

PUBLIC HEARING AND PLANNING COMMISSION MEETING

Thursday, August 25, 2011 6:00 p.m.

Public Safety Building

3925 W Cedar Hills Drive, Cedar Hills, Utah

Notice is hereby given that the Planning Commission of the City of Cedar Hills, Utah, will hold a Public Hearing in connection with their Regular Planning Commission Meeting on Thursday, August 25, 2011, beginning at 6:00 p.m.

PLANNING COMMISSION MEETING

1. Call to Order
2. Public Comment: Time has been set aside for the public to express their ideas, concerns, and comments on agenda items. (Comments limited to 3 minutes per person with a total of 30 minutes for this item)

PUBLIC HEARING(S)

3. Designation of Streets and Highways as Open for Street-Legal All-Terrain Vehicle Use

SCHEDULED ITEMS

4. Approval of Minutes from the July 28, 2011, Regular Planning Commission Meeting
5. Review/Recommendation Regarding the Designation of Streets and Highways as Open for Street-Legal All-Terrain Vehicle Use
6. Review/Recommendation Regarding Amendments to the City Code 10-6A, Planned Commercial Development Projects, and the Guidelines for the Design and Review of Planned Commercial Development Projects
7. Discussion Regarding Bee Keeping
8. Committee Assignments and Reports

ADJOURNMENT

9. Adjourn

Posted this 24th day of August, 2011.

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Kim E. Holindrake, City Recorder

- Supporting documentation for this agenda is posted on the City's Web Site at [www.cedarhills.org](http://www.cedarhills.org).
- In accordance with the Americans with Disabilities Act, the City of Cedar Hills will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at 801-785-9668 at least 48 hours in advance of the meeting to be held.
- The order of agenda items may change to accommodate the needs of the Planning Commission and the staff.



# CITY OF CEDAR HILLS

<b>TO:</b>	Planning Commission
<b>FROM:</b>	Greg Robinson, Assistant City Manager
<b>DATE:</b>	8/25/2011

## Planning Commission Agenda Item

<b>SUBJECT:</b>	Review/Action the Designation of Streets and Highways as Open for Street-Legal All-Terrain Vehicle Use
<b>APPLICANT PRESENTATION:</b>	N/A
<b>STAFF PRESENTATION:</b>	Greg Robinson, Assistant City Manager
<b>BACKGROUND AND FINDINGS:</b> The Mayor has asked the Planning Commission to review an ordinance that would allow registered Type I and Type II ATV's to use city streets.	
<b>PREVIOUS LEGISLATIVE ACTION:</b> Continued from the July Planning Commission Meeting	
<b>FISCAL IMPACT:</b> N/A	
<b>SUPPORTING DOCUMENTS:</b> Street-Legal ATV Ordinance Examples Staff ordinance recommendation	
<b>RECOMMENDATION:</b> After reviewing the street-legal ATV ordinance it appears that many cities have similar elements to their ordinances. The Highland ordinance covers most of those elements very specifically, while others cite Utah State Code. The benefit of the Highland code would be that it is very specific on what is allowed, but if state code changes the city code would need to be updated, citing state code allows the code to change without changing city code, but doesn't show what specifically what the requirements are without looking up state code.	
<b>MOTION:</b> To recommend/not recommend approval of the Designation of Streets and Highways as Open for Street-Legal All-Terrain Vehicle Use Ordinance...	

**Designation of Streets and Highways as Open for Street-Legal All-Terrain Vehicle Use.** All public streets and highways within the jurisdictional limits of the City of Cedar Hills are designated as open for street-legal Type I and Type II All-Terrain Vehicles (ATVs) as defined in Utah Code.

