

ROLL CALL VOTING:		
	YES	NO
Mayor Brent Winder (tie only)	[]	[]
Council Member Ben Hillyard	[<u>X</u>]	[]
Council Member Dorel Kynaston	[<u>X</u>]	[]
Council Member Janet Lunt	[<u>X</u>]	[]
Council Member Kari Malkovich	[<u>X</u>]	[]
Council Member David Pratt	[<u>X</u>]	[]

I move that this Ordinance be adopted.


Council Member

I second the foregoing motion.


Council Member

ORDINANCE NO. 2022-16

AN ORDINANCE AMENDING TITLES 4, 8, 9, 10, & 11, OF THE CITY OF WOODLAND HILLS CITY CODE

WHEREAS the Woodland Hills City Council (the "Council") on February 22, 2022, adopted Ordinance No. 2022-06 replacing the Board of Adjustment with a Hearing Officer as the Land Use Appeal Authority for all land use appeals from the Land Use Authority of City of Woodland Hills.

WHEREAS the Council desires to clarify those portions of the City Code of the city of Woodland Hills addressing the responsibilities of the Hearing Officer as the Land Use Appeal Authority.

WHEREAS the Council desires the term "building official" be uniformly used throughout the City Code.

WHEREAS the Council desires to clarify the independent roles of the building official who oversees compliance with building and construction codes and the zoning enforcement officer who oversees compliance with zoning; and

WHEREAS the Council finds that passage of this ordinance is in the best interest of the health, safety, and welfare of the citizens of city of Woodland Hills and will clarify the roles of municipal officers.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Woodland Hills City, Utah, as follows:

1. Title 4 Health and Sanitation, Title 8 Public Utilities, Title 9, Building Regulations, Title 10 Zoning Regulations, and Title 11 Subdivision Ordinance, of the city of Woodland Hills Code are hereby amended as set forth in the text which is attached hereto as **Exhibit A** and incorporated herein by this reference.
2. Except as specifically amended hereby the provisions of Titles 4, 8, 9, 10, and 11, shall be unaffected by this Ordinance and shall remain in full force and effect.
3. This Ordinance shall be effective May 11th, 2022.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF WOODLAND HILLS, STATE OF UTAH, on this 10th day of May 2022.

City of Woodland Hills

By: 
Brent Winder, Mayor

ATTEST: 
Jody Stones, City Recorder

EXHIBIT A

4-1-9: Inspection and Enforcement:

A. The mayor shall appoint one or more qualified persons to enforce and carry out the purposes of this chapter. The persons appointed may include the building official, zoning enforcement officer, fire chief, or other qualified individuals. The person(s) appointed shall be the health and safety officer(s) and may authorize such other persons as may be necessary to serve as his representatives in carrying out the inspection and enforcement functions under this chapter, including, but not limited to, the building official, fire chief, and health and safety officer(s). Such authorized persons shall have the powers and duties of zoning enforcement officer in carrying out their authorized duties.

B. The health and safety officer may inspect and examine real property for the purpose of determining whether or not it contains a nuisance, injurious or noxious weeds, garbage, refuse or unsightly, unsafe or deleterious objects or structures, and for the purpose of determining whether or not the existence of said weeds or objects creates a fire hazard, constitutes a source of contamination or other danger to health and safety, or otherwise creates a nuisance, as defined in this chapter.

C. Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever the health and safety officer has reasonable cause to believe that there exists in any building or upon any premises any condition subject to abatement hereunder, the health and safety officer may enter such building or premises at all reasonable times to inspect the same or to perform any other duty imposed by this chapter; provided, if such building or premises be occupied, he shall first present his proper credentials and request such entry, and if such building or premises be unoccupied, he shall first make a reasonable effort to locate the owner or other person having charge of the building or premises and request entry. If such entry is refused, the health and safety officer, shall have recourse to every remedy provided by law to secure entry.

4-1-10: NOTICE:

A. Required: If the Health and Safety Officer concludes that conditions specified in subsection 4-1-9B of this chapter exist, he shall ascertain the names of the owners and a description of the premises where such objects and condition exist. He shall serve notice in writing upon the owner or occupant of such land, either through the City Inspect portal, personally, or by mailing notice, postage prepaid, by registered or certified mail, addressed to the owner or occupant at their last known post office address as disclosed by the records of the county recorder, requiring such owner or occupant, or both, as the case may be, to eradicate or destroy and remove the objects and conditions specified in the notice within such time as the health and safety officer may designate, which shall be not less than ten (10) days from the date of service of such notice. Service shall be deemed complete when the notice is personally delivered or, if the notice is mailed, three (3) days after date of mailing. One notice shall be deemed sufficient on any lot or parcel of real property for the entire season of weed growth during that year.

B. Required Contents Of Notice: The notice shall inform the owner or occupant if the owner or occupant does not eradicate or destroy and remove the objects and conditions specified in the notice, the city will do so and will collect the costs of doing so by either suit in court, in which case the owner or occupant will also be assessed costs and attorney fees, or will collect the costs as a tax on the property.

C. Hearing Request: The notice will inform the owner or occupant that in the event the owner or occupant disagrees with the determination of the health and safety officer and does not wish to comply with the provisions of the notice, the owner or occupant may, in writing, request a hearing before the city council. The time limit for requesting a hearing is within ten (10) business days of service of notice.

4-1-11: APPEAL HEARING:

A. Stay Of Notice: If an owner or occupant requests a hearing as provided in subsection 4-1-10C of this chapter, the time limit within which the owner or occupant must comply with the notice shall be stayed pending a hearing by the city council.

B. Hearing Scheduled; Notice: When a hearing is requested as provided in subsection 4-1-10C of this chapter, the city council shall set the time and place for hearing. The city recorder shall give written notice to the person requesting the hearing. Except in cases of emergency, the hearing will be held at least five (5) days after notice is mailed by the city recorder.

C. Hearing; Decision Time Limit: At the hearing, the person who requested the hearing may present such evidence and argument as is relevant to the questions of whether or not the removal or abatement of the objects or conditions and the requirements of the notice are proper. The city council shall also permit presentation of evidence and argument by the health and safety officer and other interested parties. Within ten (10) days after close of the hearing, the city council shall render its written decision. The city recorder shall mail a copy of the decision to the person who requested the hearing.

D. Decision Of City Council:

1. The city council may overrule, modify or uphold the determination of the ~~inspector~~ Health and Safety Officer.

2. If the determination of the health and safety officer is modified, the city council or the health and safety officer shall issue a modified notice conforming to the decision of the city council. The owner or occupant shall comply with the modified notice within such time as the city council shall specify which shall be not less than five (5) nor more than thirty (30) days after the city recorder mails a copy of the decision to the owner or occupant.

3. If the determination of the health and safety officer is upheld, the owner or occupant shall comply with the original notice within such time as the city council shall specify, which shall be not less than five (5) nor more than thirty (30) days after the city recorder mails a copy of the decision to the owner or occupant.

4-1-12: PROOF OF SERVICE:

If the health and safety officer chooses to proceed under subsection 4-1-16B of this chapter, he shall make a proof of service of the notice given under section 4-1-10 of this chapter, or as modified under section 4-1-11 of this chapter, under oath and file the same in the office of the county treasurer.

