



Planning Commission Meeting

Tuesday, April 1, 2025 at 6:30 pm

Attendees: Chairperson Lee Bennett, Commissioner Mary Cokenour,
Commissioner Julie Bennett, Assistant City Manager Megan Gallegos,
City Recorder Melissa Gill

Meeting Location: 648 S Hideout Way

1. Call to Order

2. Minutes Review/Approval (action)

Attachments:

- **2025-03-04 PC** (2025-03-04_PC.pdf)

3. Public Comment

4. Annexation Policy Revisions (discussion)

Attachments:

- **2025 Annex Plan** (2025_Annex_Plan.docx)
- **Monticello City Expansion Area** (Monticello_City_Expansion_Area.png)

5. Permitted Uses/Zone Intents (discussion)

Attachments:

- **Revised Uses_Lee 03-28-25** (Revised_Uses_Lee_03-28-25.pdf)
- **Permitted Uses Code** (Permitted_Uses_Code.pdf)

6. Legislative Update (discussion)

Attachments:

- **Legislative Housing Summary Powerpoint** (Legislative_Housing_Summary_Powerpoint.pdf)
- **SB0179** (SB0179.pdf)

7. Administrative Communications

8. Next Meeting Agenda

Special Public Meeting, April 15, 2025 6:30 pm, Annexation Policy

9. Adjournment (action)

Audio File

THE PUBLIC IS INVITED TO ATTEND ALL CITY MEETINGS In accordance with the Americans with Disabilities Act, anyone needing special accommodations to attend a meeting may contact the City Office, 587-2271, at least three working days prior to the meeting. City Council may adjourn to closed session by majority vote, pursuant to Utah Code §52-4-4 & 5

Contact: Melissa Gill (melissa@monticelloutah.org 435-587-2271) | Agenda published on 03/28/2025 at 8:37 AM



Planning Commission Meeting Minutes

Tuesday, March 4, 2025 at 6:30 pm

Attendees: Chairperson Lee Bennett, Commissioner Mary Cokenour,
Commissioner Julie Bennett, Assistant City Manager Megan Gallegos
(Excused), City Recorder Melissa Gill

Meeting Location: 648 S Hideout Way

1. Call to Order

Minutes:

Commissioner Bennett called the Monticello City Planning Commission meeting to order at 6:32 pm. The following visitors were present: City Councilmember Kevin Dunn

2. Minutes Review/Approval (action)

Minutes:

MOTION to approve the minutes of February 2, 2025 with the specified change of Agenda Item 6, "Commissioner Cokenour presented definitions for several forms of automobile repairs and nurseries along with the environmental impacts of oil refineries and metal casting" was made by Commissioner Bailey and seconded by Commissioner Cokenour. The motion passed unanimously.

Vote results:

Ayes: 3 / Nays: 0

3. Public Comment

Minutes:

There was no one present for public comment.

4. Permitted Uses/Zone Intentions (discussion)

Minutes:

Commissioner Bennett led the discussion of permitted uses/zone intentions. She presented a spreadsheet that included all zones the City included in the zoning map along with the definition of what she and Planning and Zoning Director Gallegos felt each zone should include. Along with the zone designations it also outlined suggested changes with the permitted uses in each zone. The spreadsheets were included in the agenda packet.

There was a great deal of discussion between the Commission and Councilmember Dunn regarding the agenda item. Communication Towers and Wind Towers were a large portion of the discussion. The Commission will continue to review the definitions of permitted uses to refine the list.

5. Annexation Policy Revisions (discussion)

Minutes:

Bennett introduced the Annexation Policy Plan draft. She explained that the draft was created based on the Utah State Annexation Code with the desire to provide clarity of operations. The order of operations was reviewed and discussed in detail to ensure accuracy. The term “character of the community” was clarified. Once the specified changes are made the Commission will be ready to present the draft to public opinion.

6. Administrative Communications

Minutes:

Councilmember Dunn gave a report on the special meeting the Council held for public input on the sale of Circle Park.

City Recorder Gill reported she will review all definitions for Title 10 that are on the Codifier’s website.