- A. Type I All-Terrain Vehicles (ATVs) are motor propelled Off Highway Vehicles designed with a seat to be straddled by the operator and Type II ATVs are All Terrain Vehicles which are motor propelled Off Highway Vehicles designed to have side by side seating (also known as "mini trucks", "Kei" trucks or "side by sides"). To be legally driven on the streets of Cedar Hills each Type II ATV shall meet all State requirements as defined by Title 41, Utah Code.
  - 1. Unauthorized ATVs are not permitted on any trail, sidewalk or in or upon any public open space.
    - a. Authorized vehicles include City appropriated ATVs or other vehicles specifically used for the purpose of law enforcement, public safety or maintenance of those trails and lands.
    - b. If an OHV/ATV is used only on a farm or ranch or for other agricultural or irrigation purposes, it may be registered at a Utah Division of Motor Vehicles office as an implement of husbandry and will be exempt from these regulations.
- B. To be a "street-legal Type I or Type II ATV", the following must be met:
  - 1. The operator must meet the same requirements as a motorcycle in that:
    - a. The vehicle must be driven so as to follow all traffic rules;
    - b. The operator must be at least sixteen (16) years of age AND possess a valid Driver's License in accordance with the Utah Uniform Driver License Act;
    - c. The vehicle must be legally registered AND possess a State issued license plate;
    - d. The owner must pay fees in lieu of property taxes;
  - 2. The vehicle must meet the following requirements as a motor vehicle, in that:
    - a. The vehicle must be covered by motor vehicle insurance AND proof thereof must be carried in/on the vehicle;
    - b. The vehicle must pass vehicle emissions inspection;
    - c. The vehicle must pass a safety inspection.
  - 3. To be a "street-legal ATV" the following equipment is required:
    - a. Headlamps;
    - b. One or more tail lamp;
    - c. Light illuminating the license plate;
    - d. Red reflectors to the rear;
    - e. Stop lamps on the rear;
    - f. Amber electric turn signals front and rear;
    - g. A breaking system, other than a parking brake;
    - h. A horn or other warning device;
    - i. A muffler and emissions control system;
    - j. Rear view mirrors on both sides of the vehicle;
    - k. A windshield, or eye protection for the driver;
    - l. An illuminated speedometer;
    - m. A footrest and handhold for each passenger; and,
    - n. For "side by side" vehicles, a seatbelt for each occupant.
  - 4. The operator of a "Street-legal ATV" may not exceed the posted speed limit or a maximum speed of 45 MPH.
  - 5. Street-legal all-terrain vehicles are not to be driven upon any Federal highways, State highways, or City streets which have more than one (1) lane in the same direction. These include, but are not limited to, 4800 South, State Road 146, State Road 92.

# Highland/Mapleton

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1. Unauthorized ATVs are not permitted on any trail, sidewalk or in or upon any public open space.
    - a. Authorized vehicles include City appropriated ATVs or other vehicles specifically used for the purpose of law enforcement, public safety or maintenance of those trails and lands.
    - b. If an OHV/ATV is used only on a farm or ranch or for other agricultural or irrigation purposes, it may be registered at a Utah Division of Motor Vehicles office as an implement of husbandry and will be exempt from these regulations.
- B. To be a "street-legal Type I or Type II ATV", the following must be met:
1. The operator must meet the same requirements as a motorcycle in that:
    - a. The vehicle must be driven so as to follow all traffic rules;
    - b. The operator must be at least sixteen (16) years of age AND possess a valid Driver's License in accordance with the Utah Uniform Driver License Act;
    - c. The vehicle must be legally registered AND possess a State issued license plate;
    - d. The owner must pay fees in lieu of property taxes;
  2. The vehicle must meet the following requirements as a motor vehicle, in that:
    - a. The vehicle must be covered by motor vehicle insurance AND proof thereof must be carried in/on the vehicle;
    - b. The vehicle must pass vehicle emissions inspection;
    - c. The vehicle must pass a safety inspection.
  3. To be a "street-legal ATV" the following equipment is required:
    - a. Headlamps;
    - b. One or more tail lamp;
    - c. Light illuminating the license plate;
    - d. Red reflectors to the rear;
    - e. Stop lamps on the rear;
    - f. Amber electric turn signals front and rear;
    - g. A breaking system, other than a parking brake;
    - h. A horn or other warning device;
    - i. A muffler and emissions control system;
    - j. Rear view mirrors on both sides of the vehicle;
    - k. A windshield, or eye protection for the driver;
    - l. An illuminated speedometer;
    - m. A footrest and handhold for each passenger; and,
    - n. For "side by side" vehicles, a seatbelt for each occupant.
  4. The operator of a "Street-legal ATV" may not exceed the posted speed limit or a maximum speed of 45 MPH.

