling sharing a common wall or walls, but located on an individual lot.

"Dwelling, Two Family": Two dwellings sharing a common wall or walls and located on one lot.

"Dwelling Unit": A single unit providing complete, independent living facilities for one or more persons including provisions for living, sleeping, eating, cooking, and sanitation.

"E-commerce Retail & Fulfillment": A commercial use providing storefront area for customer reception, shopping, product showroom, consultation and/or online order placement, and a rear warehouse storage area to inventory retail products for fulfillment of E-commerce/online or storefront customer orders.

"Elderly Apartment": Multi-family dwelling units occupied by elderly persons. In the case of double occupancy of a unit, only one resident is required to be at least 62 years of age. The housing must be self-contained and physically accessible to elderly citizens. The housing may include limited medical, recreational, and commercial services if such services are limited to residents and their guests.

"Elderly Person": A person who is 62 years of age or older.

"Family": Any number of individuals, related by blood, marriage, or adoption, and domestic servants for such family, or a group of not more than five persons who are not so related, living together as a single nonprofit housekeeping unit doing their own cooking.

"Family Food Production": The production of food through gardening or horticulture, for the sole use of the family occupying the premises. The raising of animals or fowl is not included in this definition.

"Farm Animals": The keeping of animals and fowl such as commonly used for food or fiber production or as a beast of burden, for commercial purposes or for pleasure. The density allowed in various zones is contained in Chapter 6 of this Title.

"Farm Industry": The keeping and raising of farm animals and/or fowl for domestic or commercial use such as fur farms, livestock feed yards, pig farms, dairy farms, stables, ranches, and similar uses, and accessory uses thereto.

"Fast Food Eating Establishment": Any establishment where foods or beverages are prepared for consumption and consumption occurs in either the building, on the premises, or within a motor vehicle parked thereon, or off-premises and whose operation includes one or more of the following characteristics:

1. Food or beverages are served to the occupants of a motor vehicle while seated therein (e.g., drive-through window or drive-in); and
2. Food and beverages are usually served over a general service counter for the customer to carry to a seating area within the restaurant, to a motor vehicle, or off-premises.

"FEMA": An acronym for the Federal Emergency Management Agency.

"Flag Lot": See Lot, Flag.

"Flood Plain": Any land area subject to being inundated by water from any source. Flood plain areas are generally defined as, "Zone A" (100 year flood area) areas as defined in FEMA's Federal Insurance relief map of Layton City.

"Floor Area": The sum of the gross horizontal area of several floors of the building or buildings, measured from the exterior faces of the exterior walls.

"Flyway Barrier": A solid wall, fence, dense vegetation or a combination thereof which modifies the bee flight pattern.

"Foothill Area": That area within Layton City lying east of Fairfield Road.

"Foster Home": A dwelling unit where minor children, not related by blood, marriage or adoption, are cared for and furnished board and room with or without compensation on a continuing basis.

"Fraternal & Benevolent Society": A chartered, nonprofit social club or lodge with or without dining facilities and cocktail lounges composing a branch of a fraternal order, or society such as Elks, Masons, American Legion, Eagles, Optimists, Odd Fellows, Kiwanis, Rotary, and other similar nonprofit fellowship organizations which are open only to members and their duly authorized guests.

"Front Yard": See Yard, Front.

"Frontage": Means the distance between the two side lot lines of a parcel measured along the street, or streets of a corner lot, which the parcel is allowed to access. State or federal highways, to which no access is allowed, shall not be considered as frontage. For purposes of this Title neither temporary turn-arounds nor dead ends of roadways shall be used as frontage.

"Fur Farm": The raising of any animal for the purpose of producing pelts to be sold commercially, or the raising of breeding stock for such commercial fur pelts, including, but not exclusive of otters, fox, mink, rabbit, lynx, and chinchilla.

"Garage, Private": An attached or detached building accessory to a dwelling on the premises designed or used for the storage of private passenger automobiles owned and used by the occupants of the building to which it is accessory. A private garage designed and constructed as an architectural and integral part of the main building shall be subject to all the requirements of this Title applicable to main buildings.

"Garage, Public": A building or portion thereof, other than a private garage, designed or used for the storing, servicing, repairing, equipping, hiring, or selling of motor-driven vehicles.

"Garage, Yard Sale": Sale of personal belongings in a residential zone, which sale is conducted by a legal resident of the premises. Garage sales are not to occur more than four (4) days annually.

"Gasoline, Retail": A building or premises used for the sale of gasoline and limited amounts of other oil products. Such premises may also include the sale of food products.

"Grade, Finished Surface": The average level of the finished surface of the ground adjacent to the front setback line of a building or structure; and, on a corner lot, the average level of the ground adjacent to and measured along all front setback lines of the building. Where a lot has no frontage on a public street, the average level of the finished ground surface adjacent to and measured along all exterior walls shall be the finished surface grade.

"Hard Surface": A drivable surface that is constructed of concrete, asphalt, gravel, pavers, or compacted road base. All such areas are to be maintained in a dust and weed free condition and shall be capable of supporting the weight of the vehicles utilizing the surface above the soil.

"Heavy Equipment Rental/Sales, Repair, and Storage": The use of any building, land area, or portion thereof, for the display, sale, lease/rental, and repair of heavy construction or farm equipment, including but not limited to: cranes, earthmoving/grading equipment, dump trucks, and tractors.

"Hive": A frame hive, box hive, box, barrel, log, gum skep, or other artificial or natural receptacle which may be used to house bees.

"Home for the Elderly": A service providing ambulatory care for more than eight elderly persons.

"Home Occupation": A nonresidential activity, conducted entirely within a dwelling unit, which is clearly incidental and secondary to the use of the dwelling for residential purposes. (See Section 19.06.030 of the Layton Municipal Code.)

"Homeless Shelter": a facility that is or is proposed to be located within the City; provides or is proposed to provide temporary shelter to homeless individuals; and has or is proposed to have the capacity to provide temporary shelter to homeless individuals; and has or is proposed to have the capacity to provide temporary shelter to at least 50 individuals per night.

"Horses for Private Use": Horses kept and maintained as an accessory use to a dwelling for the pleasure and use of the occupants thereof, and not to be used for commercial purposes.

"Hospital": An institution licensed by the State of Utah providing inpatient health services for human beings for inpatients, and primarily medical or surgical care of the sick or injured, and such other services and accessory uses as normally provided for its administration and operation.

"Hotel": A building containing guest rooms in which lodging is provided for compensation to transient or permanent guests or both, and where no provision is made for cooking in the guest rooms, and in which commercial services may be provided for guests.

"Household Pets": Animals and fowl which are customarily allowed in the home for the sole pleasure and enjoyment of the occupants, but not raised or kept for commercial purposes, or for food.

"Indoor Commercial Amusement": A commercial business providing for active indoor entertainment and recreational activities such as roller skating, bowling, trampoline park, arcade games, contest games, climbing gym, laser tag, dancing, or similar.

"Industrial": See Manufacturing.

"Inspector, Building": See Building Inspector.

"Interior Lot": See Lot, Interior.

"Junk": Any scrap, waste, reclaimable material, or debris whether or not stored or used in conjunction with dismantling, processing, salvage, storage, disposal, or other use or disposition. Junk includes, but is not limited to, tires, furniture, tools, paper, rags, plastics, cordage, scrap iron, or other metal, glass, building materials, machinery, and appliances or parts thereof, brush, wood and lumber, solid waste, and vehicles and parts thereof.