Bennett informed the Commission that the State Legislature had introduced many land use bills and the current session will be wrapping up soon. Once the Governor’s Office responds to the bills, the Commission will review them for necessary changes within Monticello City Code.

7. Next Meeting Agenda

Minutes:

Annexation Policy Plan Review

8. Adjournment (action)

Minutes:

MOTION to adjourn the Planning Commission meeting was made by Commissioner Bennett and seconded by Commissioner Bailey. The motion passed unanimously and Commissioner Bennet adjourned the meeting at 7:45 pm.

Vote results:

Ayes: 3 / Nays: 0

Audio File

<https://soundcloud.com/user-250815044/2025-03-04-planning-commission>

Notice of Special Accommodations

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DRAFT ANNEXATION POLICY PLAN

City of Monticello, Utah

The annexation policy plan was prepared in accordance with the provisions of Utah Code Title 10, Chapter 2, Part 4, Annexation, as of the date of approval of this plan. The plan addresses the criteria and relevant matters required by Utah code and was prepared following the procedures specified in state code.

A. Requests For Annexation

- (1) The City will receive annexation proposals only through submission of an annexation petition. (UT 10-2-402(2) and 10-2-403(1)).
- (2) Petitions for annexation must follow the requirements at UT 10-2-403. Failure to meet the requirements at UT 10-2-403 will result in the City's refusal to consider the annexation proposal.
- (3) Petitions that conform to UT 10-2-403 will be accepted or denied by the City in accord with UT 10-2-405 and this Annexation Policy Plan.
- (4) The city may annex an unincorporated area without an annexation petition if the action meets the requirements at UT 10-2-418.

B. Expansion Area Defined

- (1) As part of its on-going effort to plan and prepare for responsible growth, the City of Monticello has identified undeveloped territory in San Juan County that is adjacent to present City boundaries that could, at some time in the future, be a part of the City. (UT 10-2-401.5(3)(b)(i))
- (2) The area proposed for future annexation is not bordered by any other municipality and no urban development is found within 1/2 mile of the city boundary. (UT 10-2-401.5(3)(c))
- (3) The expansion area is more than 5,000 feet from the centerline of the nearest airport runway. (UT 10-2-402(6)(b))
- (4) The expansion area is depicted on the attached map, Monticello City Expansion Area, which is herewith made a part of the Annexation Policy Plan. (UT 10-2-401.5(3)(a))

C. Criteria for Evaluating Area Proposed for Annexation

- (1) Areas to be annexed must fall within the area designated for future expansion on the Monticello City Expansion Area map. If the proposed area for annexation is outside of the current expansion area, the City shall deny the proposal. (UT 10-2-402(1)(b)(iv))
- (2) Areas to be annexed must be compatible with the City's character, which is currently mixed residential, commercial, industrial, and agricultural. The City envisions many opportunities for growth and will consider annexation proposals broadly. (UT 10-2-401.5(3)(b)(i))
- (3) An area proposed for annexation must be a contiguous area. (UT 10-2-402(1)(b))
- (4) Areas to be annexed must be contiguous to the corporate limits of the City of Monticello at the time of the submission of an annexation request. (UT 10-2-402(1)(b))
- (5) Areas to be annexed shall not leave or create an unincorporated island or unincorporated peninsula, unless San Juan County and the City have otherwise agreed. If an unincorporated island or peninsula existed before annexation, the city may consider the proposed annexation if it will reduce the size of the unincorporated island or

peninsula. The city may consider annexation of an unincorporated island or unincorporated peninsula when criteria at 10-2-401(1)(c) or 10-2-418(3) of Utah Code are met.

(6) Annexation cannot include only part of a parcel of real property and exclude part of the same parcel unless the parcel owner has signed the annexation petition. Boundaries of areas proposed for annexation shall follow boundaries of existing parcels and special districts, to the extent practicable and feasible. (UT 10-2-403(5)).