4-1-13: ABATEMENT BY CITY:

If the owner or occupant of property described in the notice provided in section 4-1-10 of this chapter, or a modified notice provided in section 4-1-11 of this chapter, fails to conform to the requirements of such notice relating to the eradication or destruction or removal of such weeds, garbage, refuse, objects or structures, the health and safety officer shall employ all necessary

assistance to cause such materials to be removed or destroyed at the expense of the city.

4-1-14: STATEMENT OF EXPENSES:

The health and safety officer shall prepare an itemized statement of all expenses incurred in the removal and destruction of said materials and shall mail a copy thereof, by registered mail, to the owner or occupant, or both, demanding payment within twenty (20) days of the date of mailing. Said notice shall be deemed delivered when mailed to the property owner's or occupant's last known address.

4-1-15: FAILURE TO MAKE PAYMENT:

If the owner or occupant fails to make payment of the amount set forth in the statement of expenses to the city treasurer within the twenty (20) day period, the health and safety officer may either cause suit to be brought in an appropriate court or refer the matter to the county treasurer as provided in subsection 4-1-16B of this chapter.

4-1-16: COLLECTION:

A. Suit: If collection for destruction and removal is pursued through the courts, the city shall

sue for and receive judgment of all of said expenses, together with reasonable attorney fees, interest and costs of court, and shall execute on such judgment in the manner provided by law.

B. Taxes: If the matter is referred to the county treasurer for inclusion in the tax notice of the property owner, the Health and Safety Officer shall make an itemized statement of all expenses incurred by the city in the destruction and removal and deliver three (3) copies of the statement to the county treasurer within ten (10) days after the expiration of the twenty (20) day period in which the owner or occupant may pay voluntarily. Thereupon, the cost of said work shall be pursued by the county treasurer in accordance with Utah Code Annotated section 10-11-4, as amended.

4-1-17: CRIMINAL PENALTY:

A. Any person who violates any provision of this chapter, unless otherwise specified, is guilty of an infraction and shall be subject to the penalty as provided in section 1-4-1 of this code. A person shall be guilty of a separate offense for each day of violation.

B. The health and safety officer appointed pursuant to section 4-1-9 of this chapter, or any peace officer, may issue a citation for the infraction defined by this section.

8-2-3: PROTECTION AND MAINTENANCE OF SYSTEM:

A. City Responsibility: The superintendent of the water department shall be responsible to take reasonable measures for protection of the water system from foreseeable conditions leading to possible contamination or pollution of the water system due to backflow of contaminants or pollutants into the water system. In carrying out that responsibility, the superintendent shall cause culinary water system surveys and inspections of water users' distribution systems to be conducted. Records of such surveys and inspections shall indicate compliance with the health and safety standards listed in section 8-2-1 of this chapter. All such records shall be maintained by the water department. Based upon the result of such surveys and inspections, the superintendent shall select and approve a backflow prevention assembly for the service connection of any water user as deemed appropriate by the superintendent.

B. User Responsibility: It shall be the responsibility of a water user to purchase, install, test and maintain any backflow prevention assembly required to comply with this section.

C. Building Official; Certified Technician: The building official charged with enforcement of the plumbing code adopted by the city will review all plans to ensure that unprotected cross-connections are not part of the water user's system. If a cross-connection cannot be eliminated, it shall be protected by installation of an air gap or an approved backflow prevention assembly. All repairs, tests or maintenance of backflow prevention assemblies, whether done by a water user or the water department, shall be performed by a certified technician. The technician shall:

1. Ensure that acceptable testing equipment and procedures are used for testing, repairing or overhauling backflow prevention assemblies.

2. Make reports of such testing, repair or overhauling to the water user and water department. The report shall include a list of materials or replacement parts used.

3. Use replacement parts equal in quality to parts originally supplied by the manufacturer of the backflow prevention assembly.

4. Not change the design, material or operational characteristics of a backflow prevention assembly.

5. Use testing equipment in proper operating condition and acceptable to the superintendent.

6. Be equipped with, and be competent to use, all necessary tools, gauges, and other equipment necessary to properly test and maintain backflow prevention assemblies.

7. Attach to each backflow prevention assembly tested or repaired, a tag showing the serial number, date tested, name of technician and technician's license number.

9-1-1: BUILDING CODE, BUILDING OFFICIAL AND REGULATIONS:

A. Building Code Adopted: The nationally recognized building code, as adopted by the Utah uniform building code commission and Utah division of occupational and professional licensing, as it may be amended from time to time, is hereby adopted as the city building code, subject only

to those amendments as may be provided by state law as set forth in Utah Code Annotated title 15A, chapters 3 and 4. The same is adopted as if fully set forth herein. The city recorder shall maintain at least one copy of said building code in the city recorder's office for use and inspection by the public as required by state law.

B. Building Official. The mayor, with the advice and consent of the city council, shall appoint a qualified person to serve as the City of Woodland Hills Building Official to perform the duties of the building official as set forth in the City Code, International Building Code, International Residential Code, and other adopted construction codes. The Building Official may in writing delegate the duties of the Building Official to building inspectors, plan examiners, and other assistants.

C. Building Permits AND OCCUPANCY PERMITS

1. Conformance Required for Issuance: The building official may issue a building permit upon application and review when the building plan and site plan conforms to all applicable laws, ordinances, rules and regulations.

2. Partial Building Permit: The building official may issue a partial building permit upon application. A partial building permit shall allow limited commencement of construction while the complete plans and specifications are under review. Issuance of a partial building permit is not a commitment by the city or the building official to issue a building permit. An applicant proceeding with construction under a partial building permit does so at the applicant's own risk.

3. Water Rights Transferred: A building permit shall not be issued until the water rights as required in title 8 of this code are deeded to the city.

4. Payment of Impact Fees: A building permit shall not be issued until all required impact fees have been paid.

5. Deposit of Guarantee; Certificate of Occupancy: As a condition of receiving a building permit, the applicant shall deposit with the city treasurer an amount specified from time to time by resolution of the city council. The deposit is to guarantee that all of the terms and conditions of the permit are met, improvements shown on the site plan are completed, all damage done to public facilities and improvements are repaired, and all required fees paid. If all of the conditions of the preceding sentence are met, the deposit shall be returned to the applicant when a certificate of occupancy is issued.

6. Temporary Certificate of Occupancy:

a. A temporary certificate of occupancy may be issued at the discretion of the building official if the building official determines that the building is substantially complete, no life or health threatening hazards exist on the property, and the conditions of subsection A of this section are met. A temporary certificate of occupancy shall be issued only when the final checklist of items to be completed are minor in nature. As a condition of receiving a temporary occupancy permit, the applicant must agree to complete the items shown on the final checklist by the deadline or deadlines specified on the checklist by the building official.

b. A temporary occupancy permit can also be issued between October 15 and April 15 if weather precludes completion of a driveway to the home. If city ordinance, CC&Rs or WHPOA guidelines require landscaping that cannot be completed during the winter (October 15 through April 15) a temporary occupancy permit can be issued for this cause as well.

C. SECTION ON PERMANENT OCCUPANCY PERMITS

C. Fees:

1. Building Permit: The city will charge a fee for each building permit. The fee shall be calculated based on the method provided by the building code and in the amount specified by resolution of the city council.