"Junk Dealer": Any person engaged in acquiring, buying old metals, glass, rags, paper, or other junk for the purpose of trading or reselling in substantially the same form is declared to be a "Junk Dealer." Junk Dealers may only be located in a fixed location, in a junkyard and are only allowed in those zones designated for a junk yard.

"Junkyard": See also Auto Wrecking, Salvage Yard. An open area where junk or used or secondhand materials are bought, sold, exchanged, stored, processed, or handled. An automobile wrecking yard or a salvage yard is also considered a junkyard. The use of buildings used in conjunction with an operation does not exclude the operation from the definition unless the operation is wholly within the buildings and there is no outside storage.

"Kennel, Boarding": Any lot or premises on which three or more dogs or cats or combination thereof, at least four (4) months old, are kept daily or overnight for a fee.

"Kennel, Daily Boarding": Any lot or premises on which three or more dogs or cats or combination thereof, at least four (4) months old, are kept daily with no overnight boarding for a fee.

"Kennel, Extended Care": Any lot or premises on which three or more dogs or cats or combination thereof, at least four (4) months old, are kept or groomed, daily or overnight for a fee, as a home occupation by the members of the family living in the home.

"Kennel, Private": Any developed lot or premises on which three or more dogs or cats or combination thereof, at least four (4) months old are kept.

"Land Use Authority": The body established as the final approval authority for land use decisions as established in Section 19.01.135 – Designation of Land Use Authority.

"Landscaping": The installation of living plant materials (i.e., lawn, ground cover, annual and perennial flowering plants, vines, shrubs, and trees) planted directly on the property and kept free from all hard surfaces. The use of water (i.e., pools, fountains, falls, and streams) and sculptures are also included as landscape design materials.

"Lattice Tower": Means a self-supporting multiple sided, open steel frame structure used to support telecommunications equipment.

"Light Commercial Flex Manufacturing": Indoor manufacturing processes that may utilize electronic or automated machines (such as 3D printers, laser cutters, copiers/printers, engraver or embroidery machines) and hand-powered machines and instruments (such as presses, rolling machines, bending machines) to assemble, alter, convert, fabricate, finish process or treat products or components for wholesale or direct sale. An accessory retail storefront area may be included to sell manufactured goods to the general public.

"Lot, Building": A parcel of land which is of such dimensions as to comply with the minimum requirements of this Title for area, width, and depth applicable to the zoning district in which it is located, and having frontage on a public or approved private street. Said street shall be extended the full required frontage of the lot and improvements installed as required by the City. No lot shall utilize any part of the temporary end or dead end of a street for frontage.

"Lot, Corner": A building lot situated within a corner created by the intersecting lines of a street or streets. (See [Diagram A-3.](#))

"Lot Depth for Inside Lots": The distance from the front lot line and rear lot line as measured from the center line. (See [Diagram A-3](#))

"Lot Depth for Multi-Frontage and Corner Lots": The horizontal distance between opposite boundaries of the lot measured along the centerline thereof. (See [Diagram A-3](#))

"Lot, Flag": An "L" shaped lot comprised of a staff portion contiguous with the flag portion thereof, the minimum width of the staff being thirty feet (30') and the maximum length determined by the Layton City Fire Department. (See Diagrams A-2, [A-3](#).)

"Lot, Inside Gore-Shaped": A lot where lot lines converge towards the rear and the rear lot line width is less than half ($\frac{1}{2}$) the required width for the applicable zoning district.

"Lot, Interior": Any building lot other than a corner lot.

"Lot Line, Front": Any street right-of-way line of record or established by use, which forms one or more boundaries of a lot.

"Lot Line, Front, for Flag Lot": The front lot line of a flag lot shall be determined to be the lot line nearest to a dedicated public street and at the end of the staff.

"Lot Line, Rear, for Corner Lots": That interior lot line which has been designated as the rear lot line determined by the direction the house faces.

"Lot Line, Rear, for Interior Lots": The interior line lying opposite of the front lot line.

"Lot Line, Side, for Corner Lot": All interior lot lines for multi-frontage lots; for other corner lots, that interior lot line which has been designated as the side lot line by the lot owner. (See [Diagram A-3](#).)

"Lot Line, Side, for Interior Lots": Those interior lines lying opposite each other, running between the front and rear lot lines, or in the case of a multi-frontage lot, those interior lines which run between the two (2) front lot lines. (See [Diagram A-3](#).)

"Lot, Multi-Frontage": Any building lot, the centerline of which intersects two (2) front lot lines and which has no rear lot line. (See [Diagrams A-1 A-3](#).)

"Lot, Double Frontage": Any building lot which has both the front and rear yard line bounded by a street. This does not normally include corner lots.

"Lot Width for Corner Lots": The width of the lot as measured along both street frontages at the required setback.

"Lot Width for Interior Lots": The horizontal distance between the side lot lines measured along a line lying at right angles to the centerline of the lot at the point of the required setback.

"Main Building": See Building, Main.

"Manufactured Home": A home or other building of new construction without attached axles or wheels which has been assembled fully, or in part, upon another site, or in a "factory," and moved to the site upon which it is to be permanently assembled by truck, timber, dolly, or similar conveyance; and which is placed upon a permanent foundation in compliance with the provisions of the Uniform Building Code.

"Manufacturing": The assembling, altering, converting, fabricating, finishing, processing, or treatment of a product. This word is used interchangeably with "Industrial" throughout Title 19 of the Layton Municipal Code.

"Manufacturing/Industrial Services": The assembling, altering, converting, fabricating, finishing, processing, or treatment of products or components for wholesale or direct sale, that occurs primarily indoors, with the use of automated or hand-operated machines and instruments.

"Masonry": Stucco, brick, or rock.

"Mobile Home": A detached dwelling designed for long-term occupancy and to be transported on its own wheels, or on a flatbed or other trailers or detachable wheels, and arriving at the site where it is to be occupied as a complete dwelling unit ready for occupancy except for connections to utilities and other minor work. Removal of such wheels or placing such dwelling unit on a foundation shall not remove such unit from classification as a mobile home. Excluded from this definition shall be those permanent dwelling structures that are constructed of component parts that are transported to the building site and which meet structural requirements of the Uniform Building Code, Uniform Plumbing Code, Uniform Mechanical Code, and Uniform Electrical Code.

"Mobile Home Park": A parcel of land, not less than ten acres, designed to accommodate 25 or more mobile homes in a planned environment, with all public utilities available, for the purpose of permanent or long term residential dwelling.

"Mobile Home Park Service Building": A permanent structure housing laundry, office, sanitation, or other community facilities as required in mobile home parks for mobile home occupants.

"Mono-Pole Tower": Means an antenna or series of individual antennas mounted on a single cylindrical pole. Also includes associated equipment.

"Mortuary/Funeral Home": Means a building or part thereof used for human funeral services. Such building may contain space and facilities for:

1. Embalming and the performance of other services used in the preparation of the dead for burial;
2. The performance of autopsies and other surgical procedures;
3. The storage of caskets, funeral urns, and other related funeral supplies; and
4. The storage of funeral vehicles, but shall not include facilities for cremation.