(7) Areas to be annexed cannot include areas or parts of areas that were previously proposed for annexation and not denied, rejected, or granted. (UT 10-2-403(4))

(8) The City shall not annex territory for the sole purpose of acquiring revenue. (UT 10-2-402(4))

(9) The City shall exclude from the annexed area rural real property when the owner of the rural real property has not signed the petition for annexation or has not given written consent to include the rural real property under his or her ownership. (UT 10-2-408(2)(a))

D. Criteria for Evaluating Extension of City Services

(1) For the City to provide culinary water to the area proposed for annexation, an existing City water line must be located near enough to the proposed area that water service can be reasonably extended without exceeding the City's capacity to treat water. If no existing water line is available, the City will consider whether the proposed area is within the City's plan for expansion of the water system. If the proposed area is not within the City's plan for culinary water expansion, the City may deny the annexation request. (UT 10-2-401.5(3)(b)(ii))

(2) For the City to provide sewer service to the area proposed for annexation, an existing City sewer line must be located near enough to the proposed area that sewer service can be reasonably extended without exceeding the treatment plant capacity. If no existing sewer line is available, the City will consider whether the proposed area is within the City's plan for expansion of the sewer system. If the area is not within the City's plan for sewer system expansion or the proposed annexation would exceed treatment plant capacity, the City may deny the annexation request. (UT 10-2-401.5(3)(b)(ii))

(3) The proponent of the annexation proposal will work with the City's electrical provider if electrical service is needed within the area proposed for annexation. (UT 10-2-401.5(3)(b)(ii))

E. Consideration of Anticipated Consequences

(1) The City will include in its deliberations the projected population growth or loss in the City over the next 20 years. In conjunction with the City's general plan, the City will consider the need for land suitable for residential, commercial, and industrial development over the next 20 years. (UT 10-2-401.5(4)(b,d))

(2) The City will estimate the tax consequences to property owners of accepting the annexation proposal on (a) the residents within the current City boundary, and (b) residents within the area proposed for annexation. (10-2-405.1(3)(b)(v))

(3) The City will consider the current and projected costs of infrastructure, City services, and public facilities necessary for (a) full development of the area currently within the corporate boundary, and (b) expanding the infrastructure, services, and facilities into the area proposed for annexation. (UT 10-2-401.5(4)(c))

(4) If the area proposed for annexation includes land to be used for agricultural, wildlife management, or recreational purposes, the City will explain why it would allow these uses within the corporate boundary. (UT 10-2-401.5(4)(e))

E. Interests of Affected Entities

DRAFT City of Monticello Annexation Policy Plan

(1) The affected entities pertaining to annexation proposals are San Juan County, San Juan School District, San Juan Water Conservancy District, San Juan Transportation District, and any properties adjacent to or included within the annexation proposal.

(2) For each annexation proposal the petitioner shall file a notice of intent to file a petition with the city recorder and all affected entities. (UT 10-2-403(2)(a,b))

(3) For each annexation proposal San Juan County shall fulfill its role under UT 10-2-403(2)(b).

(4) Failure of either the petitioner or San Juan County to follow the requirements of UT 10-2-403 shall result in the City's refusal to accept a petition.

APPROVED by Monticello City Planning Commission and forwarded to the Monticello City Council this _____ day of _____, 2025.

*, Chairperson

ADOPTED by Monticello City Council on this _____ day of _____, 2025,
with without modification.

*, Mayor

ATTEST:

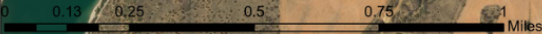
*, City Recorder

Affected Non-Incorporated Parcel IDs

PID
34S24E050601
33S24E302400
33S24E302401
33S24E328400
33S24E317204
33S24E320000
33S24E320600
33S24E320601
33S24E327200
33S24E325402
33S24E325400
33S24E325404
33S24E329000
33S24E327800
33S24E326000
33S24E325403
33S24E325402
33S24E325500
33S24E325405
33S24E324802
33S24E324801
33S24E324800
33S24E323601
33S24E322400
33S24E311803
33S24E311801
33S24E311800
33S24E311802
33S24E317200
33S24E317201
33S24E317800
33S24E317801
33S24E307200
33S24E302400
33S24E303600
33S24E303601
33S24E302400
33S24E300000
33S24E297200
33S24E292400
33S24E298400
33S24E296600
33S24E290000
33S24E295400
33S24E296003
34S23E010004
34S23E013001
33S23E252400
33S23E250619
33S23E256003
33S23E256001
33S23E256000
33S23E256002
33S23E255402
33S23E243600
33S23E250619
33S23E248400
33S23E249000
33S23E249001
33S23E241800
33S24E290001
33S23E255400
33S23E255401
33S23E255403
33S23E256010
33S23E256003
33S24E325401
33S24E325501
33S24E311810
33S24E311811