2. Plan Review: The city will charge a fee for reviewing all plans submitted for a building permit. The amount of the fee shall be specified by resolution of the city council and is intended to recover the city's actual costs incurred. The plan review fee shall be in addition to the building permit fee.

3. Temporary Building Permit: The city will charge a fee for a temporary building permit in the amount specified by resolution of the city council. The fee shall be in addition to the building permit fee.

4. Temporary Certificate of Occupancy: The city will charge a fee for a temporary certificate of occupancy in the amount specified by resolution of the city council. The fee shall be in addition

to the building permit fee.

D. Enforcement And Penalty:

1. It shall be a class C misdemeanor, subject to penalty as provided in section 1-4-1 of this code, to erect, construct, enlarge, alter, repair, move, demolish, occupy or use any building or structure in the city in violation of, or without complying with the provisions of, the building code adopted by subsection A of this section.

2. It shall be a class C misdemeanor, subject to penalty as provided in section 1-4-1 of this code, for any person to remove a stop work order posted upon a building or a project or a building within a project by the building official or their designee.

3. It shall be a class C misdemeanor, subject to penalty as provided in section 1-4-1 of this code, for any person to continue working on any building or project or building within a project when a stop work order has been posted by the building official.

4. The building official may issue citations for any violation of the building code adopted by subsection A of this section.

10-2-1: Definitions

10-2-1: DEFINITIONS:

ACCESSORY APARTMENT: A housing unit which is self-contained but incorporated within an existing single-family dwelling structure which will not substantially alter the structure or appearance of the structure.

ACCESSORY USE OR OUTBUILDING STRUCTURE: Any use or non-dwelling structure related to the principal use of a dwelling structure on the same lot and serving a purpose customarily incidental to the use of the principal dwelling structure.

ANTENNA: A metallic device, such as a rod or wire, for receiving radio waves. An antenna also includes a satellite dish or disc antenna which is used for receiving sound and television signals from an orbiting satellite.

APPEAL AUTHORITY: The appeal authority for the city of Woodland Hills, Utah.

AREA OF BUILDINGS: The area at the ground level of the main building and all accessory buildings, excluding unenclosed porches, terraces and steps measured from the outside surface of exterior walls.

AREA OF DWELLING UNIT: The sum of the gross floor areas above the basement level, including those rooms and closets having the minimum ceiling height, light, ventilation, and other features as required by the building code of the city.

BASEMENT OR CELLAR: The space of a building where the floor level is more than four feet (4') below the adjoining finished grade.

BEGINNING OF CONSTRUCTION: The incorporation of labor and material on a building site, including roads and utilities.

BUILDING: Any enclosed structure, having a roof supported by columns, walls or other support used for the purpose of housing, enclosing or storing of persons, animals or personal property.

BUILDING HEIGHT: Limited to thirty-five (35) or thirty (30) feet, if the structure has a flat roof.

The height is measured from any and all points of the roof ridges and peaks on the structure, directly below, to the natural grade reference line, or to the finished grade, whichever is lower. The natural grade is defined as the grade prior to any construction or land disturbance. A line will be drawn between the highest and lowest natural grade points on the perimeter of the structure which will become the natural grade reference line and will be visually projected throughout the entire footprint of the structure. Similarly, the finished grade points will be extended throughout the footprint of the structure. The building height will be measured from the highest roof ridge or peak directly downward to a point along the natural grade reference line directly below that roof ridge or peak, or to the finished grade, whichever is lowest. In order for a house in a residential zone to meet the height limit, no point of the roof ridge or peak on the structure may be higher than thirty-five (35) feet, as measured from a roof peak to the lower of the natural grade reference line or the finished grade. (Flat roofs must be no more than thirty (30) feet in height).

BUILDING OFFICIAL: The person authorized by the city to issue building permits, certificates of occupancy or perform other duties related to these functions, and review site plans for building code compliance. The building official oversees and may perform all inspections on building code compliance for all structures - newly constructed or renovated. Designees of the building

official may perform specified functions and duties of the building official. The building official is not a land use authority of the city, and a decision of the building official is not a land use decision.

BUILDING LINE: A line established by this title, generally parallel with the front lot line, defining the minimum limits of a front yard in which no building or structure may be located above the ground, except as may be provided in such ordinance. Also, the building line may be greater than the minimum front yard setback line.

CITY: The city of Woodland Hills, Utah.

CITY COUNCIL: The city council of the city of Woodland Hills, Utah.

CITY ENGINEER: The city engineer of the city of Woodland Hills, Utah.

CLUSTER HOUSING: Attached or detached single-family dwellings grouped together on the most buildable portions of a site, leaving the remainder in common open space areas. Sizes, shapes and orientation of lots may vary from traditional zoning requirements under the cluster concept.

CODE: The building code of the city of Woodland Hills, Utah.

COMMISSION: The city planning commission of Woodland Hills, Utah.

COMMON LAND: The land in a subdivision or development area not owned as private land or occupied by dwellings, created for common usage by restrictions, easements, covenants, or other conditions running with the land, and which is held for the use and enjoyment by or for the owners or occupants of the dwellings in a subdivision or development area.

COUNTY: The county of Utah, state of Utah.

COURT: An open space, other than a yard, bounded on two (2) or more sides by exterior walls of the building, or bounded by exterior walls of a building and lot lines.

CRITERION: A principal by which the planning of a development area shall be guided.

DETACHED: Not connected in any manner by walls or other structural supports.

DEVELOPER: A person commencing proceedings under this title to affect the development of land for himself or for another.

DEVELOPMENT AREA: The minimum area of land permitted by this title to be developed by a single owner or group of owners, acting jointly, which may consist of a parcel or assembled parcels and includes a related group of one-family dwellings planned and developed as an entity under the planned unit development procedures.

DWELLING: A building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, but not including a tent, trailer or trailer coach.

DWELLING, SINGLE-FAMILY DETACHED: A detached building designed or used exclusively for residence purposes by one family or housekeeping unit.

FAMILY: A person living alone, or group of persons related by blood, marriage or adoption, including the degree of first cousins, or not more than three (3) persons not related by blood, marriage or adoption, who are living together in a single dwelling unit and maintaining a common household. A family includes domestic servants, foster children and not more than one gratuitous guest residing with such family.

FENCE: A barrier constructed of materials, other than evergreen shrubbery, erected for purposes of protection, confinement, enclosure or privacy.

FINISHED GRADE POINTS: Elevation points adjoining the structure after final grading.

FLOOR AREA: The total area of dwelling, excluding the basement, garage or carport.

GARAGE, PRIVATE: A detached accessory building or portion of the principal building used primarily for the storage of passenger vehicles by the family's resident upon the premises.

GARAGE, STORAGE: A main or accessory building, other than a private garage, used for the parking or temporary storage of passenger automobiles and in which no commercial service shall be provided.

GRADE, ESTABLISHED STREET: The elevation established by the city at the roadway, centerline or curb in front of the lot.

GRADE, FINISHED: The elevation of the finished surface of the ground adjoining the building after final grading. If used to measure building height a plane created by the highest and lowest finished grade points will be projected throughout the entire footprint of the structure.

GRADE, NATURAL: The elevation of the undisturbed natural surface of the ground prior to any excavation or fill.