Where a mortuary/funeral home is allowed, a funeral chapel and assembly area shall also be allowed.

"Motel": A building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for automobile travelers and having a parking space adjacent to a sleeping room. An automobile court or a tourist court with more than one unit or a motor lodge shall be deemed a motel.

"Multiple Family Dwelling": See Dwelling, Multiple Family.

"Natural Waterways": Those areas, varying in width, along streams, creeks, springs, gullies, or washes which are natural drainage channels as determined by the City Council or as shown on the City Master Drainage Plan or as designated by FEMA in which no structure or building construction or placement is permitted.

"Nonconforming Building Lot": A parcel of land of record that was lawfully subdivided and in compliance with all laws at the time of division, and which no longer meets the minimum requirements for a building lot in the zoning district in which it is located because of a subsequent amendment to the applicable zoning ordinance.

"Nonconforming Building or Structure": A building or structure or portion thereof, lawfully constructed which does not conform to all the height, area setback, and yard regulations prescribed in the zoning district in which it is located. This term shall also include any existing building or structure which is rendered nonconforming by virtue of annexation or subsequent amendment to this Code.

"Nonconforming Use": Any existing use of a building or land which was lawful at its inception and has continued without interruption but does not now conform with the use regulations of the zoning district in which it is situated, or for which a conditional or special use permit is required but has not been issued. The term also includes any existing use of a building or land which is rendered nonconforming by a subsequent amendment to this Title.

"Non-View Obstructing": A fence, wall, or hedge in which no more than 25% of the plane formed by the wall or hedge obstructs view excluding two feet in height above finished grade.

"Nursing Home": Any residential development providing dwelling units with common dining, recreation, and medical or nursing facilities for elderly persons or people with physical disabilities. A nursing home must: (a) be licensed and staffed for skilled care; (b) contain common kitchen and dining facilities; (c) have call button monitoring systems; (d) have on-premise physical therapy; and (e) have on-premise personal services, library, educational, social, and available transportation.

"Office and Indoor Storage": A commercial office and/or showroom space with a rear indoor warehouse area for storage of inventory, materials and equipment, used to provide off-site services by contractors, technicians, cleaning services, installation or repair.

"Office, Business": A place intended for the conduct of administration or services by a business enterprise and in which no goods or merchandise are stored, displayed, or sold.

"Open Space": An open, landscaped area which is unoccupied and unobstructed by buildings or hard surfaces such as concrete or asphalt, except that such open space may be traversed by necessary sidewalks and access rights-of-way.

"Parking Lot": An open area, other than a street, used for the temporary parking of more than four automobiles and available for public use, whether free, for compensation, or as an accommodation for clients or customers.

"Parking Space, Off Street": The space within a building, lot, or parking lot but not within any portion of any public street right-of-way, for the temporary parking of one vehicle.

"Payday Loan Business": means an establishment providing loans to individuals in exchange for personal checks or assignment of wages as collateral.

"Person with a Disability": A person who has a severe, chronic disability attributable to a mental or physical impairment or to a combination of mental and physical impairments, which is likely to continue indefinitely, and which results in a substantial functional limitation in three or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency; and who requires a combination or sequence of special interdisciplinary or generic care, treatment, or other services that are individually planned or coordinated to allow the person to function in, and contribute to, a residential neighborhood.

"Personal Services": Establishments primarily involved in providing personal grooming and related services. This definition includes, but is not limited to, barbershops, beauty parlors, tailors, etc., but does not include laundries or dry cleaners.

"Pet": A domesticated animal kept for pleasure rather than utility, including but not limited to: birds, cats, dogs, fish, hamsters, mice, and other animals associated with man's environment.

"Pet Cemetery": Land dedicated for cemetery purposes, which is used or intended to be used for the burial of deceased pets. A Pet Cemetery may include a pet funeral home, or pet crematorium, or both if such home or facility are located and operated within the boundaries of the pet cemetery and accessory to the pet cemetery. Pet Cemetery does not include the interment of a pet upon the property of the pet owner.

"Pet Crematorium": A building or facility containing apparatus for the cremation of deceased pets.

“Pet Day Care”: A service where animals typically considered as household pets are left by their owners for a short term period of time for the general purpose of individual care/supervision, or supervised interaction in groups of other animals, which is provided by a licensed business or individual for a fee. Pet Day Care does not include the overnight boarding (kenneling) of animals.

“Pet Funeral Home”: A place used for funeral services for deceased pets. Such place may include space and facilities for display of deceased animals and rituals connected therewith before burial or cremation; the sale and/or storage of caskets, funeral urns, and other related funeral supplies; the storage of funeral vehicles; and facilities for animal cremation.

“Pet Grooming”: A service where animals typically considered as household pets are bathed, clipped or combed for the purpose of enhancing their aesthetic value or health, or both, by a licensed business or individual for a fee. Pet Grooming may also include any self-service pet washing business or establishment where the customer/owner washes their individual household pet(s) for a fee.

“Pet Services, Indoor”: A use totally within an enclosed building for services provided to animals typically considered as household pets. Such uses may include one or more of the following: pet grooming, pet day care, veterinary clinic, indoor play facilities, indoor training facilities, and similar pet services. Areas for outdoor pet activities (i.e. play and training facilities) shall not be permitted. Pet Services, Indoor may also include the occasional hosting of a private humane society/animal welfare organization’s adoption event, the retail sales of pet care supplies, and boarding (kenneling) services as an accessory use.

“Pet Services, Indoor/Outdoor”: A use that includes services provided to animals typically considered as household pets. Such uses may include one or more of the following: pet grooming, pet day care, veterinary clinic, play and training facilities, dog parks, and similar pet services. Pet Services, Indoor/Outdoor may also include the occasional hosting of a private humane society/animal welfare organization’s adoption event, the retail sales of pet care supplies, and boarding (kenneling) services as an accessory use.

“Planned Residential Unit Development (PRUD)”: A residential development guided by a total design plan in which one (1) or more of the zoning or subdivision regulations, other than use regulations, may be waived or varied to allow flexibility and creativity in site and building design and location, in accordance with general guidelines as specified in Chapter 19.08 of the Layton Municipal Code.

“Planning Director”: For purposes of this ordinance the terms Planning Director and Community and Economic Development Director shall mean the Layton City Community and Economic Development Director or designated person.

“Plot Plan”: A plat of a lot, drawn to scale, showing its actual measurements, the size and location of any existing buildings and buildings to be erected, and showing the location of the lot and abutting streets, and as further described in Chapter 19.13 of the Layton Municipal Code.

"Pre-School, Center": See Child-Care, Center.

"Pre-School, Home": An educational facility operated on a residential premises, regularly providing an educational program for not more than 12 children (including the operator's natural, adopted, or foster children under six years of age) at any one time.

"Public Building": See Building, Public.

"Radio/Telecommunications Tower": A structure intended for transmitting or receiving television, radio, or telephone communications which is primarily supported by its own foundation.

"Rear Yard": See Yard, Rear.

"Recyclable/Salvage Yards": Shall mean a facility that collects, stores, and resells materials. Such materials include metals, glass, regulated substances, plastics, and other materials collected for recovery and re-use.