Monticello City Expansion Area 2025

- Boundaries**
- Monticello
 - Future
 - Expansion Zone
- Streets**
- Private
 - County
 - City
 - US Highway



Map is for REFERENCE PURPOSES ONLY. Lines may have been adjusted for visual "best fit."
Coordinate System: NAD 1983 StatePlane Utah South FIPS 4303 Feet. Projection: Lambert Conformal Conic.
Produced: December 12, 2024

PROPOSED CHANGES TO PERMITTED USES	DEFINITIONS FROM CODE OR TO CONSIDER FOR CODE	OMIT A1 RESIDENTIAL- AGRICULTURAL	A1 AGRICULTURAL	A2 AGRICULTURE- RESIDENTIAL	OMIT COLUMN C1 COMMERCIAL	OMIT COLUMN C2 LIGHT COMMERCIAL	C1 COMMERCIAL	G1 GOVERNMENT PARKS & RECREATION	I1 INDUSTRIAL	R1 RESIDENTIAL	R2 RESIDENTIAL
INTENT OF THE ZONE	Uses prohibited in zones unless expressly permitted	Fringe area of city; raising livestock for family food and pleasure	Certain areas of the city where the raising of crops is allowed	Raising of crops or keeping of livestock for personal consumption or pleasure of the people residing on the premises	Centralized retail and service; Maintain central business district	Small-scale fabrication, repair services, offices, and limited commercial uses; Buffer between C-1 and R-1, R-2	A centralized locations where retail and commercial services and be operated. It is the further intent of this zone to maintain a central business district as the "heart of the city", and to these ends promote it's development in step with the increase of population within the trading area	Open areas owned and maintained by the city for public use and recreation	Industrial operations can commence where impacts to residential areas are minimized	Where single family detached dwelling can be constructed in a favorable environment for family life	A mixed-use zone where multi-family dwellings and small-scale businesses can be constructed
Accessory buildings including equipment storage and supply storage customarily used in conjunction with and incidental to a principal use or structure permitted in the zone	Building: Any structure built for the support, shelter or enclosure of a person, animals, chattels or property of any kind. A. Building, Accessory - A subordinate building, the use of which is incidental to that of the main building; B. Building Line - Line designating the minimum distance which buildings must set back from a street or lot or parcen line; C. Building, Main: The principal building upon a lot or parcel	Yes	YES	YES	YES	YES	Yes	Under 800 sq ft for storage of equipment pertinent to the location where the building is erected	Yes	Yes	Yes
Accessory dwelling unit (detached from a single-family dwelling unit on one lot)	Detached from the primary dwelling and on the same lor as the primary dwelling and conforms to applicable building codes.			Yes						Yes	Yes
Accessory dwelling unit (internal or attached to a single-family dwelling unit on one lot)	Created within a primary dwelling or within the footprint of the primary dwelling at the time the accessory dwelling unit is created, and is offered for rental for 30 consecutive days or longer			Yes						Yes	Yes
Automobile and truck body shops. Parts and inoperable vehicles must be enclosed by a fence at least 6 feet high.	Location where repairs are made to the frame, body, or windshield of a vehicle								Yes		
Automobile and truck repair establishments were repairs cannot be completed in less than 8 hours. Outside storage of parts and inoperable vehicles are enclosed by a fence at least 6 feet high.	Major repairs are made to the engine, running gear, tires, wheels, electronic, and other vehicle parts not including the frame, body, or windshield. Major repairs are those requiring more than 8 hours of work.								Yes		
Automobile and truck repair establishments where repairs can be made in no more than 8 hours. Repairs are made inside the principal building and outside storage of parts or inoperable vehicles are enclosed by a fence at least 6 feet high.	Minor repair and replacement of brakes, tires, batteries, headlights, taillights, windshield wipers, and similar. Also where tires can be repaired or replaced, and wheels balanced and aligned, oil changed and lubricants applied, and engines repaired. Minor repairs are those that can be completed within 8 hours.						Yes				
Automobile, motorcycle, ATV, and snowmobile sales and rental structures and lots; Also related repair facilities where included as an integral part of the principal sales structure; No outside storage of parts or inoperable vehicles					Yes	Yes	Yes		Yes, but does not require enclosed storage of parts or inoperable vehicles		
Automotive service establishments including gasoline stations, car washes, parking lots, storage garages					Yes		Yes		Yes		

