

CHAPTER 21-11 SPECIAL USE STANDARDS

21-11-1 Extended Living Areas and Accessory Dwelling Units (ADUs)

- (a) *Purpose.* This section is established to provide regulations and design standards for extended living areas (attached or detached), and accessory dwelling units (attached or detached) related to single-family dwellings in primarily residential zone districts. These accessory living areas enable additional dwelling units to be available to moderate income households, provide economic relief to homeowners who might otherwise be forced to leave a neighborhood, and make dwelling units available which are appropriate for households at a variety of stages in the life cycle.
- (b) *Applicability.* The property is within a single-family residential zone and has not more than one existing single-family dwelling on a lot or parcel, or where a building permit has been issued and construction is in process for the single-family dwelling.
- (c) *Application Procedure.* Extended living areas (attached or detached) and ADUs (attached or detached) may be allowed through the following procedures:
- (1) An extended living area (attached or detached) may be approved by the Director at the time of building permit review to create additional living facilities within the structure or in a detached accessory structure.
 - (2) An ADU (attached or detached) may be allowed with approval of an administrative Special Use Permit from the Community Development Department and issuance of an associated Business License.
- (d) *Application Information Requirements for ADUs (attached or detached).* An application for a Special Use Permit for an attached or detached ADU shall include the following information:
- (1) *Application.* A completed application, as provided by Sandy City, shall be submitted to the Community Development Department. Only the property owner may apply for an ADU Special Use Permit.
 - (2) *Owner Occupancy.* The applicant shall provide evidence that they are the owner of the subject property, live in the primary dwelling or ADU and reside therein as their primary residence.
 - a. An individual shall prove ownership of the property as evidenced by a copy of a transfer deed listing the applicant as the fee title owner. Fee title owner may be an individual or trustor of a family trust that possesses 50 percent or

more ownership of the primary dwelling. The fee title owner may not be a corporation, partnership, limited liability company, or similar entity.

- b. To establish that the property is the owner's primary residence, the owner shall provide:
 - 1. A government-issued identification document listing the address of the property as the address of the owner; and
 - 2. A signed affidavit sworn before a notary public shall be provided by the owner stating that the proposed property is the primary residence of the owner and they will occupy the property as their residence, except for bona fide temporary absences; and
 - 3. Two or more of the following listing the property address as their primary residence:
 - i. W-2 or 1099 from the most recent tax filing period, wherein the financial information has been redacted; or
 - ii. A voter registration card dated within the last calendar year; or
 - iii. Automobile registration document dated within the last calendar year; or
 - iv. At least three utility bill statements for services (i.e. electricity, gas, water or cable) that display property owner name and residential address. A P.O. Box will not be accepted.
- (3) *Dwelling Description.* A detailed written description and/or drawing of the proposed ADU that includes all the following information:
- a. The use of each room of the dwelling;
 - b. The portion of the dwelling or detached structure intended for use as an ADU;
 - c. The location of all smoke and carbon monoxide detectors; and
 - d. Provide any other materials that are necessary to show compliance with the design standards of this Section.
- (4) *Site Plan.* A site plan of the property shall be submitted to determine compliance with the requirements of this code. The site plan shall be drawn to scale with dimensions and north arrow, showing the entire property with property lines and

the location of all existing and proposed structures, walls, parking, driveways, walkways, easements and utilities.

- a. *Detached ADU Parking Plan.* The site plan shall include a detailed drawing of the off-street parking spaces, showing compliance with the residential parking standards as set forth in Chapter 21-24 of this code.

(e) *General Requirements.* The following requirements apply to extended living areas (attached or detached) and ADUs (attached or detached):

- (1) *Number Permitted.* No property owner may operate more than one ADU (attached or detached) at any time.

- a. Only one detached self-contained habitable living unit (either ADU or extended living area) is allowed on the property.
- b. Within the primary dwelling, any number of extended living areas are allowed and only one may be a self-contained habitable living unit.

- (2) *Retain Single-Family Residential Characteristics.* The extended living area (attached or detached) or ADU (attached or detached) shall be designed to retain the single-family residential characteristics of the property and meet the following standards:

- a. *A detached ADU or detached extended living area shall not be sold separately or subdivided from the principal dwelling unit or property, unless the standards of the underlying zone and a subdivision are met.*
- b. *Utilities and Meters.* It shall be prohibited to install separate utility connections or meters. Private utility meters installed behind the primary meters and internal to the dwelling may be allowed.
- c. *Addressing.* No separate addresses will be assigned to the property. Additional mailboxes are also prohibited.
- d. *Landscaping.* The retention and enhancement of landscaping and property maintenance standards shall be met with any site or building alterations.