# Spanish Fork

## 10.04.015 Street Legal All Terrain Vehicles

- A. Street legal all terrain vehicles are authorized to be used on all city streets except Center Street and 1000 North in accordance with this section and with Utah law as set forth in Utah Code Annotated §41-22-10.5. Street legal all terrain vehicles are not to be driven upon any Federal or State
- B. Highways, including, but not necessarily limited to, Interstate 15, State Road 6, State Road 198 (Canyon Road, 300 South east of Main Street, and Main Street south of 300 South), State Road 164, State Road 115 (100 S), State Road 147 (400 N), State Road 156 (Main Street from I-15 to 300 S), and State Road 51. Any other or future Federal or State Highways, limited access Highways, or City streets which have more than one lane in the same direction are also excluded from this section.
- C. In order to be street legal, all terrain vehicles must meet all of the criteria as set forth in Utah Code Annotated §41-6a-1509. The definitions of all terrain type I and type II vehicles as set forth in Utah Code Annotated §41-22-2 are incorporated herein.
- D. All operators of street legal all terrain vehicles must have in their possession a valid drivers license, with appropriate endorsements.
- E. All traffic rules and regulations shall be followed by any operator of a street legal all terrain vehicle.

# Springville

## 9-2-110 Street-Legal All-Terrain Vehicles and Off-Highway Vehicles

- 1) Definitions. The definitions of street-legal all-terrain vehicle, off-highway vehicle, all-terrain Type I vehicle, all-terrain Type II vehicle and utility-type vehicle as found in Sections 41-6a-102 and 41-22-2, Utah Code Annotated, are incorporated herein.
- 2) Street-Legal All-Terrain Vehicles.
  - a. Street-legal utility-type vehicles are authorized to be used on all City streets in accordance with this Section and with Utah law as set forth in Section 41-22-10.5, Utah Code Annotated. Street-legal all-terrain vehicles are not to be driven upon any Federal highways, State highways, or City streets which have more than one (1) lane in the same direction. These include, but are not limited to, Interstate 15, State Roads 51, 75, 77, and 89 (Main Street) and 1750 West.
  - b. In order to be street legal utility-type vehicles must meet all of the criteria as set forth in Section 41-6a-1509, Utah Code Annotated.
  - c. Except for street legal utility-type vehicles, all other street legal all-terrain vehicles and off-highway vehicles are not permitted to be used on City streets.
- 3) Driver's License. All operators of street-legal all-terrain vehicles or off-highway vehicles must have in their possession a valid driver's license, with appropriate endorsements.
- 4) Traffic Rules and Regulations. All traffic rules and regulations shall be followed by any operator of a street-legal all-terrain vehicle or an off-highway vehicle.
- 5) Snow Removal Exception. All-terrain Type I and Type II vehicles are permitted on City streets when such vehicles are being used for snow removal within twenty-four (24) hours of snow falling.

# Brigham City

## **15.05. Designation of Streets and Highways as Open for Street-Legal All-Terrain Vehicle Use**

- A. All public streets and highways within the jurisdictional limits of Brigham City are designated as open for street-legal all-terrain vehicles as defined in Utah Code 41-22-2, 41-22-10.5 and 41.6a-1509.
- B. This designation does not apply to any individual operator of a street-legal all-terrain vehicle under the age of 16 years old. All operators of street-legal all-terrain vehicles on Brigham City streets and highways must be 16 years of age or older and have obtained a driver's license in accordance with the Utah Uniform Driver License Act.
- C. This designation specifically excludes any interstate freeway or limited access highway located within the boundaries of Brigham City.