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Boarding house, lodging house, bed and breakfast, rooming house	A building containing not more than one kitchen where for compensation meals are provided pursuant to previous arrangements on a daily, weekly, or monthly basis as distinguished from a motel, café, or rooming house. Considered short-term rental units if rented for less than 30 days. (city) Bed & Breakfast: A building in which a full time, live-in caretaker resides and serves one or more meals per day, and provides overnight accommodations for short term guests (St George)						YES. MAYBE ON A LARGER SCALE.				Yes
Buildings exceeding 30 ft in height							YES		Yes		
Buildings over 20,000 sq ft on ground floor							YES		Yes		
Bunkhouses used by workers and staff	A structure designed and used for housing of workers on the place of employment, and which contains no food preparation facilities	Yes		Yes					Yes		
Care and keeping of chickens OR Urban hens and rabbits (would require redoing city code for chickens)	Keeping of chickens (hens only) and rabbits, as an accessory use to a single-family dwelling, to produce food for the family residing on the subject property (St George)			Yes						In conformance with 10-2-11	In conformance with 10-2-11
Care and keeping of livestock and fowl. Also barns, corrals, pens and shed for the care and keeping of the permitted animals and fowl	Livestock Corral - A place or pen where livestock are kept on a season basis as part of an agricultural enterprise or operation as distinguished from a livestock feed yard.	Yes		Yes WITHIN REASON					Yes		
Childcare	Tending of children by family members or friends for which no compensation is received. Childcare services exempt from state regulation as specified in applicable UT code.									Yes	Yes
Commercial plug-in electric vehicle charging stations							In comformance with 10-2-18		In conformance with 10-2-18		
Communications tower	Any tower or other structure erected for the purpose of radio, television or microwave transmission or line-of-sight relay devices			In conformance with 10-2-8		Yes	In conformance with 10-2-8		Yes	In conformance with 10-2-8	In conformance with 10-2-8
Computer and electronics sales and service	Sale and repair of computers and other electronic equipment typically used in homes and offices where all parts and discarded components are stored within the building						Yes				
Concrete mixing, gravel crushing, stonecutting, and rock, sand, and gravel distribution									Yes		
Conditional uses	A land use that, because of the unique characteristics or potential impact of the land use on city, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.	In conformance with 10-2-8	I THINK WE SHOULD GO AWAY FROM CONDITIONAL USES.	In conformance with 10-2-8	In conformance with 10-2-8	In conformance with 10-2-8	In conformance with 10-2-8			In conformance with 10-2-8	In conformance with 10-2-8
Convenience stores for sale of food and variety products					Yes	Yes	Yes		Yes, if part of gasoline station		
Daycare, nursery, preschool (compensated, state regulated)	A home or building in which children are tended or kept for compensation, and any similar use for which the state requires a license. Does not include overnight accommodations for children, as in a foster home or an orphanage. (city) Child care for up to ten (10) children, including the provider's children who are under the age of eighteen (18), within the provider's primary resident (St George)	Requires conditional use permit				Yes	Yes			Yes SHOULD WE LIMIT AMOUNT IN A R1	Yes
Detached Structure	Any structure being secondary to the primary use of the parcel (i.e., garage, storage shed, barn, coops, etc.)		Yes	Yes			YES		YES	YES	YES
Diagonal parking					In conformance with 10-2-12	In conformance with 10-2-12	In conformance with 10-2-12	In conformance with 10-2-12	In conformance with 10-2-12		
Dwelling, Caretaker's	A dwelling occupied by a person whose function is to watch or take care of a business or industry which is located on the same premises as the dwelling.						YES		Yes		