Health and Safety Officer: A person appointed pursuant to section 4-1-9 to carry out the

inspection and enforcement functions set forth in Title 4, Health and Sanitation.

HEARING OFFICER: The person appointed pursuant to section 10-6-2 hereof as the land use appeal authority for the city to hear and decide appeals of land use decisions by the land use authority arising under this Title 10, which do not fall within the purview of the building official.

HOME OCCUPATION: Any use conducted entirely within a dwelling and which is clearly incidental and secondary to the residential use of the dwelling and which does not change the character thereof and which complies with all of the provisions of subsection 10-15-4 A of this title.

HOMEOWNER ASSOCIATION: An incorporated, nonprofit organization operating under the recorded land agreements, through which each lot owner of a development area is a member, and each lot is subject to charges for a proportionate share of the expenses for the organization's activities, such as maintaining the common property.

HOUSEHOLD PETS: Animals or fowl ordinarily permitted in a residence and kept for company or pleasure, such as dogs, cats, fish and canaries. Household pets do not include inherently or potentially dangerous animals or fowl, or those normally considered agricultural livestock.

IDENTIFICATION: That by which a person, thing, product, etc., can be identified or recognized, and those specific symbols, traits, trademarks, characteristics, etc., which provide such recognition.

JUNK: Old or scrap copper, brass, rope, rags, batteries, paper, rubber, junked, dismantled, or wrecked automobiles or parts thereof; iron, steel and other old scrap ferrous or nonferrous materials.

LAND COVERAGE: The percentage of a lot covered by the main and accessory building.

LANDSCAPING: Shall consist of any of the following or combination thereof: materials such as, but not limited to, grass, hardy ground covers, shrubs, vines, hedges and trees; and nonliving durable material commonly utilized in landscaping, such as, but not limited to, rocks, pebbles, sand, walls or fences, but not including paving as a principal design element.

LIVABLE AREA: The totally enclosed space within the principal structure having an average ceiling height of a minimum of four feet (4') above the finished grade.

LOT: A division of land separated from other divisions for purposes of sale, lease or separate use, described on a recorded subdivision plat, recorded survey map, or by metes and bounds.

LOT AREA: The total land area, measured in square feet or acres, contained within the lot lines.

LOT, CORNER: A lot located at the intersection of two (2) streets, or a lot bounded on two (2) sides by a curved street, any two (2) chords of which form an angle of one hundred thirty-five degrees (135°) or less.

LOT DEPTH: The average horizontal distance between the front and rear lot lines.

LOT, DOUBLE FRONTAGE: A lot having frontage in two (2) nonintersecting streets.

LOT FRONTAGE: The width of the lot or parcel of land measured at the street line.

LOT, INTERIOR: A lot other than a corner lot.

LOT LINE, FRONT: The line separating the lot from a street. In the case of a corner lot, the narrow side on the street shall be considered the front of the lot.

LOT LINE, REAR: The lot line opposite and most distant from the front lot line.

LOT LINE, SIDE: A lot line which is neither a front nor a rear lot line.

LOT LINES: The property lines bounding a lot.

LOT OF RECORD: Land designated as a separate parcel on a plat, map or deed in the records of Utah county.

LOT WIDTH: The average width of the lot measured at the front yard setback line parallel to the front lot line.

LOT, ZONING: A parcel of land abutting a dedicated street, occupied, or intended to be occupied by a principal permitted or conditionally permitted use and/or accessory use, together with such open spaces as required by this title. Unless the context clearly indicates the contrary, the term "lot" is used synonymously with "zoning lot" and it may or may not be a lot of record.

MAIN (PRINCIPAL) BUILDING: The building occupied by the main use or activity in or intended for the premises, all parts of which building are connected in a substantial manner by common walls and a continuous roof.

MAP: A drawing showing geographic, topographic or other physical features of the land.

NATURAL GRADE REFERENCE LINE: Reference line created from the highest point of the natural grade on the perimeter of the building to the lowest point on the perimeter of the building

which is projected throughout the entire footprint of the structure.

NONCONFORMING BUILDING: A building lawfully existing at the time the zoning regulations, or an amendment thereto, became effective but which does not conform to the area, height or bulk of building, yard or other regulations of the district in which it is located.

NONCONFORMING LOT: A lot lawfully existing at the time the zoning regulations, or an amendment thereto, became effective but which does not conform to the lot area, width, access or other regulations of the district in which it is located.

NONCONFORMING USE: The use of a building or land lawfully existing at the time the zoning regulations, or an amendment thereto, became effective but which does not conform to the use regulations, off-street parking and loading requirements, performance standards or other use regulations of the district in which it is located.

OCCUPANCY CERTIFICATE: An official statement certifying that a building, other structure or parcel of land is in compliance with the provisions of all applicable codes or is a lawfully existing nonconforming building or use and hence may be occupied and used lawfully for the purpose designated thereon.

OFF-STREET PARKING AREA: Any open or enclosed area other than a street or other public right-of-way used for the temporary storage of automobiles and available to the public, whether for a fee, free or as an accommodation for clients or customers. All off-street parking areas shall conform to the design standards presented in these regulations, and no required off-street parking area shall charge a fee of any type to its users.

OPEN SPACE: ~~The use of land which leaves soil generally undisturbed and upon which natural vegetation, whether or not native to the area, occupies the major visible aspect of the land.~~ An area generally set aside in a subdivision for public or private use, including but not limited to parks, recreation, hiking and bicycle trails, ponds, or other non-residential facilities to enhance the community and provide an open space living environment in the surrounding areas.

PARKING: An area designed in accordance with the provisions of this title, located within a structure or in the open, exclusive of driveways and aisles, for the parking of a motor vehicle.

PATIO (TERRACE): An open area permanently surfaced or constructed and usually raised slightly above the lawn surface, the use of which is customarily incidental to that of the main use of the land, and which is located on the same lot with the main building or use.

PERFORMANCE STANDARD: A criterion established to control the dust, smoke, fire and explosive hazards, glare and heat, noise, odor, toxic and noxious matter, vibrations and other conditions created by or inherent in uses of land or buildings.

PLAN: A drawing of a proposed design or of work to be performed.

PLAN, FINAL SITE: The final plan prepared by a developer based upon the approved preliminary plan of a proposed development or development area, which consists of detailed drawings, specifications and agreements for the construction of the site improvements and buildings for the proposed development or development area.

PLAN, GENERAL: The long-range plan for the desirable use of land area and general road configuration of the city of Woodland Hills as officially adopted and as amended from time to time by the planning commission and city council. The purpose of such plan is, among other things, to serve as a guide for future land use development and zoning decisions to meet community needs; in the subdivision and use of undeveloped land; and in the acquisition of rights-of-way or sites for such public purposes as streets, parks, schools, and public buildings.

PLAN, PRELIMINARY SITE: A drawing prepared by a developer, which may include explanatory exhibits and text, submitted to the designated authority for the purpose of study of a proposed development of land, or a preliminary plan (plat) of land use of a development area which, if approved by the designated authority, provides the basis for proceeding with the preparation of the final plan of a development or development area.

PLANNED UNIT DEVELOPMENT (PUD): Land under unified control, planned and developed as a whole in a single development operation or a definitely programmed series of development operations, including all lands and buildings. Planned unit developments are designed and developed in accordance with an overall development plan subject to the provisions of these regulations.