- (3) *Building Code Compliance Required.* The design of the extended living area or ADU shall conform to all applicable standards in the City's adopted Fire, Building, and Health Codes. The applicant shall obtain all necessary building permits prior to construction of the extended living area or ADU.

- (4) *Parking.* Off-street parking space shall be available for use by the occupants of the extended living area or ADU and shall comply with the City's adopted residential parking standards as set forth in Chapter 21-24 of this code. A nonconforming single-family dwelling must be brought into conformity with all required parking requirements. If the required parking area is to be modified in the creation of an accessory living area or ADU, the required parking shall be replaced on-site. Any additional vehicles owned by occupants must be accommodated on-site. On-street parking shall be reserved for visitors only.
- (5) *Mobile Homes.* It shall be prohibited to have an ADU or extended living area (whether it is attached or detached) associated with a mobile home.
- (6) *Septic Systems.* Any dwelling that is using a septic system, must show proof by a licensed professional that the system is in proper working condition or be required to connect to the existing sewer infrastructure.
- (7) *Easements.* *Detached* ADUs and detached extended living areas shall not be built within a recorded easement.
- (8) *Occupancy Restrictions.*
 - a. Extended living areas shall be used by the primary dwelling family members and their non-paying guests or for employed household maintenance personnel on a non-rental basis.
 - b. ADUs shall be used and rented by an additional single family. The occupants of the ADU shall not sublease any portion of the ADU to other individuals.
- (9) *Recordation.* Approval of an extended living area and ADU shall be recorded with the Salt Lake County Recorder's Office. Proof of recordation shall be submitted to the Community Development Department prior to occupancy. A recorded copy shall be kept on file with the Community Development Department.
- (10) *Duration of Approval and Transferability.*
 - a. *Extended Living Area.* Upon sale of the home or change of primary occupant, the approval for an extended living area shall be transferred to the new owner or occupant. The new owner and occupant shall be subject to those requirements.
 - b. *Accessory Dwelling Unit.* The Special Use Permit for an ADU shall continue until:
 - 1. A sale of the property, or

2. Change of residence of the primary occupant, or
3. The Business License expires.

At the event of any of the above, the Special Use Permit shall expire, and it is not transferable to new property owners. If the permit expires, the area previously used as an ADU shall revert to an extended living area use only, meaning it can only be occupied and utilized by the primary dwelling occupants and their non-paying guests. A reversion clause to extended living area use shall be included in the permit approval should the Special Use Permit expire.

- (11) *Inspections.* Yearly inspections may be required to determine compliance if determined appropriate by the Director or Chief Building Official.
- (f) *Additional Requirements for Attached Extended Living Areas and Attached ADUs.* The following requirements apply:
 - (1) *Retain Single-Family Dwelling Appearance.* The unit shall be designed so that the appearance of the building remains that of a single-family residence, including the following:
 - a. *Entrances.* Only one primary entrance into the existing dwelling is allowed facing the street or front property. No additional entryways or access to these accessory living areas shall be visible from the street or front property line. All entrances for an accessory living area shall be located on the side or in the rear of the dwelling or from within the home or garage.
 - b. *Design.* Any additions to the existing primary dwelling shall be designed and constructed to blend in and be compatible with the architectural components of the primary dwelling unit. The following design standards are required:
 1. The architectural style must match that of the primary dwelling (e.g. building articulations, design elements, roof style and angle of roof).
 2. At least one of the exterior materials used in the principal dwelling shall be incorporated into the addition for a minimum of 20 percent of all its facades.
 3. The predominant color used on the primary dwelling shall be incorporated into the addition for a minimum of 50 percent of all its facades.