"Residential Density": The average number of dwelling units on one acre of land in a given area. Net residential density is determined by dividing the total number of dwelling units in a defined area by the total acreage of all parcels of land within the area that are used exclusively for residential and accessory purposes. Gross residential density is obtained by dividing all land in a defined area used for residences, streets, local schools, local parks, and local shopping facilities, into the total number of dwelling units in said area.

"Residential Facility for Elderly Persons": A single family or multiple family dwelling unit that is or is not a business and offers primary care for any number of non-related elderly persons and may include limited medical, recreational, and commercial services, if such services are limited to residents and their guests.

"Residential Facility for Persons with a Disability - Large": Any facility for 13 or more unrelated persons with a disability, exclusive of staff, and licensed by the State of Utah, that provides 24 hour staff supervision to persons requiring substitute care, food, lodging, training, education, supervision, habilitation, rehabilitation, treatment and other essential daily living activities, and may also include transitional services that aide in strengthening the social, physical, and behavioral skills necessary to live independently in the community.

"Residential Facility for Person with a Disability – Small": Any facility for 12 or fewer unrelated persons with a disability, exclusive of staff, and licensed by the State of Utah, that provides 24 hour staff supervision to persons requiring substitute care, food, lodging, training, education, supervision, habilitation, rehabilitation, treatment and other essential daily living activities, and may also include transitional services that aide in strengthening the social, physical, and behavioral skills necessary to live independently in the community.

"Residential Zone": All residential and agricultural zoning districts.

"Restaurant":

1. Any establishment which provides as a principal use, foods and beverages prepared for consumption within the establishment and whose operation includes both of the following characteristics:
 - a. Customers are provided with an individual menu and are served their food or beverage by a restaurant employee at the same table or counter at which said items are consumed; and
 - b. The food and beverages are served on non-disposable plates or containers and non-disposable eating utensils are provided. A restaurant employee clears the table of trash.
2. Notwithstanding the above, a cafeteria where food and beverages are:
 - a. Generally consumed within the establishment; and
 - b. Served on non-disposable plates or containers with non-disposable utensils shall be included in this definition.
3. A restaurant may provide take-out service, provided such service is clearly not the principal business of the restaurant and the take-out function is totally conducted inside of the building.

"Retail Sales and Commercial Services": Nonresidential uses that include retail stores and shops for the sale of goods and merchandise, food services and/or commercial spaces to provide services to the general public for personal, business or household consumption.

"Retail Tobacco Specialty Business" a commercial establishment in which: the sale of tobacco products accounts for more than 35% of the total quarterly gross receipts for the establishment; 20% or more of the public retail floor space is allocated to the offer, display, or storage of tobacco products; 20% or more of the total shelf space is allocated to the offer, display, or storage of tobacco products; or the retail space features of self-service display for tobacco products.

"Reverse Vending Machine": An unmanned machine which weighs and returns market value, in currency, for recyclable materials.

"Road, Private": A thoroughfare, held in private ownership and controlled by one or more persons, firms, or corporations, and used or held for use primarily as a means of access to adjoining properties.

"Road, Public": See Street, Public.

"Roof Mounted Antenna": Means an antenna or series of individual antennas mounted on a flat or pitched roof of a building or structure. Also includes associated equipment.

"Satellite Dish": An antenna intended to receive signals from satellites and other sources.

"School, Commercial": An establishment for the teaching of industrial, clerical, managerial, or artistic skills. This definition applies to schools that are owned and operated privately and do not offer a complete educational curriculum.

"School, College, University, Private or Quasi-Public": A school operated by a private or quasi-public organization, or individual, which has a program similar to that provided in any public school in the State of Utah, except that such curriculum may include religious instruction. A private school may be a for-profit or nonprofit organization. This definition shall not include commercial schools.

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

"Secondary Residential Unit": A living unit subordinate and accessory to the main non-residential structure with living space found within or detached from the main structure designed for occupants that care and maintain the main use or structure.

"Secondary Structure": See Structure, Secondary.

"Secondary Use": Any use which is not a principal or main use or an accessory use thereto, which use is not customarily found in connection with the principal or main use.

"Self-Service Display": a display of a cigarette, tobacco, or an electronic cigarette to which the public has access without the intervention of a retailer or retailer's employee.

"Self-Storage Facility": A building, structure, or part thereof containing compartmentalized storage areas of varying sizes, which may be leased/rented on an individual basis and made accessible to individuals, businesses, or organizations for the storage of personal property and business/household goods.

"Service Station": A building or premises used for the sale of gasoline and oil products including the servicing of motor vehicles and the retail sale and installation of tires, replacement parts, and accessories in and upon such vehicles; but not including paint, body and frame repair, or rebuilding of engines, transmissions, or differentials. Such premises may also include the sale of food products in an area not exceeding 200 square feet.

"Setback": The shortest horizontal distance permitted in each zoning district, as set forth in the Layton City zoning ordinance, between the boundary lines of a lot and the building, structure or part thereof.

"Side Yard": See Yard, Side.

"Similar Businesses": Means any other business that offers deferred deposit loans, title loans, and payday loans.

"Single Family Dwelling": See Dwelling, Single Family (Detached or Attached).

"Skateboard Ramp (Private)": An outdoor structure designed and principally intended to permit persons on skateboards to move continuously from one side to the other.

"Solid Waste": Any discarded material that does not flow under stress.

~~"Specialty Food Shop": A retail food store specializing in a certain food category. Examples would include: bakeries, butcher shops, confectioneries, delicatessens, health food stores, and import shop.~~

"**Stable, Private**": A detached accessory building for the keeping of horses owned by the occupants of the premises and not kept for remuneration, hire, or sale.

"**Stable, Public**": A stable other than a private stable.

"**Storage, Above Ground Fuel**": The keeping of a tank partly or wholly above ground, that has a capacity over 1,200 gallons.

"**Storage, Outdoor**": The keeping of any personal property, equipment, materials, products, junk, trash, or building materials that is not entirely contained within a structure that is completely enclosed by walls and a roof.

"**Story**": That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor or next ceiling above.

"**Story, Half**": A story with at least two of its opposite sides situated in a sloping roof, the floor area of which does not exceed two-thirds of the floor immediately below it.

"**Streets, Arterial, Major, and Minor**": A street which serves the major movement of traffic in Layton City, connecting to high-use areas and limited-access highways such as I-15 and Highway 89. For purposes of this Title arterial streets are identified in the Transportation Master Plan.

"**Streets, Collector, Major, and Minor**": A street which provides for movement between arterial and local streets and direct access to abutting property.

"**Streets, Local**": A street which provides for direct access to abutting land and for local traffic movement.

"**Street, Public**": Any tract of land which is an existing state, county, or municipal roadway, or is shown on a plat duly filed and recorded in the office of the County Recorder, or has been accepted by the City Council as part of a development project, and is for public use for the purpose of providing the following:

1. A thoroughfare for public use, designed primarily for vehicular travel;
2. The principal means of access to abutting properties;
3. For the installation of public utility service lines and/or pipes; and
4. Drainage facilities and other public works and appurtenances for the convenience and welfare of the public generally.

Such lands shall not be construed to be a public street, except for access, until the roadway has been stabilized or otherwise improved according to the accepted street construction standards of the municipality.