PLAT: A map of a lot, parcel, subdivision, or development area on which the lines of each element are shown by accurate distances and bearings.

PORCH: An entrance or structure attached to the outside of an outer wall of a building, one (1)

or two (2) stories in height, with integral foundations, which is open on one (1), two (2) or three (3) sides and which may have railings and banisters or a parapet and which is roofed.

PRIVATE LAND: Land in a subdivision or development area which shall be adjoining, attached and assigned to a dwelling, to be held as an open space in ownership with the dwelling in the subdivision or development area, and which shall be identified on subdivision and development plans submitted to the city.

QUASI-PUBLIC USE: A use operated by a private nonprofit educational, religious, recreational, charitable or philanthropic institution, such use having the purpose primarily of serving the general public, such as churches, private schools, hospitals and similar uses.

RECREATION USE, PRIVATE: Recreation facilities operated as a business on privately owned property and may be open to the public for a fee, such as a golf course, ski lift, tennis court, etc.

RECREATION USE, PUBLIC: Recreation facilities operated by a public agency and open to the public, with or without fees.

REGULATION: A rule, restriction or other mandatory provision in this title intended to control, require or prohibit an act.

SIGN: Any display, figure, painting, drawings, placard, poster or other device visible from a public way which is designed, intended or used to convey a message, advertise, inform or direct attention to a person, institution, organization, activity, place, object or product. It may be a structure or part thereof painted on or attached directly or indirectly on a structure. This definition shall not include any flag, pennant or insignia of any nation, state, city or other political units, as well as any sign, board or surface used to display or announce official notice of such political units.

SIGN, ANIMATED: A sign with action or motion, color changes requiring electrical energy, electronic or manufactured sources of supply, including wind activated elements.

SIGN AREA: All the surfaces visible from a public way and shall be measured as the area enclosed by one rectangle, the sides of which make contact with the extreme points or edges of the sign, excluding the supporting structure if such structure does not form a part of the advertisement of the sign proper. The area of a sign composed of characters or words attached directly to a larger, uniform building wall surface shall be the smallest rectangle which encloses the entire group.

SIGN, BULLETIN BOARD: An announcement sign which directs attention to and is located on the lot of a public or semipublic institution.

SIGN, CONSTRUCTION: A sign which is located on a lot where current ongoing controlled construction is in progress, which indicates the name of the project, architect, engineer, contractor, or other similar information concerning the name of the project.

SIGN, DIRECTIONAL: Any sign which serves solely to designate the location or direction of any place or area.

SIGN, ELECTRIC: Any sign containing electrical wiring which is attached or intended to be attached to an electrical energy source.

SIGN, GROUND: A freestanding sign which is supported by one or more poles, posts or braces in or upon the ground.

SIGN HEIGHT: The vertical distance measured from the established grade at the point where the sign structure meets the ground to the top of the structure.

SIGN, ILLUMINATED: Any sign which emanates light either by means of exposed tubing or lamps, or shining onto its surface, or by means of illumination transmitted through the sign faces.

1. **EXTERNAL ILLUMINATION:** A light source which is placed outside of or away from the sign in a manner so as to illuminate the sign. This type of illumination is also referred to as indirect.

2. **INTERNAL ILLUMINATION:** A light source which is enclosed within the sign and viewed through a translucent panel. This type of illumination is also referred to as direct.

SIGN, NAMEPLATE: A sign which identifies the name and address of a homeowner.

SIGN, POLE: A sign which is supported wholly by a pole or poles and designed so as to permit pedestrian or vehicular traffic thereunder.

SIGN, POLITICAL: A sign which announces the candidacy of a person, or slate of persons running for elective office, a political party, or issue or state of issues.

SIGN, REAL ESTATE: Any sign which advertises or announces the sale, rental or lease of the premises upon which lot the sign is located.

SIGN STRUCTURE: Any structure which supports, has supported or is capable of supporting a sign, including decorative cover.

SIGN, SUBDIVISION: A sign, masonry wall, landscaping, other similar materials, or any combination thereof, that form a display for subdivision, neighborhood, or tract identification; provided, that the legend of such sign or display shall consist only of the subdivision, neighborhood or tract name.

SIGN, TEMPORARY: A sign of any type to announce special events or sales, to announce the sale, lease or rental of property, and designed for use for a limited period of time.

SIGN, WALL OR PANEL: A sign integral with the exterior face of an exterior wall of a building or attached to the wall or parallel with the wall and projecting not more than twelve inches (12") therefrom.

STANDARD: A test, measure, model or example of quantity, extent or quality.

STORY: That portion of a building included between the surface of any floor and the surface of the floor next above it; or, if there is no floor above it, then the space between the floor and the ceiling next above it.

STORY, FIRST: As applied to the residential districts, means the lowest story or the ground story of any building, the floor of which is less than four feet (4') below the average contact ground level at the exterior walls of the building.

STORY, HALF: As applied to the residential districts, means a partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are less than four feet (4') above the floor of such story.

STREET (PRIVATE): A street owned and maintained by a private entity, usually by an HOA.

STREET (PUBLIC): A public road for purposes of vehicular travel, including the entire area within the rights-of-way. The term includes, but is not limited to, avenue, alley, boulevard, drive, highway, road and freeway. Streets shall be classified and further defined as follows:

1. **COLLECTOR STREET:** A street supplementary to and connecting the major street system to local streets.

2. **LOCAL STREET:** A street primarily for access to abutting residential properties and to serve local needs.

a. **CUL-DE-SAC:** A street, one end of which connects with another street and the other end of which is a dead end which allows space for turning of vehicles.

b. **MARGINAL ACCESS STREET:** A local street providing access to lots which abut or are adjacent to a limited access highway or major street.

3. **MAJOR ARTERIAL STREET:** A public street which is primarily for moving fast or heavy traffic between large or intensively developed districts.

4. **RIGHT-OF-WAY:** All of the land included within an area which is dedicated, reserved by deed or granted by easement for street purposes.

a. **EASEMENT:** The right of a person to use common land or private land owned by another for a specific purpose.

b. **PEDESTRIAN WAY:** A public or private right-of-way solely for pedestrian circulation.

c. **ROADWAY:** That portion of a right-of-way available for vehicular travel, including parking lanes.

d. **TREE LINE:** That portion of a right-of-way lying between the exterior line of the roadway and the outside right-of-way line.

5. **STREET LINE:** The street right-of-way line.

STRUCTURAL ALTERATION: Any change in the structural members of a building, such as walls, columns, beams or girders.

STRUCTURE: That which is constructed on or under the ground or attached or connected thereto, including, but not limited to: buildings, barriers, bridges, bulkheads, chimneys, fences, garages, outdoor seating facilities, parking areas, platforms, pools, poles, streets, tanks, tents, towers, sheds, signs, walls and walks; and excluding trailers and other vehicles, whether on wheels or other supports.

SWIMMING POOL: A permanent, open tank or other structure not located within a completely enclosed building designed so as to contain at least three feet (3') of water at any point, including the lounging and spectator areas and any accessory buildings, structures or equipment.