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Dwelling, Live-work units	A dwelling unit that is part of a commercial building and (1) is located behind or above the commercial floor space of the building; (2) Has its own utility connections separate from the commercial use; (3) Has its own entry separate from the commercial space; and (4) conforms to applicable building codes for use as a dwelling.				Yes	Yes	Yes				
Dwelling, Long-term rental	A building or portion of a building that is used or designed for use as a residence by one or more persons and meets applicable building codes, and is available to be rented, loaned, leased, or hire out for a period of 30 consecutive days or longer	In conformance with 10-2-17					YES			In conformance with 10-2-17	In conformance with 10-2-17
Dwelling, Multi-family, apartment houses	Apartment house - Any building or portion thereof which is designed, built, rented or leased, let, or hired out to be occupied of which is occupied as the home or residence of 3 or more families living independently of each other and doing their own cooking within the premises.						YES?				Yes
Dwelling, Primary	As shown on city website, the definition may be wrong			YES						YES	YES
Dwelling, Short-term rental	For a period fewer than 30 consecutive days (city) Property that is occupied, possessed or used by any person or entity for a transient lodging where the term of occupancy, possession, or use of the property by the person or entity is offered for twenty-nine (29) consecutive calendar days or less, for direct or indirect compensation or other consideration (St. George)										In conformance with 10-2-17
Dwelling, Single-family	A building containing one dwelling unit which is designed for or occupied by one family and which is larger than 900 sq ft on the ground level	Yes		YES						Yes	Yes
Dwelling, Small home	Small home - Any single family dwelling that is between 600-899 sq ft and designed for an intended for human occupancy and meets applicable building codes			YES						Yes	Yes
Dwelling, Tiny home	Any single family dwelling that is 200-599 sq ft and designed for and intended for human occupancy for more than 30 consecutive days, and meets applicable building codes			YES							Yes
Dwelling, Two-family, duplex	A building with a minimum of 1200 sq ft on the ground floor and contains 2 separate dwelling units, each of which is designed for or occupied by one family										YES
Establishments for the sale of hardware, lumber, plumbing, and heating equipment and similar building products; All storage shall be within a building or an enclosure surrounded by a fence not less than 6 ft high					Yes	Yes	Yes		Yes		
Fences	A barrier to limit visibility, provide privacy, define a property line, or prevent ingress or egress, made out of materials such as concrete or masonry block, wood, metal, stone, chain link, or vegetation. A retaining wall is not a fence. (St. George)	In conformance with 10-2-14		In conformance with 10-2-14	In conformance with 10-2-14	In conformance with 10-2-14	In conformance with 10-2-14	In conformance with 10-2-14	In conformance with 10-2-14	In conformance with 10-2-14	In conformance with 10-2-14
Foster care homes	A residence that is licensed or certified by the state for the full-time substitute care of a child	Yes		Yes						Yes	Yes
Funeral home						Yes	Yes				
General retail stores and shops providing goods and services for sale at retail in the customary manner					Yes	Yes	Yes				
Grain bins and silos		Yes	Yes	Yes							
Growing fruits and vegetables for household use	Tilling of soil or raising and harvesting crops (from St. George)	Yes		Yes						Yes	YES
Growing of field crops, garden produce, and fruit for sale or trade	Tilling of soil or raising and harvesting crops (from St. George)	Yes	yes						Yes	Requires conditional use permit	Requires conditional use permit