Where a public thoroughfare existed prior to the adoption of the Title codified herein, which fulfills all the requirements for a public street except for the required width, this thoroughfare may be classified as a public street for the purpose of establishing building lots fronting thereon; provided, that the depth of that portion of each intended building lot needed to complete the required width for a public street, as determined by Development Staff, is dedicated to public use.

"Structure": That which is framed, erected, constructed, or placed upon the ground; but not including fences which are six feet or less in height.

"Structure, Accessory": A subordinate structure detached from, but located on the same lot as the principal or main structure, the use of which is incidental and accessory to that of the principal or main structure.

"Swimming Pool": Any pool placed for swimming or bathing, any part of which is above or below ground and has a capacity of 2,500 gallons or more or has a depth of 24" or more.

"Swap Meets": A location where the owner or lessee rents, lends, or leases portions of the premises to persons for use as an open market place to barter, exchange, or sell goods. A flea market shall be considered a swap meet. Yard sales and garage sales at residences are not swap meets.

"Tavern": Any business establishment operating under a private club or on-premise beer license.

"Telecommunication Facility": Means an unmanned structure which consists of equipment used primarily for the transmission, reception, or transfer of voice or data through radio wave or wireless transmissions. Such sites typically require the construction of transmission support structures to which antenna equipment is attached.

"Temple": See Church.

"Title Loan Business": Means an establishment providing short term loans to individuals in exchange for the title of a motor vehicle, mobile home, or motorboat as collateral.

"Tobacco Product": any cigar, cigarette, or electronic cigarette as those terms are defined in § 76-10-101 of Utah Code (as amended); a tobacco product as that term is defined in §59-14-102 of Utah Code (as amended), including chewing tobacco; any substitute for a tobacco product, including flavoring or additives to tobacco; and tobacco paraphernalia, as that term is defined in §76-10-104.1 of Utah Code (as amended)

"Travel Vehicle": A trailer, camper, or motor home designed or used for sleeping by persons while traveling, but not intended as a permanent dwelling, and not constructed for permanent attachment to public utilities.

"Truck and/or Trailer Rental": Every rented motor vehicle, except semi trailers, designed and used to carry property. The truck and/or trailer have either single rear axles and single rear wheels or single rear axles and dual rear wheels; in addition, tandem wheeled trailers.

"University": An institution of higher learning made up of an undergraduate division which confers bachelors degrees and a graduate division which comprises a graduate school and professional schools.

"Variance": A variation of, or deviation from the regulations or standards adopted by ordinance, which the Board of Zoning Adjustment is permitted to grant.

"Vehicle": Any motored mode of transportation used to transport people or goods for purposes of recreation, commerce or travel, having no fewer than two wheels, except in cases of watercraft and weighing no less than 125 pounds. Hitched trailers and fifth wheels shall also be considered "vehicles."

"Veterinary Clinic": Any building, or portion thereof, designed or used for veterinary examination, observation, and treatment of domestic animals, including euthanization of domestic animals.

"Wall Mounted Antenna": Means an antenna or series of individual antennas mounted against the vertical wall of a building or structure. Also includes associated equipment.

"Warehouse and Distribution": An enclosed building used for the storage, wholesale sales, and distribution of manufactured equipment, products, and supplies.

"Waste Transfer Station": Shall mean a site the primary purpose of which is to store or hold solid waste for transport to a processing or disposal facility. A waste transfer station facility may also include processes for solid waste management including the recovery, processing and sorting for recycling and reutilization by a public or commercial recycling or energy recovery facility. The term shall not include junkyards or salvage yards.

"Yard": A space on a lot, other than a court, unoccupied and unobstructed from the ground upward except as otherwise provided in this Title.

"Yard, Front": Any yard between the front lot line and the setback line of a main building and extending for the full width of the lot. (See Diagrams [A-2](#), [A-3](#).)

"Yard, Rear": A yard between the rear lot line and the setback line of a main building, extending across the full width of inside lots and for corner lots a yard between the rear lot line and the setback line of the building and extending between the side lot line and the front yard lying opposite thereto. (See Diagrams [A-2](#), [A-3](#).)

"Yard, Sale": See Garage Sale.

"Yard, Side": Any yard between the side lot line and the setback line of a main building, extending from the front yard to the rear yard. (See Diagrams [A-2](#), [A-3](#).)

"**Yard, Street Side**": On corner lots, the yard determined by the owner to be the side yard on the street and running from the front setback line to the rear property line.

"**Zero Lot Line Development**": Single family dwellings arranged on lots with one side wall of the building located on the property line. (See [Diagram A-5](#).)

"**Zoning Administrator**": The Community and Economic Development Director shall be the Zoning Administrator, who is the administrative officer charged with enforcement of the Code provisions involving or related to land use planning, zoning, development, signs, and subdivisions. See also Section 2.31.010.

Ord No. 97-35, Recodified, 6/19/1997 Ord No. 97-19, Enacted, 4/17/1997 Ord No. 98-80, Amended, 12/17/1998 Ord No. 98-83, Amended, 12/17/1998 Ord No. 00-03, Amended, 2/17/2000 Ord No. 01-39, Amended, 9/6/2001 Ord No. 01-41, Amended, 10/4/2001 Ord No. 01-47, Amended, 10/4/2001 Ord No. 02-18, Amended, 3/21/2002 Ord No. 11-23, Amended, 9/15/2011 Ord No. 11-23, Amended, 9/15/2011 Ord No. 99-12, Amended, 3/18/1999 Ord No. 03-41, Amended, 10/2/2003 Ord No. 04-69, Recodified, 12/16/2004 Ord No. 05-14, Amended, 4/7/2005 Ord No. 06-56, Amended, 12/7/2006 Ord No. 08-38, Amended, 7/17/2008 Ord No. 08-41, Amended, 10/2/2008 Ord No. 09-10, Amended, 6/4/2009 Ord No. 09-09, Amended, 7/16/2009 Ord No. 09-20, Amended, 11/5/2009 Ord No. 11-03, Amended, 3/3/2011 Ord No. 12-16, Amended, 5/17/2012 Ord No. 99-12, Amended, 3/18/1999 Ord No. 14-08, Amended, 6/19/2014 Ord No. 14-30, Amended, 12/18/2014 Ord No. 15-17, Amended, 9/17/2015 Ord No. 16-35, Amended, 7/7/2016

SECTION 2: AMENDMENT "19.06.170 Commercial Uses In Manufacturing Zoning Districts" of the Layton Municipal Code is hereby *amended* as follows:

AMENDMENT

19.06.170 Commercial Uses In Manufacturing Zoning Districts

~~Retail sales shall be allowed in~~ In the M-1 (Light Manufacturing/Industrial) and M-2 (Heavy Manufacturing/Industrial) zoning districts, no more than 40% of total interior building area of a development site shall be allowed with uses listed in Table 6-2 as L4. as a conditional use, but shall be limited to the retail sale of goods manufactured and/or distributed by the same business, as long as:

L4 uses shall not be permitted unless there is a sufficient shared or joint use parking supply to support occupancy of all interior building area(s) with uses associated with the development site.