SWIMMING POOL, CLUB: A pool operated by a private club, or a neighborhood association incorporated as a nonprofit organization to maintain and operate it for the exclusive use of a

limited number of members and their guests.

SWIMMING POOL, PRIVATE: A pool maintained for the sole use of a household and guests without charge for admission and located as an accessory use to a dwelling.

TEMPORARY BUILDING OR USE: A structure or use permitted by the zoning enforcement officer to exist during periods of construction of the new building.

TRAILER, CONSTRUCTION: A large trailer which is used for the storage and conveyance of tools, machinery or equipment on, to or from a construction site, and which may be left on the site for the duration of construction as provided by these regulations.

TRAILER OR MOBILE HOME: Any vehicle or portable structure constructed in such a manner as to permit occupancy thereof as sleeping quarters; or the conduct of any business, trade or occupation; or use as a selling or advertising device; or use for storage or conveyance for tools, equipment or machinery; and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by other motor power.

TRAILER, TENT: A trailer which is designed as and may be easily and quickly converted into a tent or canopy structure for recreational dwelling purposes.

TRAILER, TRAVEL: A rigid walled trailer designed, constructed or used as temporary dwelling quarters for one or more persons. Such travel trailers may contain sleeping berths, kitchen and sanitary facilities.

TRAILER, UTILITY: A small trailer used primarily for transportation of commercial or personal goods and/or wares.

USE: The activity conducted on or in a particular parcel of land or structure.

USE, PERMITTED: A use by right, which is specifically authorized in a particular zoning district, not including conditional uses.

USE, TEMPORARY: A nonpermanent or intermittent use of land, building or structure which is permitted by these regulations.

VARIANCE: A modification of the literal provisions of these regulations granted when strict enforcement would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted.

VEHICLE: All automobiles, trucks, motorcycles, trailers, truck campers, recreational vehicles, buses and boats.

VEHICLE, COMMERCIAL: Any motor vehicle designed and used for carrying merchandise or freight. Also referred to as a "business vehicle".

VEHICLE, DUAL PURPOSE: Any pickup truck with a slide in camper or a van type vehicle converted for camping use, either of which are used both for camping and incidental transportation.

VEHICLE, MOTORIZED DWELLING: Any vehicle which is designed, constructed, or used primarily as a temporary dwelling and which is propelled by means of its own motor power.

VEHICLE, RECREATIONAL: Any motor vehicle whose principal function is to serve a recreational or entertainment purpose and whose function as transportation is primarily limited to transporting its users to or from the sites of such recreation or entertainment.

YARD: That portion of the open area on a lot extending from a building to the nearest lot line.

YARD, FRONT: An open space extending the full width of the lot between a building and the front lot line, unoccupied and unobstructed from the ground upward except as hereinafter specified.

YARD, REAR: An open space extending the full width of the lot between a building and rear lot line, unoccupied and unobstructed from the ground upward, except as hereinafter specified.

YARD, REQUIRED: The minimum yard required between a lot line and building line or the line of any parking area or any other use requiring a yard in order to comply with the zoning regulations of the district in which the zoning lot is located.

YARD, SIDE: An open space extending from the front yard to the rear yard between a building and the nearest side lot line, unoccupied and unobstructed from the ground upward except as hereinafter specified.

ZONING DISTRICT: A portion of the incorporated area of the city of Woodland Hills for which certain uniform regulations governing the use, height, area and intensity of use of buildings and land and open spaces are herein established.

ZONING ENFORCEMENT OFFICER: The person authorized by the city, to review all proposed site plans, proposed new construction, renovation or additions to assure compliance with all

provisions of this Title and the city zoning map, as a land use authority of the city. The zoning enforcement officer includes his/her designees engaged in review for compliance with this Title and the city zoning map.

ZONING MAP: The official zoning district map of the city, together with all amendments subsequently adopted.

ZONING REGULATIONS: The zoning ordinance in its entirety and accompanying the official zoning district map and any subsequent amendments thereto.

10-3-3 Zoning Enforcement Officer

The mayor shall appoint a zoning enforcement officer, to enforce and carry out the purposes of this chapter. The zoning enforcement officer may authorize such other persons as may be necessary to serve as his representatives in carrying out the zoning enforcement functions under this chapter, including, but not limited to, the building official, fire chief and health officers. Such authorized persons shall have the powers and duties of zoning enforcement officer in carrying out their duties under this chapter.

10-4-3: ZONING REQUIREMENTS for BUILDING PERMITS:

Excavations for buildings or site improvements shall not be started, nor buildings or structures, or parts thereof, shall not be erected, altered, or moved, until a building permit has been applied for and issued by the building official. If the building permit is for new-home construction, a permit will not be issued unless the required water shares have been deeded to the city.

A. Approval Of Site Plans: Whenever a site plan has been submitted by the developer/builder as required by this title, the preliminary plan and final plan for recording of the project area shall have been approved by the planning commission and city council, before a building permit may be issued by the building official.

B. Compliance with Zoning Regulations: Permits for the construction of a building or improvements or change in use may be issued by the building official, or his/her designee, only if the work described in an application clearly complies with all provisions of this title and other ordinances of the city. If the proposed building or use does not clearly comply, with the provisions of this title, the building official, shall not have the power to grant variances or make exceptions; but must refer the builder to the City hearing officer as the Appeal Authority for their review and determination.

C. Conditional Use Permit: Whenever a determination for a conditional use is required, a building permit for the building or use requiring a conditional use permit shall not be issued until such permit has been applied for and approved by the planning commission and city council.

D. Determination Of Similar Use: Whenever a determination for a similar use is required, a building permit for the building or use shall not be issued until the inclusion of such use as a permitted use has been approved and recommended by the planning commission and confirmed by the city council and in accordance with section 10-11-18 of this title.

10-4-7: CERTIFICATE OF OCCUPANCY:

A. General:

1. The city may issue a building permit upon application, in compliance with all laws, ordinances, rules and regulations. A fire safety permit, confirming compliance with the wild land interface ordinance is also required. No building permits will be issued until compliance with the uniform fire code to allow access to the construction site by fire apparatus vehicles. Once approval has been granted, a building permit may be obtained.

2. A certificate of occupancy must be obtained from the building official before the building is occupied. A certificate shall only be issued if the building is in conformity with the building code, the zoning ordinance and all other applicable ordinances; provided however, if the only deficiency is the inability to complete the required hard-surfaced driveway because of inclement weather, a temporary certificate may be issued if a sum equal to 125% of the estimated cost of such driveway, as determined by the building official is placed in an escrow account available to the city for the purpose of completing the driveway if the applicant has not completed the

driveway within nine (9) months of receipt of the temporary certificate.

B. Application: A certificate of occupancy shall be applied for by the owner or agent and shall be issued by the building official as a condition precedent to the occupancy and/or use of a building and land as follows:

1. Occupancy of Building Erected or Altered: A certificate of occupancy shall be required before occupancy of a new building, or before occupancy of an existing building which has been altered, moved, changed in use or increased in off-street parking requirements. Such certificate shall only be issued after the erection or alteration of a building, or a component thereof, or after a required accessory use has been provided and found by inspection to be in conformity with the provisions of this title and the building code.

2. Change in Use of Conforming Building or Land: A certificate of occupancy shall be required before occupancy of a conforming building or land where the use has been changed, provided the use is different than the prior use, and shall be issued, when found by inspection, to be in conformity with provisions of this title.