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Home occupations	Any occupation conducted within a dwelling and carried on by persons residing in the dwelling, and which is authorized by condition use permit	Requires conditional use permit		Requires conditional use permit						Requires conditional use permit	Requires conditional use permit
Hospitals						Yes	Yes				
Hotels and motels	A dwelling shall not include boarding, rooming, or lodging houses, tents, trailers, recreational vehicles, mobile home parks, motels and hotels, motor courts, motor lodges, cottage camps, or any short-term rentals or uses primarily for transient residential uses.				Yes	Yes	Yes				
Household pets	Animals ordinarily permitted in the house and kept for personal use and not for commercial purposes, not including goats or pigs (St George)	Yes		Yes						Yes	Yes
Impound yards, automobile wrecking yards	See junkyard						YES?		Yes		
Junkyards, collecting of rags, paper, iron or scrap materials	Junkyard - A place where scrap, waste, discarded, or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled or stored, including auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment, but not including such places where such uses are conducted entirely within a completely enclosed building or where salvaged materials are kept incidental to manufacturing operations conducted on the premises.								Yes		
Kennel	Land or buildings used in the keeping of 4 or more dogs over 4 months old.			Yes						YES?	YES
Landscaping businesses, plant nurseries and shops, including storage of equipment and materials. Does not include gravel crushing. Cannot violate dust, noise, or nuisance ordinances.		Yes					Yes, exterior storage of equipment and supplies must be enclosed by a fence		Yes		
Laundries and dry cleaning establishments and laundromats					Yes	Yes	Yes				
Machinery and equipment shed used for storage of equipment in connection with agricultural activities performed on the premises		Yes	YES	YES						Requires conditional use permit	Requires conditional use permit
Manufactured home	A transportable factory-built housing unit constructed on or after 6/15/1976 that conforms to the National Manufactured Housing Construction and Safety Act and is built on a permanent chassis and designed to be used as a dwelling with a permanent foundation and which includes plumbing, heating and air conditioning and electrical system			Yes						Yes	Yes
Manufacturing, Custom	Establishment primarily engaged in the on-side production of goods by hand manufacturing which involves on the use of hand tools or domestic mechanical equipment not exceeding two (2) horsepower or a single kiln not exceeding eight (8) kilowatts, and the incidental direct sales to customers of only those goods produced on site. Typical uses include ceramic studios, candle making shop or custom jewelry manufacturing (St George)						YES		YES		

PROPOSED CHANGES TO PERMITTED USES	DEFINITIONS FROM CODE OR TO CONSIDER FOR CODE	OMIT A1 RESIDENTIAL- AGRICULTURAL	A1 AGRICULTURAL	A2 AGRICULTURE- RESIDENTIAL	OMIT COLUMN C1 COMMERCIAL	OMIT COLUMN C2 LIGHT COMMERCIAL	C1 COMMERCIAL	G1 GOVERNMENT PARKS & RECREATION	I1 INDUSTRIAL	R1 RESIDENTIAL	R2 RESIDENTIAL
Manufacturing, Heavy	Converting of raw or partially processed materials into a product used for further processing or distribution. Examples include lumber and paper mills, sewage treatment plants, stone, clay, glass product manufacturing, asphalt and concrete batch plants, and similar operations. These uses may be conducted partially or wholly outdoors and usually create noxious byproducts such as dust, fumes, hazardous waste products, noise, vibration, and glare (St George)								YES		
Manufacturing, Light	Establishment engaged in the manufacture, predominantly from previously prepared materials, of finished products of parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing (St George)						YES		YES		
Mobile home parks	Mobile Home - A transportable factory-build housing unit build before 6/15/1976, in accordance with state mobile home codes which existed prior to the National Manufactured Home Construction and Safety Standards Act (HUD code).	In compliance with 10-13		In conformance with 10-13 NO							In conformance with 10-13
Office buildings, medical clinics, banks, insurance, and financial services	Clinic - A building used for the diagnosis and treatment of ill, infirm, and injured persons which does not provide board, room or regular hospital care and services. (city) Financial, Medical, Professional Center - Financial institutions, medical and professional offices/services, limited to daytime hours of operation, and exclude a hospital, pay-day loan and sexually oriented business (St George)				Yes	Yes	Yes				
OMIT ROW Accessory buildings		Yes								Yes	
OMIT ROW Accessory buildings and structures...used in conjunction with and incidental to a principal use or structure permitted in the zone					Yes						
OMIT ROW Accessory uses and structures...incidental to and do not substantially alter the character of the permitted principal use or structure						Yes					
OMIT ROW All R-1 uses that conform to 10-6-3					Yes	Yes					
OMIT ROW All R-2 uses that conform to 10-7-3					Yes	Yes					
OMIT ROW Automobile and truck repair establishments and auto body shops									Yes		
OMIT ROW Automobile and truck repair establishments...within an enclosed structure and with no outside storage of parts of inoperable vehicles					Yes	Yes					
OMIT ROW Automotive service establishments including gasoline stations, car washes, parking lots and storage garages						Yes			Yes		
OMIT ROW Cabinet, taxidermy, welding, and metalsmithing shops					Yes						
OMIT ROW Fences, walls, and hedges		Yes									
OMIT ROW Growing of field crops and fruit		Yes									
OMIT ROW Growing of field crops and fruit and the machinery and equipment sheds used for storage of equipment in connection with agricultural activities performed on the premises									Yes		