# CITY OF CEDAR HILLS

<b>TO:</b>	Planning Commission
<b>FROM:</b>	Greg Robinson, Assistant City Manager
<b>DATE:</b>	5/26/2011

## Planning Commission Agenda Item

<b>SUBJECT:</b>	Review/Action Regarding City Code 10-6A, Planned Commercial Development Projects, and the Guidelines for the Design and Review of Planned Commercial Development Projects
<b>APPLICANT PRESENTATION:</b>	N/A
<b>STAFF PRESENTATION:</b>	Greg Robinson, Assistant City Manager
<b>BACKGROUND AND FINDINGS:</b>	
<p>City Council has asked that the Planning Commission review city code regarding temporary food vendors (i.e. shaved ice shacks) and to determine the need to change current code in order to allow these types of establishments. Currently they are allowed in the commercial zone closer to 4800 West, on developed commercial space with the current owners permission, on a temporary basis. Inquiries from business owners have prompted the council to look for a recommendation from the planning commission.</p> <p>Ms. Buswell has contacted the city and has indicated that she has received verbal permission to locate a shaved ice establishment on the Smart's property.</p>	
<b>PREVIOUS LEGISLATIVE ACTION:</b>	
7-28-2011: Planning Commission recommended no change to current ordinance.	
<b>FISCAL IMPACT:</b>	
Small amounts of tax revenue, inspection and administration costs	
<b>SUPPORTING DOCUMENTS:</b>	
Cedar Hills code and examples of other cities code regarding temporary food vendors	
<b>RECOMMENDATION:</b>	
<p>It would be very difficult to mitigate all of the issues with regard to locating a temporary business on undeveloped property. Parking, storm water, building code, private property liability, private/public access, are just a few issues that would be difficult to solve with a shaved ice business but we also have to consider other businesses that may have other issues that could be even more difficult to plan for. Staff recommends that we continue to limit temporary businesses to developed commercial property in Cedar Hills.</p>	
<b>MOTION:</b>	
<p>To recommend no change... or To recommend/not recommend approval the following changes...</p> <p>...to City Code 10-6A, Planned Commercial Development Projects, and the Guidelines for the Design and Review of Planned Commercial Development Projects.</p>	

# Cedar Hills

## City Code 10-6A-2

Food Sales is listed as a Conditional Use in Neighborhood Retail and Office/Retail but not in Office. According to 10-6A-2b, the process for approving Conditional Uses is found in the design guidelines.

## Design Guidelines

### 3.2 Permitted and Conditional Uses

No building, structure or land shall be used and no building or structure shall be hereafter erected, except as allowed in the districts as shown as “permitted uses”, indicated by a “P” in the appropriate column, or as “conditional uses”, indicated by a “C” in the appropriate column. If a proposed use is not listed in the use table below but it can be shown to be substantially the same as an existing item in the chart, then it can be treated as the item in the chart.

To receive approval for a conditional use listed in the chart below, the burden of proof shall be on the applicant to demonstrate that the use is appropriate for the property or parcel under consideration. All conditional uses are required to comply with the conditions of approval imposed by the Planning Commission and/or City Council. Such conditions shall be imposed to mitigate or alleviate any expected or foreseeable adverse impacts the proposed conditional use may have on adjacent uses or the surrounding area. Typically, conditions of approval address issues such as noise, lighting, traffic and aesthetics. Even so, the City shall impose any and all conditions they find to be necessary to protect the integrity and quality of the master planned area or the surrounding neighborhoods.

The following specific conditions may be applied to various permitted or conditional uses. Any of the below prescribed conditions, and additional conditions, may be applied to any permitted or conditional uses at the discretion of the Planning Commission and/or City Council.

- a. any bay doors shall be screened, to the greatest extent possible, from residential areas and public streets
- b. the outdoor storage of materials and debris is prohibited
- c. outdoor overnight storage of vehicles is prohibited
- d. any drive through window and sufficient vehicular stacking shall be screened, to the greatest extent possible, from residential areas and public streets
- e. volume control devices, at drive through windows, shall be utilized so as to limit any audio impact on the surrounding area
- f. refuse collection shall be performed so often as to prevent the development of offensive odors
- g. the outdoor storage of materials is prohibited with the exception of live plants that may be stored outside, at the discretion of the Planning Commission and/or City Council, but only in clearly defined locations
- h. the keeping of animals outdoors is prohibited