- ~~1. The retail sale is confined to a floor area within the tenant space not exceeding 40% of the total floor area used by the business; and The remaining floor area is not open to the public and is not used for commercial uses; and The subject parcel has frontage on an arterial street with the main entrance to the business facing the arterial street.~~

Ord. No. 03-49, Enacted 11/20/2003
Ord. No. 04-69, Recodified, 12/16/2004

SECTION 3: **ADOPTION** “19.06.260 E-Commerce Retail And Fulfillment”
of the Layton Municipal Code is hereby *added* as follows:

ADOPTION

19.06.260 E-Commerce Retail And Fulfillment(*Added*)

1. At least half of the windows and doors along street-facing building elevations shall be visible into finished interior reception, office, retail or business operation areas. Warehouse and equipment storage areas shall not be visible from the street-facing windows and doors.
2. Any transparent street-facing windows and doors that connect to warehouse and equipment storage areas shall be screened to block interior visibility with no more than 30% screening as window signs, and no more than 50% screening as window displays.

SECTION 4: **ADOPTION** “19.06.270 Light Commercial Flex Manufacturing”
of the Layton Municipal Code is hereby *added* as follows:

ADOPTION

19.06.270 Light Commercial Flex Manufacturing(*Added*)

1. When operated, machines and instruments shall not emit a noise level greater than 85 decibels (dB), and shall not emit detectable vibration, dust, odor, fumes or gas beyond the boundary of the property or noise above ambient level (size limit). Interior noise levels associated with business operations and machines may be increased above 85 dB if interior building sound attenuation is applied to mitigate any sound increase that would otherwise transmit into attached commercial or residential units.
2. At least half of the windows and doors along street-facing building elevations shall be visible into finished interior reception, office, retail or business operation areas. Warehouse and equipment storage areas shall not be visible from the street-facing windows and doors.
3. Any transparent street-facing windows and doors that connect to warehouse and equipment storage areas shall be screened to block interior visibility with no more than 30% screening as window signs, and no more than 50% screening as window displays.

SECTION 5: **ADOPTION** “19.06.280 Manufacturing/Industrial Services” of the Layton Municipal Code is hereby *added* as follows:

ADOPTION

19.06.280 Manufacturing/Industrial Services(*Added*)

1. When operated, machines and instruments may emit a noise level greater than 85 decibels (dB), without detectable vibration, dust, odor, fumes or gas that extend beyond the boundary of the property or noise ambient level.

SECTION 6: **ADOPTION** “19.06.290 Office And Indoor Storage” of the Layton Municipal Code is hereby *added* as follows:

ADOPTION

19.06.290 Office And Indoor Storage(*Added*)

1. Storage areas are not allowed for manufacture or fabrication of products and/or the modification of materials, unless the specific commercial use meets the noise and impact standards associated with **Light Commercial Flex Manufacturing**.

2. At least half of the windows and doors along street-facing building elevations shall be visible into finished interior reception, office, retail or business operation areas. Warehouse and equipment storage areas shall not be visible from the street-facing windows and doors.

3. Any transparent street-facing windows and doors that connect to warehouse and equipment storage areas shall be screened to block interior visibility with no more than 30% screening as window signs, and no more than 50% screening as window displays.

SECTION 7: **AMENDMENT** “Tables 6-1 And 6-2” of the Layton Municipal Code is hereby *amended* as follows:

AMENDMENT

Tables 6-1 And 6-2

[Tables 6-1 and 6-2](#)

TABLE OF LAND USE REGULATIONS

TABLE 6-1 (Columns A Through R-H) and TABLE 6-2 (Columns A-2 Through MU-TOD)

RESIDENTIAL/DOMESTIC

	A	R-S	R-1-6	R-1-8	R-1-10	R-MH	R-2	R-M1	R-M2	R-H	<u>C-T-H</u>	A-2	B-RP	P-B	C-P-1	C-P-2	C-P-3	C-H	M-1	M-2	M-U	MU-TOD	
Accessory Farm Bldg.	P	C										P											
Accessory Residential Dwelling Unit	C	C	C	C	C	C	C	C	C	C													
Accessory Bldg.	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P	P	P	P	P	C	P
Boarding/Rooming House	C							C	C	C													C
Community	-	-	-	-	-	-	-	€	€	€			-	P	P	P	P	€	-	-	€	€	

Center																				
Dormitory								C	C	C								C		
Dwelling, Multiple Unit								P	P	P								P	<u>P</u> €	
Dwelling, 2 Unit								P	P	P	P	<u>P</u>						C	C	
Dwelling, 1 Unit Attached (SF-A)								P	P	P	P	<u>P</u>						<u>P</u> €	<u>P</u> €	
Dwelling, 1 Unit Detached (SF-D)	P	P	P	P	P		P	P	P	P	<u>P</u>							C	C	
Fraternity/Sorority House									C	C	C							C		
Household	P	P	P	P	P	P	P	P	P	P	<u>P</u>								P	P

INSTITUTIONAL/CIVIC AND SPECIAL SERVICES

	A	R-S	R-1-6	R-1-8	R-1-10	R-MH	R-2	R-M1	R-M2	R-H	<u>C-T-H</u>	A-2	B-RP	P-B	C-P-1	C-P-2	C-P-3	C-H	M-1	M-2	MU	MU-TOD	
Airport, Helip ort																			C	C			
<u>Assist ed Livin g</u>								<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>	<u>P</u>
Ceme tery; Pet Cemet ery; Maus oleum	C	C	C	C	C	C	C	C	C	C				C									
Chart er Schoo l	P	P	P	P	P	P	P	P	P	P	<u>P</u>		P	P	P	P	P	P	P	P	P	P	P
Churc h/Tem ple/R ectory	C	C	C	C	C	C	C	C	C	C	<u>C</u>		C	C	C	C	C	C	C	C	C	C	C
Colle ge or Unive rsity	C	C	C	C	C	C	C	C	C	C	<u>C</u>		C	C			C						
Com merci al Schoo l													C	C	P	P	P	P				P	P
<u>Com</u>																							

<u>Community Center</u>								<u>C</u>	<u>C</u>	<u>C</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>	<u>P</u>	
Community Use	C	C	C	C	C	C	C	C	C	<u>C</u>			C	C	C	C	C	C	P	P	C	C
Conv ent, Mona stery or Other Dwl. Grou p for Religi ous Com munit y	C	C						C	C	C	<u>C</u>			C	C	C	C	C			C	C
Day Care Cente r								C	C	C	<u>C</u>		<u>P</u> <u>e</u>	<u>P</u> <u>e</u>	<u>P</u> <u>e</u>	P	P	<u>P</u> <u>e</u>		<u>P</u> <u>e</u>	<u>P</u> <u>e</u>	
Foster Home	C	C					C	C	C	C	<u>C</u>					C						
Frater nal/B enevo lent Societ y										C					C	P	P	C				
Halfw ay Hous e or Simila r Facilit y for																						

Home																							
Park, Playg round , Fairgr ound	C	C	C	C	C	C	C	C	C	C	<u>C</u>		C	C	C	C	C	C	C	C	C	C	
Privat e/Qua si- Public Schoo l	C	C	C	C	C	C	C	C	C	C	<u>C</u>		C	C								C	
Privat e Count ry Club	C	C						C	C	C			C	C	C	C	C	C	C			C	C
Public Admi n. Office s	C	C	C	C	C	C	C	C	C	C	<u>C</u>		P	P	P	P	P	P	P	P	P	P	
Public Schoo l	C	C	C	C	C	C	C	C	C	C	<u>C</u>		C	C								C	
Resid ential Facilit y for Elderl y	C	C	C	C	C	C	P	P	P	P	<u>P</u>											C	
Resid ential Facilit y for Perso ns w/a								C	P	P	P	<u>P</u>										C	C

or Sale																				
Crop Production Sale	P	P										P		P	P	P	P	P	P	P
Dairy	P	C										P							P	
Family Food Production	P	P										P						P	P	
Farm Industry, or Ranch	C	C										P							P	
Fur Farm	C											C							P	
Home Use Orchard	P	P	P	P	P	P	P	P	P	P				P	P	P	P	P	P	
Commercial Use Orchard	P	P												P	P	P	P	P	P	P