3. Change in Use of Nonconforming Building or Land: A certificate of occupancy shall be required whenever a nonconforming building or land is changed and shall not be issued until the planning commission has approved the change in accordance with the provisions of chapter 14 of this title.

C. Record Of Existing Building and Land Use: Upon application by the owner, or agent, the building official shall inspect a building or tract of land and shall issue a certificate of occupancy therefor, certifying:

1. The present use of the building or land.
2. If such use conforms to all the provisions of this title; and
3. If it is a lawfully existing nonconforming use.

D. Application For Certificate:

1. Applications for a certificate of occupancy may be submitted separately or may accompany an application for a building permit. Accurate information shall be furnished by the owner or his agent, as to size and location of the lot, buildings or structures occupying the lot, the dimensions of all yards and open spaces, the use of land or building, and all such information as may be included on a form to be furnished by the city.

2. A record of all applications and certificates issued shall be kept on file in the office of the city recorder and copies shall be furnished, upon request, to any person having a proprietary or tenancy interest in the building or land affected.

10-4-8: ENFORCEMENT:

The duty of administering and enforcing the provisions of this title is hereby conferred upon the zoning enforcement officer, except for those provisions specifically within the purview of the building official. The zoning enforcement officer may promulgate rules and regulations as he may determine necessary to supplement the administration of this title. After approval by the city council, such rules of the zoning enforcement officer shall have the same force and effect as other provisions of this title.

A. Duties: It shall be the duty of the zoning enforcement officer to enforce this title. In addition, the zoning enforcement officer shall have the following responsibilities:

1. Review site plans and applications for building permits for zoning compliance.
2. Examine premises for which permits have been issued and shall make necessary inspections to see that the zoning and other land use regulations are complied with.
3. Enforce all zoning relating to the construction, alteration, repair, removal, demolition, use and occupancy, and location of buildings and structures, except as may be otherwise provided for.
4. When requested by the city council, or when the interests of the city so require, make investigations in connection with matters referred to in this title and render written reports on the same. For the purpose of enforcing compliance with law, the zoning enforcement officer shall issue such notices, or such orders as may be necessary.

B. Inspections: Inspections shall be made by the zoning enforcement officer or the building official, or their designees.

C. Rules: The zoning enforcement officer may adopt rules consistent with this title for carrying

its provisions into effect, subject to concurrence by the city council.

D. Records: The zoning enforcement officer or authorized official shall keep careful and comprehensive records of applications, permits issued, certificates issued, inspections made, reports rendered, and notices or orders issued. The zoning enforcement officer or authorized official shall retain on file copies of all records so long as any part of the building or structure to which they relate may be in existence. All such records shall be open to public inspection as provided in city ordinance or state law but shall not be removed from the city offices.

E. Cooperation Of Other Officials: The zoning enforcement officer may request and shall receive, so far as may be necessary in the discharge of his or her duties, the assistance of the city engineer in fixing grades, the county sheriff's department and/or the city of Salem police department in enforcing orders, the city attorney in the prosecution of violations, and assistance of other city officials.

10-4-9: DEVELOPMENT APPROVAL PROCESSES:

A. Site plan review:

1. Submit all required information to the city recorder which is on the building permit site plan checklist unless it is waived in whole or in part by the building officials conducting the review. Any residential building construction requires a site plan regardless of the district/zone it is being constructed in.
2. Required fees must be paid to the city before a review of the site plan may occur.
3. The building official will review the site plan for completeness, accuracy, and to ensure it complies with all city building codes, except for zoning regulations. The zoning enforcement officer and his/her designees shall review the site plan to ensure compliance with all city zoning provisions.
4. If there is compliance with number 3 above, a building permit will be issued by the building official.

B. Conditional use permits:

1. Preapplication reviews with planning commission.
2. Submit application to zoning enforcement officer.
3. Planning commission review, public hearing, review and final recommend.
4. City council public hearing, review and final action.

C. Zoning ordinance amendments (including rezoning):

1. Preapplication review with zoning enforcement officer and planning commission (optional).
2. Submit application form and fee to city recorder.
3. Application referred to city council for consideration.
4. City council refers application to planning commission for recommendation.
5. Council hold public hearing and considers planning commission recommend.
6. Final action.

D. Zoning variances (as defined by ordinance):

1. Submit application to appeal authority.
2. Appeal authority meets within thirty (30) days to hear appeal.
3. Appeal authority hears appeal, final action.
4. Decision is effective on date of final action.

10-11-15: TEMPORARY BUILDINGS AND STRUCTURES:

Temporary buildings and structures, including trailers, incidental to construction work on a lot, may be placed on such lot, subject to the following restrictions:

A. Permitted Uses: Temporary buildings and structures may only be used for the storage of construction materials, tools, supplies and equipment, for construction management and supervision offices, and for temporary on-site sanitation, solid waste or fuel facilities, related to construction activity on the same lot.

B. Use As Dwelling Prohibited: No temporary building or structure shall be used as a dwelling unit.

C. Placement: The placement of temporary buildings and structures shall be in conformance with the requirements for accessory buildings, section 10-11-2 of this chapter.

D. Removal: Temporary buildings and structures shall be removed from the lot within fifteen (15) days after an occupancy permit is issued by the zoning enforcement officer for the permanent structure on such lot, or within fifteen (15) days after the expiration of a building permit issued for construction on such lot, whichever comes first.

10-12-1: SITE PLAN REQUIRED:

A. No building, fence or wall shall be constructed, or any grading performed on any lot or parcel of land, and no driveway shall be constructed on or providing access from a public street to any lot or parcel of land, until a site plan has been submitted to and approved by the building official, zoning enforcement officer or their designees.

B. The building official shall not issue a building permit for construction on any lot or parcel until the site plan for said lot or parcel has been approved. All plans and specifications for the proposed construction shall conform to the approved site plan.

10-12-2: CONTENTS OF SITE PLAN:

Each site plan shall include all items listed on the site plan requirement checklist (section 10-4-5D), unless the building official and the zoning enforcement officer concur to waive the inclusion of any item.

10-12-3: SUBMISSION AND REVIEW:

A. Submittal: The person seeking approval of a site plan shall submit copies as detailed in the building permit packet and in the site plan approval flow chart.

B. Additional Review: The building official, or zoning enforcement officer may request the city engineer or city attorney or other designee to review a site plan and provide comments.

C. Decision Of Building Inspector Official and Zoning Enforcement Time Limit: The building inspector official and zoning enforcement officer shall act to approve, approve with conditions, or disapprove the site plan per state statute.

10-12-4: STANDARD OF REVIEW:

A. Approval: If the building official and zoning enforcement officer determine that the proposed work shown on the site plan conforms to all requirements of this title, the subdivision ordinance, building code, and all other city ordinances and regulations, they shall approve the site plan. Upon approval, the building official shall file one copy of the site plan showing his signature and date of approval with the city recorder and return one copy showing his signature and date of approval to the applicant.