Use	N. Ret.	Office/Ret.	Office
Antique Shop	C	C	-
Art shop and/or artist’s supplies	C	C	-
Assisted living, convalescence home	-	C	C
Automobile lube center	C	-	-
Automobile wash	C	-	-

Baby supplies	C	C	-
Bakery	C	C	-
Banks	C	C	C
Barber shop	C	C	C
Beauty parlor	C	C	C
Bicycle shop	C	C	-
Bookstore	C	C	-
Catering establishment	C	-	-
Churches	-	C	C
Clothes cleaning, dying and pressing, retail	C	-	-
Community services	C	C	C
Convenience market with or without gas station	C	-	-
Dance studio	C	C	C
Drive-through windows	C	C	-
Drug store	C	C	-
Fast food establishments	C	C	-
Food sales	C	C	-
Floral shop	C	C	-
Garden supply	C	C	-
Hardware store, not including outside storage of lumber or building materials	C	-	-
Hobby and/or craft store	C	C	-
Home improvement center	C	C	-
Interior decorating store	C	C	-
Jewelry store	C	C	-
Laundry, automatic, self-help	C	C	-
Locksmith	C	C	-
Movie theater	C	C	-
Music store	C	C	-
Pet grooming w/o boarding	C	C	-
Pet shop	C	C	-
Photographer and/or sale of Photographic supplies	C	C	-
Preschool, day care	C	C	C
Professional Office	C	C	C
Restaurants	C	C	-
Residential, attached units	C <sup>1</sup>	C <sup>2</sup>	C <sup>5</sup>
Recreational facilities and uses	C	C	C
Signage	C	C	C
Sporting Goods	C	C	C

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<sup>1</sup>When ancillary to a retail use (ancillary = subordinate, subordinate is less than 50% of any given structure) Residential is permitted only on the second level of the structures.

<sup>2</sup>When ancillary to a retail or office use (ancillary = subordinate, subordinate is less than 50% of any given structure) Residential is permitted only on the second level of the structures.

<sup>5</sup>As an independent development

## Provo City

### **14.35.020. Uses Allowed.**

- 1) Uses allowed on a temporary basis in accordance with the provisions of this Chapter may include, but are not limited to, the following: carnivals, circuses, fireworks stands, fireworks displays, Christmas tree lots, shaved ice stands, farmers' markets, promotional displays, tents for religious services, revivals, retreats, political rallies, or campaign headquarters. Temporary uses shall be restricted to the following zones: PF, PIC, SC1, SC2, SC3, DT1, DT2, GW, FC, ITOD, CG, CM, M1, and M2.
- 2) A temporary use permit shall not be required for a garage sale, provided that the garage sale shall not operate for more than a total of five (5) days in any calendar year, and shall be conducted by bona fide residents of the premises. Goods for sale shall consist of personal belongings of the residents. Goods offered for sale shall not be placed over a public sidewalk or in a public right-of-way.
- 3) A temporary use shall be allowed for a maximum thirty (30) day duration per calendar year, except for shaved ice stands and farmers' markets which may be permitted from May 1 to October 31.
- 4) A farmers' market permit applicant shall secure a temporary use permit according to the provisions of this Chapter. The person responsible for the operation of the farmers market shall pay the required fee for the temporary use and submit a site plan which:
  - (a) identifies the number and type of vendors;
  - (b) provides a signage plan for the proposed uses;
  - (c) shows the parking location; and
  - (d) designates vehicular access location.

(Am 1996-63, 1999-15, Am 2000-37, Am 2007-11, Am 2010-31)

### **14.35.030. Prior Approval Required.**

Prior to the establishment of any qualifying temporary use, (except fireworks stands or fireworks displays, permits for which shall be administered by the Fire Department), a temporary use permit shall be obtained from the Planning Commission. Any application for such permit shall meet the requirements of Section 14.35.040, Provo City Code, and shall be made by the property owner, an authorized agent, or the applicant for the temporary use. The granting of said permit shall require the following findings:

- (1) that the conduct of the requested use will not have any detrimental effects on adjacent properties and will be in general harmony with surrounding uses;
- (2) that the requested use will not create excessive traffic hazards on adjacent streets and that traffic control, if necessary, shall be provided at the expense of the applicant; and
- (3) that the applicant shall have sufficient liability insurance for the requested use or event. (Am 2007-11)