P = PERMITTED C = CONDITIONAL L# = Permitted with Specific Limitation(s)

AUTOMOBILE RELATED USES

	A	R-S	R-1-6	R-1-8	R-1-10	R-MH	R-2	R-M1	R-M2	R-H	<u>C-T-H</u>	A-2	B-RP	P-B	C-P-1	C-P-2	C-P-3	C-H	M-1	M-2	M-U	M-U-T-O-D
Major Auto																						

Yard																						
<u>Dairy Proce ssing or Ice Crea m Plant</u>																			C	P		
Extra ction of Soil, Sand, Grave l, Miner als, Gas, Petrol eum, or Simil ar																				P		
Fabri cated Textil e Produ cts	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	€	P	-	-
Food Produ cts Manu factur ing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	€	P	-	-
Furnit ure Manu factur ing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	€	€	P	P	-	-	-	-
Junk																						

Storage)																				
Storage of Sand, Gravel, Earth or Stone																				P
Trucking Terminal														€	€	P	P			
Warehouse and Distribution																P	P			
Waste Transfer Station																P	P			
Wood & Paper Manufacturing																				P

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RETAIL AND RELATED USES

	A	R-S	R-1-6	R-1-8	R-1-10	R-MH	R-2	R-M1	R-M2	R-H	<u>C-T-H</u>	A-2	B-RP	P-B	C-P-1	C-P-2	C-P-3	C-H	M-1	M-2	M-U	MUTOD
--	---	-----	-------	-------	--------	------	-----	------	------	-----	--------------	-----	------	-----	-------	-------	-------	-----	-----	-----	-----	-------

ment or Disea unt Store	-	-	-	-	-	-	-	-	-	-	-	-	-	-	€	P	P	P	-	-	€	€			
E- comm erce Retail & Fulfill ment																P	P	P	P	P	L ₄	L ₄	L ₂	L ₂	
Fast Food Eatin g Establ ishme nt																L ₄	P €	P €	P €	P €	L ₄	-	L ₄	P ² €	P ² €
Floris t Shop	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	€	€		
Furnit ure/A pplian ce Store																	C	C	P	P	P	P	C	C	
Garde n Shop & Plant Sales, Nurse ry	C																C	P	P	C			C	C	
Groce ry Store																P	P	P	P				P	P	
Handi craft,																									

Art Objee t	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	P	P	
Hard ware Store	-	-	-	-	-	-	-	-	-	-	-	-	-	-	€	P	P	P	P	P	P	€	€
Hobb y Shop	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	P	P	
Kenn els, Board ing															C	C	C	C	P	P			
Kenn els, Daily Board ing & Exten ded Care	C																						
Kenn els, Privat e	C	C																					
Labor atory, Medic al or Denta l														P	<u>P</u> €	P	P	P	P	<u>L</u> 4	<u>L</u> 4	P	P
Laun dry/L aundr omat															P	P	P	P	<u>L</u> 4	<u>L</u> 4	P	P	
Locks mith or Key Shop															P	P	P	P	P	P	<u>L2</u> P	<u>L2</u> P	

Medical Appliance Fitting or Sale; Medical Pharmacy	-	-	-	-	-	-	-	-	-	-	P	-	P	P	P	P	-	-	P	P
Medical/Dental Clinic											P	P	P	P	P	P			P	P
Mortuary												C	C	P		C			C	
Music Store													<u>P</u> <u>€</u>	P	P	P	<u>L</u> <u>4</u>	<u>L4</u>	<u>L3</u> <u>P</u>	<u>L3</u> <u>P</u>
Office , Professional , or General Business											P	P	P	P	P	P	P	P	P	P
Optical Shop or Laboratory	-	-	-	-	-	-	-	-	-	-	€	€	P	P	P	P	-	-	P	P
<u>Outdoor Storage</u>																	<u>P</u>	<u>P</u>		
Packa																				

Alcohol Sales																				
Title Loan, Payday Loan, Deferred Deposit Lending and Similar Busi.														C		C				
Variety Store	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	P	P

2. Drive-throughs in the MU and MU-TOD zones are only permitted on the rear or side of a building (See Sections 19.25.060 and 19.26.060).

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COMMERCIAL AND RELATED SERVICES

	A	R-1-6	R-1-8	R-1-10	R-MH	R-2	R-M1	R-M2	R-H	<u>C-T-H</u>	A-2	B-RP	P-B	C-P-1	C-P-2	C-P-3	C-H	M-1	M-2	M-U	MU-TOD	
Bakery, Wholesale														<u>L2</u>	<u>P</u> <u>€</u>	P	P	P	P	<u>€</u>	<u>L2</u> <u>€</u>	
Bed & Breakfast	C	C				C	C	C	C				C				C				C	C
Building														<u>L2</u>	<u>L1</u>		<u>L1</u>					

SECTION 8: **AMENDMENT** “19.25.060 Specific Design Standards” of the Layton Municipal Code is hereby *amended* as follows:

AMENDMENT

19.25.060 Specific Design Standards

1. **General requirements.** The following design standards shall be required of all development in the mixed-use zoning district in order to create a cohesive appearance that is pedestrian friendly and which encourages travel by public transportation, bicycling, van pooling, and car pooling.
 - a. Wherever practical, buildings shall incorporate arcades, roofs, alcoves, porticos, and awnings that protect pedestrians from the rain and sun.
 - b. Trash storage areas, mechanical equipment, transformers, meters, and similar devices are not permitted to be visible from the street. Where site constraints would otherwise force these uses into visible locations, they shall be screened by decorative walls, earthen berms, landscaping, or architectural treatments capable of screening views from streets and sidewalks. If in rooftop locations, mechanical equipment shall be screened by roof components, parapets, cornices, or other architectural features.
 - c. All uses located in the zoning district shall be conducted entirely within a fully enclosed building. There shall be no outside storage of materials or equipment, other than motor vehicles licensed for street use except as specifically approved by the Land Use Authority in conjunction with a conditional use application.
 - d. Primary building orientation shall be toward the street. Buildings that are open to the public and are within 30' of the street shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be attractive and functional, be a distinctive and prominent element of the architectural design, and shall be open to the public during all business hours.
 - e. Buildings shall incorporate exterior lighting and changes in mass, surface, or finish to give emphasis to entrances.
 - f. Buildings shall provide a clear visual division between all floors. The top floor of any building shall contain a distinctive finish, consisting of a roof, cornice, or other architectural termination.
 - g. The façade of every residential floor greater than 30' lineal feet with street frontage shall incorporate features designed to provide human scale and visual interest. Compliance can be achieved through balconies, alcoves, or wall segments that create at least a two foot variation in plane for at least ten (10) lineal feet within each 30' segment of façade.
 - h. In paseos, plazas, and courtyards, lighting shall incorporate fixtures and standards designed for pedestrian areas.
 - i. All new utility transmission lines shall be placed underground.