4. Similar sized windows and window styles as the primary dwelling shall be used in the addition.
 5. The addition must be connected to the existing living area of the home by a common wall (minimum width of at least 20% of the perimeter of the addition) and not connected through a breezeway or non-habitable space (e.g. garage, storage area, mechanical room). Internal connectivity such as a doorway between the primary dwelling and the attached ADU or extended living area is not required.
- (2) *Short Term Rental (STR).* An extended living area or attached ADU is prohibited to be rented as a STR or offer the unit to be rented for a period of less than 30 consecutive days unless the property has obtained approvals for such use in accordance with Section 21-11-26 and all other Sandy City Code. A dwelling or any portion thereof shall not be occupied under a short-term rental and a rental of thirty (30) or more consecutive days at the same time, consistent with Section 21-11-26. A property holding approvals for both uses may alternate between them, provided only one use is in operation at any time and the active use is designated on the current business license.
- (g) *Additional Requirements for Detached Extended Living Areas and Detached ADUs.*
The following requirements apply:
- (1) The unit shall be constructed on a permanent foundation. Trailers, recreational vehicles and other portable structures on wheels shall not be permitted.
 - (2) Short Term Rentals are prohibited. The unit shall not be used as a short-term rental or offer the unit to be rented for a period of less than 30 consecutive days.
 - (3) Exterior lighting shall direct illumination downward and lighting shall dark-sky compliant.
 - (4) Awnings, covered porches, decks, exterior stairways, stairwells, landings, and balconies shall not encroach into any required setback. Roof eaves may encroach into a required setback up to two feet.
 - (5) Decks and balconies on the second story or roof are prohibited unless the structure meets the setbacks of the primary structure of the underlying zone (LDC 21-20-2).
 - (6) Basements are allowed.

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- (7) The unit shall be designed consistent with the design of the single-family dwelling.
- (8) *Development Standards.* Unless otherwise specified in this section, the development standards for accessory structures under LDC 21-11-2 do not apply. The table below describes the additional development standards:

<i>Development Standards for Detached ADUs and Detached Extended Living Areas</i>	
Minimum Property Size	11,000 square feet or larger
Location	Rear and side yards, and behind the front plane of the home For properties at least 40,000 square feet in size, a detached ADU may be located within the front yard if it meets the front and side yard setbacks of the underlying residential zone (LDC 21-20-2).
Maximum Size of a Detached ADU	Footprint of the detached ADU shall meet the following size limits, whichever is less: 1. 75% or less of the primary dwelling footprint. 2. No larger than the maximum square footage allowed for an accessory structure under LDC 21-11-2(a)(2).
Building Height and Setbacks from Side and Rear Property Lines	Maximum 15 feet in building height 10 feet minimum setback
Building Height and Setbacks from Side and Rear Property Lines	Taller than 15 feet in building height, but no taller than the building height of the primary dwelling Setbacks for the primary dwelling in the underlying zone (LDC 21-20-2), but at no point setback less than 10 feet.
Setback from Primary Dwelling	6 feet minimum

- (h) *Conversion.* Existing legal accessory structures constructed prior to October 1, 2026, (shed, garage, workshop, etc.) may be converted to a detached ADU, provided that the

proposed habitable space complies with all standards of this Section and conforms to all applicable standards in the City's adopted Fire, Building, and Health Codes. The applicant shall obtain all necessary building permits prior to construction of the conversion. The number of required off-street parking stalls shall not be eliminated with the conversion of an accessory garage.

- (i) *Enforcement.* In addition to any other legal or equitable remedies available to the City, upon a determination that a violation of the accessory dwelling unit regulations exists, the City may also utilize all remedies identified and allowed under Section 10-20-530 and 10-21-304 of Utah State Code, or its successor (see U.C.A. 1953, § 10-20-530, § 10-21-304).

CHAPTER 21-24 PARKING, ACCESS AND CIRCULATION REQUIREMENTS

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21-24-4 Residential Parking Requirements And Restrictions

(a) *Single-family Dwellings (Detached)*. All single-family detached dwellings shall provide at least a two-car garage for the daily storage of personal vehicles plus meet all guest parking space requirements of Section 21-24-8(b), except as provided in Subsection (d).

(1) *Accessory Dwelling Units (Detached)*. All detached accessory dwelling units shall meet the minimum parking space requirements of Section 21-24-8(b).

(b) *Two-family Dwellings (Duplex) or Single-family Attached Dwellings (Townhomes or Twin Home)* shall meet the minimum parking space requirements of Section 21-24-8(b), except as provided in Subsection (d).

(c) *Multiple Unit Dwellings (Apartments or stacked Condominiums)* shall meet the minimum parking space requirements of Section 21-24-8(b).

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21-24-8 Parking Space Requirements

(a) *Specific Requirement for Each Land Use*. Off-street parking shall be provided for land uses as described below. Parking for uses not specifically listed below shall be provided in the same ratio as the use most nearly approximating the characteristics of the unlisted use, as determined by the Planning Commission. Land uses are grouped into categories that have comparable parking requirements.

