



TOQUERVILLE CITY
ORDINANCE 2024.XX

AN ORDINANCE AMENDING AND RESTATING IN ITS ENTIRETY **TITLE 10, CHAPTER 14, ARTICLE A OF THE TOQUERVILLE CITY CODE TO CREATE AN ALLOWED USE TABLE, MODIFY PHYSICAL RESTRICTIONS AND CREATE SPECIAL REGULATIONS FOR LIGHT INDUSTRIAL ZONES.**

RECITALS

WHEREAS Toquerville City (“the City”) is a Utah municipal corporation and political subdivision of the State of Utah and as such, holds the delegated police powers under the Utah Constitution to act as the Land Use Authority within its municipal boundaries - with the power to regulate those items set forth in Utah Code Ann. § 10-9a-102(2).

WHEREAS the City, by and through its legislative body, the Toquerville City Council (“City Council”), is required to enact all necessary land use regulations as required by Utah Code Ann. § 10-9a-501.

ORDINANCE

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

1. AMENDMENT AND RESTATEMENT. TITLE 10, CHAPTER 14, ARTICLE A of the Toquerville City Code is hereby amended and restated in its entirety as follows:

CHAPTER 14
INDUSTRIAL ZONES

ARTICLE A. M-1 LIGHT INDUSTRIAL ZONE

SECTION:

10-14A-1: Purpose

10-14A-2: ~~Permitted Uses~~ Allowed Use Table

~~10-14A-3: Conditional Uses~~

10-14A-~~4~~3: Physical Restrictions

10-14A-4: Special Regulations

10-14A-1: PURPOSE:

The purpose of the M-1 Zone is to provide areas for uses involving processing and assembly of manufactured goods, warehousing and material storage. Uses which generate excessive noise, vibration, odor, dust and fumes are not allowed in this zone. (Ord. 2012.04, 1-18-2012)

10-14A-2: ~~PERMITTED USES~~ ALLOWED USE TABLE:

~~Agricultural sales and service.~~

~~Club or service organization.~~

~~Construction sales and service.~~

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~~Convalescent facility.~~
~~Convenience store.~~
~~Correctional facility.~~
~~Freight terminal.~~
~~Funeral home.~~
~~Garden center.~~
~~Gas and fuel, storage and sales.~~
~~Golf course.~~
~~Hostel.~~
~~Hotel.~~
~~Media service.~~
~~Medical or dental laboratory.~~
~~Operations center.~~
~~Post Office.~~
~~Printing, general.~~
~~Protective service.~~
~~Public or quasi-public uses for essential public services.~~
~~Public utility uses.~~
~~Restaurant.~~
~~Vehicle repair and service. (Ord. 2012.04, 1-18-2012; amd. 2014 Code; Ord. 2021.20, 7-21-2021)~~

Only the following uses set forth in the table below are allowed in the Light Industrial Zone.

Use	
Agricultural processing	C
Agricultural sales and service	P
Agriculture	C
Auditorium	C
Bus terminal	C
Club or service organization	P
Commercial kennel	C
Construction sales and service	P
Convalescent care facility	C
Convenience store	P
~~Correctional Facility~~	~~P~~
Freight terminal	P
Funeral home	P
Garden Center	P
Gas and fuel, storage, and sales	P

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<u>Hostel</u>	<u>P</u>
<u>Hotel</u>	<u>P</u>
<u>Media service</u>	<u>P</u>
<u>Medical or dental laboratory</u>	<u>P</u>
<u>Office, general</u>	~~P~~
<u>Operations center</u>	<u>P</u>
<u>Parking garage, public</u>	<u>C</u>
<u>Pest control and extermination</u>	<u>P</u>
<u>Post Office</u>	<u>P</u>
<u>Printing and copying</u>	<u>P</u>
<u>Protective service</u>	<u>P</u>
<u>Public or quasi-public uses for essential public services</u>	<u>P</u>
<u>Public utility uses</u>	<u>P</u>
<u>Restaurant, or fast-food establishment</u>	<u>P</u>
<u>RV and boat storage</u>	<u>C</u>
<u>Self-storage facilities</u>	<u>C</u>
<u>The extraction industry uses, as defined in Chapter 15, Article D, of this Title.</u>	<u>CS</u>
<u>Transitional housing facility</u>	<u>C</u>
<u>Vehicle repair and service</u>	<u>P</u>
<u>Other uses similar to the above and judged by the Planning Commission to be in harmony with the character intent of this zone.</u>	<u>C</u>
<u>Legend:</u> P = Permitted Use, C = Conditional, CS = Conditional w/Standards or Permit, ~~NA = Not Allowed~~	

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~~10-14A-3: CONDITIONAL USES:~~

~~Agricultural processing:~~

~~Agriculture:~~

~~Auditorium:~~

~~Bus terminal:~~

~~Commercial kennel:~~

~~Liquor store:~~

~~Office, general:~~

~~Parking garage, public:~~

~~RV and boat storage:~~

~~Self-storage facilities:~~

~~Transitional housing facility. (Ord. 2019.01, 2-7-2019; amd. Ord. 2021.20, 7-21-2021)~~

10-14A-4.3: PHYSICAL RESTRICTIONS:

Minimum frontage	80 feet (unless otherwise approved by Conditional Use Permit)
Minimum lot area	No requirement
Maximum height - main building	50 feet
Front yard setback	30 feet
Interior side yard setback	10 feet
Street side yard setback	30 feet
Rear yard setback	~~20~~ 10 feet

(Ord. 2012.04, 1-18-2012)

10-14A-4: SPECIAL REGULATIONS:

- A. Increased Height: Notwithstanding the height limitations shown in section 10-13A-4 of this ~~a~~Article a greater building height may be allowed in a business or industrial zone pursuant to a conditional use permit.
- B. Setbacks Abutting a Residential Zone: When abutting a residential zone, the minimum setback shall be required plus one additional foot for every foot of building height over thirty (30) feet ~~(30)~~.
- C. Protection of Residential Zones: Where any business manufacturing zone adjoins any residential or agricultural zone, as part of the required setbacks, there shall be provided and maintained along such property line a six (6) ~~(6)~~-foot solid masonry wall and a ten (10) ~~(10)~~-foot landscape buffer to protect the adjoining residential or agricultural property. The landscape buffer shall include the strategic planting of trees and shrubs to provide adequate screening. All landscaping shall comply with 10-21-5 of the Toquerville City Code.

2. REPEALER. All ordinances, resolutions and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency and only for the period of time this Ordinance remains effective. This Repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

3. SEVERABILITY. Should any provision, clause or paragraph of this Ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this Ordinance or the Toquerville City Code to which these amendments apply. The valid part of any provision, clause or paragraph of this Ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections and subsections of this Ordinance, together with the regulations contained therein, are hereby declared to be severable.

4. EFFECTIVENESS. This Ordinance shall become effective immediately upon approval

by the City Council.

ADOPTED AND APPROVED BY THE TOQUERVILLE CITY COUNCIL this ____day
of _____ 2024, based upon the following vote:

Councilmember:

Gary Chaves	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
John ‘Chuck’ Williams	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Joey Campbell	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Todd Sands	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Wayne Olsen	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____

TOQUERVILLE CITY
a Utah Municipal Corporation

Attest:

Justin Sip, Toquerville City Mayor

Daisy Fuentes, Toquerville City Recorder