### **14.35.040. Standards and Requirements.**

A temporary use established under the provisions of this Chapter shall conform to the following standards and requirements:

- (1) Any structure requiring sanitary facilities by building, fire, health, or other similar codes shall be located on the same lot as a host structure unless independent water and sewer service is provided to the temporary structure. Where such codes require sanitary facilities, they may be provided by a host structure provided that there is:
  - (a) no indoor seating of patrons;

(b) written evidence that a host structure will provide permanent sanitary facilities for any employees and/or customers and that such facilities are conveniently located not more than three hundred (300) feet from the structure and will be accessible during all periods of operation of the use; and

(c) written evidence from the City/County Health Department that all food will be prepared and delivered from an approved commissary, that all waste resulting from the operation of the use will be properly disposed, and that food prepared on the premises will meet all health code requirements.

(2) The minimum required parking shall be two (2) spaces except that a reasonable number of additional parking places may be required. Such parking shall not have the effect of decreasing any existing parking that is required for any other use existing on the site. All parking shall meet the standards for off-street parking as specified in Chapter 14.37, Provo City Code, except that required parking may be provided on a gravel rather than a concrete or asphaltic cement surface.

(3) The layout of the proposed use shall be compatible with the access, parking, circulation, and other significant elements of any other uses or structures existing on the site.

(4) All structures shall be securely anchored to the ground at not less than four (4) points as directed by the Chief Building Official.

(5) The right to occupy the site shall be secured by a written agreement with the owner of the parcel and the owner of any host structures. Said agreement shall address the question of use of restroom facilities by employees, responsibility for maintenance, and restoration of the site upon termination of the use. A copy of the proposed agreement shall be part of the application.

(6) Approval for each temporary use permit shall bear an expiration date based upon the nature of the use. In no case shall approval be given for a period exceeding thirty (30) days except for farmers markets and shaved ice stands. All temporary structures shall be removed within fifteen (15) days of the temporary use being closed or the permit expiring, whichever occurs first.

(7) The landowner of the parcel shall provide a cash bond for the restoration of the site of said use to its original condition, including cleanup, replacement of facilities, and removal of any structures according to the following schedule:

(a) Circus, carnival, or related uses: \$1,000

(b) All other temporary uses: \$ 300

(Am 1996-63, Am 2007-11)

**14.35.050. Action on Application.**

A use meeting the requirements stated above shall be approved and a use not meeting the requirements stated above shall be denied, or may be approved with appropriate conditions to assure that the use will be compatible with and will not pose any detriment to persons or property. Said conditions may include a limitation upon hours of operation. (Am 1995-08, Am 2007-11)

**4.35.060. Revocation of Permit.**

A permit may be revoked in the event of a violation of any of the provisions of this Chapter or the conditions set forth in the temporary use permit.

**14.35.070. Business License Required.**

A temporary use permit is not a business license and the granting of said permit shall not relieve the permittee of any other license requirement of the City or any other public agency.

**14.35.080. Fees**

In order to offset a portion of the costs incurred by the City in processing temporary use permits, a fee shall be charged as shown on the Consolidated Fee Schedule adopted by the Municipal Council.

(Am 2006-15)

## Salt Lake City

### **21A.42.070: PERMITTED TEMPORARY USES:**

Subject to the specific regulations and time limits and to the other applicable regulations of the zoning district in which the use is permitted, the following temporary uses shall be permitted in the zoning districts specified, upon a finding by the zoning administrator that the parcel upon which the temporary use will be located is adequate in size, that there are adequate parking provisions and traffic access, and that the applicant has agreed to comply with such other conditions as the zoning administrator deems necessary to ensure that the temporary use will not have any material detrimental impact upon other properties:

- K. Snow Cones And Shaved Ice Huts: Snow cone and shaved ice huts are permitted in the CB, CC, CN, CS, CG, CSHBD, M-1, M-2, D-1, D-2, D-3, D-4, G-MU, RP, BP, and MU zoning districts between the dates of May 15 and September 15 of each calendar year. Such facilities shall not be located in any required yard area or any required parking area. Their placement shall not interfere with pedestrian access to other businesses on the site. The building should be located to minimize any light or noise impacts on adjacent residential properties. The temporary buildings shall be limited to: 1) Snowie models: eight (8) or twelve foot (12') kiosk, or 2) Sno Shack models: Sno Shack building, Sno Shack 2000, Sno Shack concession, or 3) equivalent, as determined by the zoning administrator. Inflated signs, banners or other signage exceeding the regulations of the applicable zoning districts are specifically prohibited. (Ord. 28-06 § 1, 2006: Ord. 18-05 § 1, 2005: Ord. 3-04 § 1, 2004: Ord. 61-03 §§ 1, 2, 2003: Ord. 14-00 § 10, 2000: Ord. 35-99 § 65, 1999: Ord. 88-95 § 1 (Exh. A), 1995: Ord. 26-95 § 2(21-6), 1995)

### **21A.42.090: USE LIMITATIONS:**

- A. General Limitations: Every temporary use shall comply with the use limitations applicable in the district in which it is located as well as with the limitations made applicable to specified temporary uses by section [21A.42.070](#) of this chapter.
- B. Hours And Days Of Operation: No temporary use shall be operated during any hours or on any days of the week except as designated by the zoning administrator, in the temporary use permit required by section [21A.42.060](#) of this chapter, on the basis of the nature of the temporary use and the character of the adjacent and surrounding area.
- C. Traffic: No temporary use shall be permitted if additional vehicular traffic reasonably expected to be generated by such temporary use would have undue detrimental effects on adjacent and surrounding streets and uses.
- D. Sign Limitations: Temporary signs may be permitted in accordance with the procedures and requirements of chapter 21A.46 of this title.
- E. Parking: Before approving any temporary use, the zoning administrator shall make an assessment of the total number of off street parking spaces that will be reasonably required in connection with the proposed temporary use, on the basis of the particular use, its intensity, and the availability of other parking facilities in the area. No temporary use shall be authorized

that would, in the opinion of the zoning administrator, reduce the amount of required off street parking spaces available for a use in connection with permanent uses located on the same zoning lot. (Ord. 62-09 § 14, 2009)

**21A.42.060: TEMPORARY USE PERMIT REQUIRED; SPECIAL STANDARDS FOR ISSUANCE AND REVOCATION:**

A temporary use permit is required for temporary uses, in accordance with the following standards set forth below:

- A. Application: An application shall be submitted to the zoning administrator. Every application for a temporary use shall include a site plan, traffic plan, including the date, time, location and anticipated attendance of a temporary event or use, anticipated access routes, ingress and egress for emergency vehicles, and available parking in the vicinity, and the application shall be submitted to the zoning administrator at least thirty (30) calendar days before the scheduled date that the temporary event or use is to take place unless the zoning administrator approves a shorter application deadline.
- B. Fees: The application for a temporary use shall be accompanied by the fee shown on the Salt Lake City Consolidated Fee Schedule.
- C. Approval: A temporary use permit for a temporary use may be issued by the zoning administrator; provided, that the applicant meets all applicable requirements of this chapter and any other requirements deemed necessary by the zoning administrator to ensure that the temporary use will not have a detrimental impact upon other properties.
- D. Basis For Permit Denial: A temporary use permit shall be denied if the zoning administrator determines that the public health, safety or welfare would be impaired, or if the applicant has not adequately addressed traffic and parking issues associated with the proposed use.
- E. Conditional Permit: A temporary use permit for a temporary use may be conditioned upon such special requirements as the zoning administrator may determine are necessary to achieve the purposes of this title and to protect the public health, safety and welfare.
- F. Revocation Of Permit: A temporary use permit shall be revoked by the zoning administrator pursuant to the procedures of section [21A.08.060](#) of this title, if any of the standards and conditions imposed pursuant to such permit, are violated.
- G. Appeal: Any person adversely affected by the decision of the zoning administrator, may appeal the decision to the board of adjustment pursuant to the provisions of chapter 21A.16 of this title.