B. Approval With Minor Changes: If the building official and zoning enforcement officer determine that the proposed work shown on the site plan does not conform to all requirements of this title, the subdivision ordinance, building code, and all other city ordinances and regulations but can be made to conform with minor changes to the site plan, he they shall approve the site plan subject to condition that such changes be made to the site plan before a building permit is issued as the building official and zoning enforcement officer may require. Upon approval, the building official shall file one copy of the site plan and written conditions of approval with the city recorder and return one copy showing his signature and date of approval to the applicant.

C. Disapproval: If the building official and zoning enforcement officer determine that the proposed work shown on the site plan does not conform to all requirements of this title, the subdivision ordinance, building code, and all other city ordinances and regulations and cannot be made to conform except with major changes to the site plan, they shall disapprove the site plan and notify the applicant in writing of the reason or reasons for disapproval. A copy of this letter will be given to the city recorder for retention.

10-12-5: DURATION OF APPROVAL:

Each approval of a site plan pursuant to this chapter shall expire as follows: a) if a building permit is required for any of the improvements shown on the site plan, approval shall expire six (6) months after the date of approval unless a complete application for a building permit is submitted to the building official before such expiration; b) if a building permit is required for any of the improvements shown on the site plan and a building permit is issued but construction is

not completed before expiration of the building permit, approval of the site plan shall expire upon expiration of the building permit; c) if none of the improvements shown on the site plan require a building permit, approval of the site plan shall expire six (6) months after date of approval unless construction is commenced before such expiration; provided, however, if such construction is not prosecuted diligently to completion, approval of the site plan shall expire at the later of: 1) failure to diligently continue the construction; or 2) six (6) months after approval. If approval of a site plan expires as provided herein, the site plan shall be of no further force or effect.

11-2-1: Definitions

11-2-1: DEFINITIONS:

Words in this title are normally used in their ordinary English usage. Certain terms are, however, defined in this section and wherever used in this title, they shall have the meaning as set forth in this section, except where the context clearly indicates a different meaning.

The word "shall" is to be interpreted as mandatory and shall be complied with unless waived;

"may" is to be interpreted as having permission or being allowed to carry out a provision;

"should" is to be interpreted as expressing that the application of said criteria or standard is desired and essential unless commensurate criteria or standards are achieved.

All words used in the singular shall include the plural, and all words used in the present tense shall include the future tense, unless the context clearly indicates the contrary.

BUILDING OFFICIAL: The person identified and authorized in city Code Section 9-1-1B charged with the enforcement of this title.

CITY: Refers to the city of Woodland Hills, Utah.

CITY COUNCIL: The legislative body of the city of Woodland Hills.

CITY ENGINEER: A registered professional engineer retained by the city of Woodland Hills to perform engineering services for the city.

COMMISSION: The planning commission for the city of Woodland Hills.

CONCEPT PLAN: The conceptual layout of a proposed subdivision drawn to scale and on a topographic map.

CONDITIONAL APPROVAL: Approval given for a preliminary or final plat with any conditions given by the approving body.

DWELLING: Any building or portion thereof designed or used exclusively as the more or less permanent residence or sleeping place of one or more persons.

EASEMENT: That portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner of said property. The easement may be for use on, under or above said lot.

FINAL PLAT: A subdivision map prepared in accordance with the provisions of this title, which is designed to be recorded with the office of the county recorder.

GENERAL PLAN: An overall plan for the long-range growth and development of the city of Woodland Hills with an emphasis on land use and transportation.

LOT: A division of land separated from other divisions for purpose of sale, lease or separate use, described on a recorded subdivision plat, recorded survey map or by metes and bounds.

ORDINANCE: The adopted subdivision ordinance for the city of Woodland Hills.

PLANTING SCREEN: A twenty-foot (20') buffer that is landscaped with coniferous and deciduous plant material for screening purposes and including earth berms, depending on the topographic characteristics of the area.

PRELIMINARY PLAN: A plan of a proposed subdivision, drawn to scale, showing approximate measurements, the location of lots, streets, utility easements, north point, scale and such other information as may be required by the city planning commission.

REGISTERED ENGINEER: A professional engineer registered to perform engineering services in the state of Utah.

REGISTERED LAND SURVEYOR: A professional land surveyor registered to perform land survey services in the state of Utah.

REGISTERED LANDSCAPE ARCHITECT: A professional landscape architect registered to perform landscape architectural services in the state of Utah.

STREET, COLLECTOR: A street designated in a subdivision that collects internal traffic movements from minor streets within a large subdivision and connects such areas with the arterial street system.

STREET, MAJOR: A street or road designated as a principal thoroughfare or major arterial on

the city street plan.

STREET, MINOR: Any dedicated street serving as a principal means of access to property, intended to serve the local needs of the neighborhood.

SUBDIVIDER: Any person, firm, corporation, partnership, association, or other entity which causes land to be subdivided into a subdivision for himself or others.

SUBDIVISION:

1. "Subdivision" means any land that is divided, re-subdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms and conditions.

2. "Subdivision" includes:

a. The division or development of land whether by deed, metes and bounds description, devise and testacy, map, plat or other recorded instrument; and

b. Except as provided in subsection 3 of this definition, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes.

3. "Subdivision" does not include:

a. A bona fide division or partition of agricultural land for the purpose of joining one (1) of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance.

b. A recorded agreement between owners of adjoining unsubdivided properties adjusting their mutual boundary if:

(1) No new lot is created; and

(2) The adjustment does not violate applicable land use ordinances.

c. A recorded document, executed by the owner of record:

(1) Revising the legal description of more than one contiguous unsubdivided parcel of property into one legal description encompassing all such parcels of property; or

(2) Joining a subdivided parcel of property to another parcel of property that has not been subdivided, if the joinder does not violate applicable land use ordinances.

d. A recorded agreement between owners of adjoining subdivided properties adjusting their mutual boundary if:

(1) No new dwelling lot or housing unit will result from the adjustment; and

(2) The adjustment will not violate any applicable land use ordinance.

e. A bona fide division or partition of land by deed or other instrument where the land use authority expressly approves in writing the division in anticipation of further land use approvals on the parcel or parcels; or

f. A parcel boundary adjustment.

4. The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a subdivision under this definition as to the unsubdivided parcel of property or subject the unsubdivided parcel to the municipality's subdivision ordinance.

11-4-9: CONDITIONS FOR ISSUANCE OF BUILDING PERMIT:

No building permit shall be issued for any lot in the subdivision by the building official prior to recording of the final plat and the completion of all the improvements required by and as specified in section [11-4-1](#) or 11-4-3 of this chapter. Exceptions to this rule shall be in compliance with Section [11-4-4](#) of this chapter.

REPEALER CLAUSE. All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

ADOPTED by the City Council of Woodland Hills this 10th day of May 2022.

Brent Winder, Mayor

Attest:

Jody Stones
Jody Stones, Recorder

CERTIFICATE OF POSTING ORDINANCE

For the City of Woodland Hills

I, the duly appointed and acting Recorder for the City of Woodland Hills, hereby certify that.
copies of the foregoing Ordinance No. 2022-16 were posted at three public places within the
municipality this 11th day of May 2022 which public places are:

1. City Information Bulletin Board, 200 S. Woodland Hills Drive
2. Woodland Hills City Center, 690 S. Woodland Hills Drive
3. Woodland Hills Web Site, www.woodlandhills-ut.gov

Dated this 11th day of May 2022.



Jody Stones, Recorder