(b) *Table of Parking Requirements by Land Use Category*. The following minimum parking is required:

<i>Parking Requirements by Land Use Category</i>	
<i>Land Use Categories</i>	<i>Space Requirements</i>
<i>Residential</i>	
Single-family Dwelling, Detached	2 spaces per dwelling unit (within an enclosed garage)
- Additional guest parking	2 car off-street parking in the dwelling's driveway, plus one space for

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	each domestic (e.g., maid, nanny, gardener, etc) or support staff person employed on the premises during the highest employment shift.
- Additional parking for Detached Accessory Dwelling Unit	1 space per detached accessory dwelling unit less than 650 total square feet 2 spaces per detached accessory dwelling unit 650 total square feet or greater Additional parking may be reduced by one space if the property is located within a Station Area Plan (½ mile from transit station)

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CHAPTER 21-37 DEFINITIONS

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21-37-2 "A" Definitions

- (a) *AASHTO* means American Association of State Highway and Transportation Officials.
- (b) *Abandoned well* means a well, the use of which has been permanently discontinued or is in such a state of disrepair that it cannot be used for its intended purpose or for observation purposes.
- (c) *Accessory dwelling unit (ADU), attached* means a self-contained habitable living unit (includes a kitchen or kitchenette, $\frac{3}{4}$ or full bathroom, and sleeping areas), which is used as a rental and incorporated within an existing structure that is designed as a single-family dwelling and will not substantially alter the structure or the appearance of the structure.
- (d) *Accessory dwelling unit (ADU), detached* means a self-contained habitable living unit (includes a kitchen or kitchenette, $\frac{3}{4}$ or full bathroom, and sleeping areas), which is used as a rental and subordinate to and detached from the primary dwelling on the same lot or parcel.

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21-37-5 "D" Definitions

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- (ai) *Dwelling, single-family*, means a building arranged or designed to include only one dwelling unit occupied by one family (See Family), including extended living areas or an accessory dwelling unit which may be approved as provided elsewhere in this title.

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21-37-6 "E" Definitions

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- (q) *Extended living area, attached* means additional and accessory living facilities within a single family dwelling that contains a kitchen or kitchenette that may also have associated living quarters (bathroom, sleeping areas) designed for use by the occupants of the primary dwelling on a non-rental basis.

- (r) *Extended living area, detached* means additional and accessory living facilities detached from a primary single family dwelling that contains a kitchen or kitchenette, $\frac{3}{4}$ or full bathroom, sleeping areas, or other habitable living areas designed for use by the occupants of the primary dwelling on a non-rental basis.

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21-37-8 "G" Definitions

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**Corrections to Land Uses for Consistency
Various Zoning Districts**

CHAPTER 21-7 LAND USES IN RESIDENTIAL DISTRICTS

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21-7-2 Permitted Land Use Matrix By The Residential Districts

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(b) Table of Uses.

Land Use Category	R-1-40	R-1-30	R-1-20	R-1-15	R-1-12	R-1-10	R-1-9	R-1-8	R-1-8 (INF)	R-1-7.5 (HS)	R-1-6	R-2-10	R-2-8	RM	MH	PUD
Accessory dwelling unit (attached or detached)	S	S	S	S	S	S	S	S	S	S	S	S ¹	S ¹	S ¹	N	S ¹
Extended living areas (attached or detached)	P	P	P	P	P	P	P	P	P	P	P ¹	P ¹	P ¹	P ¹	N	P ¹

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CHAPTER 21-8 LAND USES IN THE COMMERCIAL, OFFICE, INDUSTRIAL, MIXED USE, TRANSIT CORRIDOR, AND RESEARCH AND DEVELOPMENT DISTRICTS

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21-8-2 Permitted Land Use Matrix By The Commercial, Office, Industrial, Mixed Use, Transit Corridor, And Research And Development Districts

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(b) Table of Uses.

<i>Land Use Category</i>	<i>CBD</i>	<i>CBD -P</i>	<i>CBD -O</i>	<i>CBD-A&C</i>	<i>CR-PUD</i>	<i>RC</i>	<i>BC</i>	<i>CC</i>	<i>CN</i>	<i>CvC</i>	<i>CN (HSN)</i>	<i>HBD</i>	<i>LC</i>	<i>PO</i>	<i>ID</i>	<i>AM (Deale rships)</i>	<i>AM (Comm ercial)</i>	<i>MU</i>	<i>TC</i>	<i>RD</i>
Accessory dwelling unit (attached or detached)	N	N	N	N	N	N	S ¹	N	N	N	N	N	N	N	N	N	N	S ¹	N	N
Extended living area (attached or detached)	N	N	N	N	N	N	P	N	N	N	N	N	N	N	N	N	N	P	N	N

CHAPTER 21-9 INSTITUTIONAL CARE DISTRICT

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21-9-3 Permitted Land Uses By The Institutional Care District