2. At least 75% of the lineal frontage of any ground floor, non-residential wall with street frontage shall incorporate windows, doors, or display windows.
3. **First floor requirements.** Multi-story buildings with non-residential uses on the ground floor shall have a first floor minimum height of 12' to the second floor, except that live/work units not fronting onto Main Street that may be used for residential and/or commercial uses shall have a minimum floor to ceiling height of nine feet. Non-residential uses on the first floor shall have walls, partitions, and floor/ceiling assemblies separating dwelling units from other spaces with a sound transmission classification (STC) of at least 50 for airborne noise. When operated, any equipment, machines and instruments shall not emit a noise level greater than 85 decibels (dB), and shall not emit detectable vibration, dust, odor, fumes or gas beyond the boundary of the property or noise above ambient level (size limit). Interior noise levels associated with business operations and machines may be increased above 85 dB if interior building sound attenuation is applied to mitigate any sound increase that would otherwise transmit into attached commercial or residential units.
4. For development sites greater than 20,000 s.f., primary uses shall be incorporated into a project where at least 80% of the floor plate area of new buildings is constructed at a minimum of two stories in height.
5. No drive-through shall be allowed between the building and the public street right-of-way.
6. All truck loading and pick-up shall be provided at the rear, or side of a building. Pick-up and deliveries are limited between the hours of 7:00 a.m. and 10:00 p.m. for all non-residential uses except for restaurant, fast food eating establishment, and grocery retail.
7. Light Commercial Flex Manufacturing uses shall provide a front retail/showroom area to provide products for sale to the general public.

Ord. No. 08-40, Enacted, 9/3/2008

SECTION 9: AMENDMENT “19.26.060 Specific Design Standards” of the Layton Municipal Code is hereby *amended* as follows:

AMENDMENT

19.26.060 Specific Design Standards

1. **General requirements.** The following design standards shall be required of all projects in the MU-TOD zoning district in order to create a cohesive appearance that is pedestrian friendly and which encourages travel by public transportation, bicycling, van pooling, and car pooling.
 - a. Wherever practical, buildings shall incorporate arcades, roofs, alcoves, porticos, and awnings that protect pedestrians from the rain and sun.
 - b. Trash storage areas, mechanical equipment, transformers, meters and similar devices are not permitted to be visible from the street. Where site constraints

would otherwise force these uses into visible locations, they shall be screened by decorative walls, earthen berms, landscaping, or architectural treatments capable of screening views from streets and sidewalks. If in rooftop locations, mechanical equipment shall be screened by roof components, parapets, cornices, or other architectural features.

- c. All uses located in the MU-TOD zoning district shall be conducted entirely within a fully-enclosed building. There shall be no outside storage of materials or equipment, other than motor vehicles licensed for street use except as specifically approved by the Land Use Authority in conjunction with a conditional use application.
 - d. Primary building orientation shall be toward the street. Buildings that are open to the public and are within 30' of the street shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be attractive and functional, be a distinctive and prominent element of the architectural design, and shall be open to the public during all business hours.
 - e. Buildings shall incorporate exterior lighting and changes in mass, surface, or finish to give emphasis to entrances.
 - f. Buildings shall provide a clear visual division between all floors. The top floor of any building shall contain a distinctive finish, consisting of a roof, cornice, or other architectural termination.
 - g. The façade of every residential floor greater than 30 lineal feet with street frontage shall incorporate features designed to provide human scale and visual interest. Compliance can be achieved through balconies, alcoves, or wall segments that create at least a two foot variation in plane for at least ten lineal feet within each 30' segment of façade.
 - h. In paseos, plazas, and courtyards, lighting shall incorporate fixtures and standards designed for pedestrian areas.
 - i. All new utility transmission lines shall be placed underground.
2. At least 75% of the lineal frontage of any ground-floor, non-residential wall with street frontage shall incorporate windows, doors, or display windows.
 3. First floor requirements. Multi-story buildings with non-residential uses on the ground floor shall have ~~the first floors with~~ a first floor minimum ~~ceiling~~ height of 12' to the second floor, except that live/work units not fronting onto Main Street that may be used for residential and/or commercial uses shall have a minimum floor to ceiling height of nine feet. ~~Multi-story buildings designed for n~~Non-residential uses on the first floor shall have walls, partitions, and floor/ceiling assemblies separating dwelling units from other spaces with a sound transmission classification (STC) of at least 50 for airborne noise. When operated, any equipment, machines and instruments shall not emit a noise level greater than 85 decibels (dB), and shall not emit detectable vibration, dust, odor, fumes or gas beyond the boundary of the property or noise above ambient level (size limit). Interior noise levels associated with business operations and machines may be increased above 85 dB if interior building sound attenuation is applied to mitigate any sound increase that would otherwise transmit into attached commercial or residential units.
 4. For development sites greater than 20,000 s.f., primary uses shall be incorporated into a

project where at least 80% of the floor plate area of new buildings is constructed at a minimum of two stories in height.

5. No drive-through shall be allowed between the building and the public street right-of-way.
6. All truck loading and pick-up shall be provided at the rear, or side of a building. Pick-up and deliveries are limited between the hours of 7:00 a.m. and 10:00 p.m. for all non-residential uses except for restaurant, fast food eating establishment and grocery retail.
7. Light Commercial Flex Manufacturing uses shall provide a front retail/showroom area to provide products for sale to the general public.

Ord. No. 07-19, Enacted, 6/21/2007

SECTION 10: **ADOPTION** “Table 6-3 Table Of Land Use Limitations” of the Layton Municipal Code is hereby *added* as follows:

ADOPTION

Table 6-3 Table Of Land Use Limitations(*Added*)

L1	Land use limited to an interior building area of no more than 15,000 s.f.
L2	Land use limited to an interior building area of no more than 6,000 s.f.
L3	Use not permitted directly below multi-family residential uses in MU and MU-TOD zoning districts
L4	Uses are subject to the standards and limitations provided in Section 19.06.170

PASSED AND ADOPTED BY THE LAYTON CITY COUNCIL

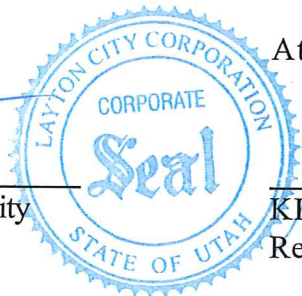
November 19, 2020.

	AYE	NAY	ABSENT	ABSTAIN
Joy Petro	_____	_____	_____	_____
Tom Day	✓_____	_____	_____	_____
Dave Thomas	✓_____	_____	_____	_____
Zach Bloxham	✓_____	_____	_____	_____
Clint Morris	✓_____	_____	_____	_____
Dawn Fitzpatrick	✓_____	_____	_____	_____

Presiding Officer

Attest

Joy Petro
JOY PETRO, Mayor, Layton City



Kimberly S Read
KIMBERLY S READ, City Recorder, Layton City

For J. Crane
GARY CRANE, City Attorney,
Layton City

Chad Wilkinson
CHAD WILKINSON, Director,
Community & Economic
Development Layton City