

CHAPTER 7-16
RESIDENTIAL FACILITIES FOR ELDERLY
PERSONS

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- 7-16-101. RESIDENTIAL FACILITIES FOR
ELDERLY PERSONS.

(1) A residential facility for elderly persons shall be a permitted use in any area where residential/uses are allowed following approval by the Community Development Department. Approval shall not be denied where the proposed residential facility for elderly persons is found to be in compliance with all the applicable provisions of this Section.

(2) (a) Except as otherwise provided in this Chapter, residential facilities for elderly persons shall only be allowed in any City zoning district which is zoned to permit exclusively single-family dwelling use, subject to the granting of a conditional use permit. A conditional use permit shall not be denied where the facility is found, by the Planning Commission, to meet all conditions set forth in this Section.

(b) A residential facility for elderly persons proposed to be located in a district which is zoned to permit exclusively single-family dwelling use does not require conditional use approval if no more than four non-related adults live in the facility.

(3) All residential facilities for elderly persons shall comply with zoning regulations, health and safety ordinances, and building codes applicable to the structure or land use.

(Ord. No. 99-53 Amended 08/20/1999)

7-16-102. CONDITIONAL USE REVIEW.

In any municipal zoning district, which is zoned to permit exclusively single-family dwelling uses, in addition to the requirements of this Section, the Planning Commission

may, as a condition of a conditional use permit, set other reasonable conditions which it feels will further the intent of Part 5 of Title 10, Chapter 9, of the Utah Code Annotated, 1953, as amended, and this Chapter.

(Ord. No. 99-53 Amended 08/20/1999)

7-16-103. CODE COMPLIANCE.

The facility shall meet all municipal building, safety, zoning and health ordinances applicable to similar dwellings. The facility shall be capable of use as a residential facility for elderly persons without structural or landscaping alterations that would change the structures residential character.

7-16-104. PARKING.

Off-street parking shall be provided as required in Chapter 9 of this Title.

7-16-105. SEPARATION STANDARDS.

Residential facilities for elderly persons shall be reasonably dispersed throughout the City.

(Ord. No. 99-53 Amended 08/20/1999)

7-16-106. CLIENT RESTRICTED.

Persons being treated for alcoholism or drug abuse shall not be placed in a residential facility for elderly persons; placement in a residential facility for elderly persons shall be on a strictly voluntary basis and shall not be a part of, or in lieu of confinement, rehabilitation, or treatment in a correctional facility.

(Ord. No. 99-53 Amended 08/20/1999)

7-16-107. COMPLIANCE.

The use granted and permitted by this Section is nontransferable and terminates if the structure is devoted to a use other than as a residential facility for elderly persons, or if the structure fails to comply with applicable health, safety, or building codes.

(Ord. No. 99-53 Amended 08/20/1999)

7-16-108. DISCRIMINATION PROHIBITED.

Discrimination against elderly persons and against residential facilities for elderly persons is prohibited. All decisions regarding an application for a residential facility for elderly persons must be based on legitimate land use criteria and may not be based on the age of the facilities residents.

7-16-109. MAINTENANCE.

In any area zoned to permit exclusively residential uses, the Planning Commission may impose a condition that the landscaping around the facility must be maintained or installed such that it enhances the residential character of the neighborhood, as a condition of the conditional use approval.

7-16-110. AGENCY REVIEW.

The facility shall be reviewed by the following agencies, prior to the issuance of the conditional use permit or final approval by the Community and Economic Development Department:

- (a) West Valley City Community and Economic Development Department;
- (b) West Valley City Building Division
- (c) West Valley City Fire Department;
- (d) West Valley City Public Works Department;
- (e) Granger-Hunter Improvement District, Taylorsville- Bennion Improvement District, Kearns Improvement District, or Magna Improvement District, whichever is applicable.

(Ord. No. 99-53 Amended 08/20/1999)