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(b) *Table of Uses.*

<i>Land Uses in Institutional Care Districts</i>	
Accessory dwelling units	N
Extended living areas (attached or detached)	C

CHAPTER 21-10 OPEN SPACE DISTRICT

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21-10-2 Permitted Land Uses In The Open Space District

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(b) *Table of Uses.*

<i>Land Uses in Institutional Care Districts</i>	
Accessory dwelling units	N
Extended living areas	N

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CHAPTER 21-19 SPECIAL DEVELOPMENT (SD) DISTRICTS

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21-19-2 SD (R-1-9) -- 1300 E And 12000 S

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(b) *Uses Allowed.*

(1) *Permitted Uses.*

- a. Agriculture (which does not include the keeping of farm animals).
- b. Accessory dwelling units (attached or detached)
- c. Dwelling, single-family.
- d. Extended living areas (attached or detached)
- e. Home occupation.
- f. Home occupation, Category I.

(2) *Conditional Uses.*

- a.

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21-19-5 SD(R)3.75--8125 S 865 E

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(b) *Uses Allowed.*

(1) *Permitted Uses.*

- a. Agriculture (which does not include the keeping of farm animals).
- b. Accessory dwelling units (attached or detached)
- c. Dwelling, single-family.
- d. Extended living areas (attached or detached)
- e. Home occupation.

f. Home occupation, Category I.

(1) *Conditional Uses.*

a.

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21-19-6C SD R(4.25)--Single-Family Residential Subdistrict

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(b) *Uses Allowed.*

(1) *Permitted Uses.*

a. Agriculture.

b. Accessory dwelling units (attached or detached)

c. Dwelling, single-family.

d. Extended living areas (attached or detached)

e. Home occupation.

f. Home occupation, Category I.

(2) *Conditional Uses.*

a.

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21-19-13 Residential District SD(R-1-10) (HEGESSEY)--9200 S 2750 E

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(b) *Uses Allowed.*

(1) *Permitted Uses.*

a. Agriculture.

b. Accessory dwelling units (attached or detached)

c. Dwelling, single-family.

- d. Extended living areas (attached or detached)
- e. Home occupation.
- f. Home occupation, Category I.

(2) *Conditional Uses.*

- a.

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21-19-19 SD-R-1-10--Thomas--2760 E 9725 S

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(b) *Uses Allowed.*

(1) *Permitted Uses.*

- a. Agriculture.
- b. Accessory dwelling units (attached or detached)
- c. Dwelling, single-family.
- d. Extended living areas (attached or detached)
- e. Home occupation.
- f. Home occupation, Category I.

(2) *Conditional Uses.*

- a.

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21-19-21 Special District Mixed Use--SD-X--Ski Connect--9200 S 1000 E

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(c) Uses Allowed.

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<i>Land Uses in SD(X) Zone</i>	
Accessory dwelling units (attached or detached)	P
Extended living areas (attached or detached)	P

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21-19-22 S.D.(R2.0) Residential District (Sunset Ridge Subdivision, Sodorborg, And Andrus Properties--3000 E 9200 S)

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(b) Uses Allowed.

(1) Permitted Uses.

- a. Agriculture.
- b. Accessory dwelling units (attached or detached)
- c. Dwelling, single-family.
- d. Extended living areas (attached or detached)
- e. Home occupation.
- f. Home occupation, Category I.

(2) Conditional Uses.

- a.

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21-19-23 S.D.(R2.3) Residential District (Granite Farm Property--3100 E 9500 S)

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(b) Uses Allowed.

(1) Permitted Uses.

- a. Agriculture.
- b. Accessory dwelling units (attached or detached)
- c. Dwelling, single-family.
- d. Extended living areas (attached or detached)
- e. Home occupation.
- f. Home occupation, Category I.

(2) Conditional Uses.

- a.

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21-19-28 SD(R-1-7)--7500 S 400 E

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(b) Uses Allowed.

(1) Permitted Uses.

- a. Agriculture.
- b. Accessory dwelling units (attached or detached)
- c. Dwelling, single-family.
- d. Extended living areas (attached or detached)
- e. Home occupation.
- f. Home occupation, Category I.

(2) Conditional Uses.

- a.

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21-19-30 SD R-1-15 Scandia--11700 S 2300 E

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(b) Uses Allowed.

(1) Permitted Uses.

- a. Agriculture.
- b. Accessory dwelling units (attached or detached)
- c. Dwelling, single-family.
- d. Extended living areas (attached or detached)
- e. Home occupation.
- f. Home occupation, Category I.

(2) Conditional Uses.

- a.

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