PROPOSED CHANGES TO PERMITTED USES	DEFINITIONS FROM CODE OR TO CONSIDER FOR CODE	OMIT A1 RESIDENTIAL- AGRICULTURAL	A1 AGRICULTURAL	A2 AGRICULTURE- RESIDENTIAL	OMIT COLUMN C1 COMMERCIAL	OMIT COLUMN C2 LIGHT COMMERCIAL	C1 COMMERCIAL	G1 GOVERNMENT PARKS & RECREATION	I1 INDUSTRIAL	R1 RESIDENTIAL	R2 RESIDENTIAL
OMIT ROW Iron and steel fabrication, metalworking and welding shops (break out by mfg. type)									Yes		
OMIT ROW Keeping of chickens (retitled)										In conformance with 10-2-12	In conformance with 10-2-12
OMIT ROW Landscape business, exclusive of gravel crushing and which do not violate dust, noise, or nuisance ordinances		Yes									
OMIT ROW Lumber and planning mills, cabinetry, and taxidermy, and the equipment and materials storage used in conjunction with these businesses (break out to light, custom, etc)									Yes		
OMIT ROW Machine shops (see Mfg types)									Yes		
OMIT ROW Metal casting (breakout to type of mfg)									Yes		
OMIT ROW Mobile homes on foundations with tie down											Yes
OMIT ROW Ore reduction and processing									Yes		
OMIT ROW Plant nursery		Yes									
OMIT ROW Public buildings for mechanical uses, livestock impoundments, storage yards, and repair shops									Yes		
OMIT ROW Public parks and buildings						Yes					
OMIT ROW Public parks, buildings, and grounds, not including storage yards or repair shops		Yes			Yes						
OMIT ROW Walls and Hedges (expanded)											
Pavilions, gazebos, and pergolas				YES				Yes, limited to no more than 2 enclosed walls		YES	YES
Permanent cosmetics establishment	An establishment engaging in permanent cosmetics as a secondary use to an establishment employing cosmetologist, barbers, aestheticians, electrologists, or nail technicians licenses by the state under UT 58-11a, excluding tattoo establishments and home occupations (St George)						Yes				YES
Personal service establishments such as barber and beauty shops, reception centers, jewelry, and similar establishments					Yes	Yes	Yes				YES
Portable storage containers	Any portable, reusable container generally referred to as a sea cargo container, cargo container, or shipping container, made as a prefabricated metal structure and primarily designed or used for transporting freight by trailer and is built in accordance with the US Dept. of Transportation standards. Does not include semitrailers as defined in Utah Code 41-61-102, and must be free from damage, rust, and exposed metal, painted in one solid muted earth tone color or similar colors as a main structure, with no writing, signs, numbers, or logos (St. George)	In conformance with 10-2-10			In conformance with 10-2-10	In conformance with 10-2-14	In conformance with 10-2-10		In conformance with 10-2-10	In conformance with 10-2-10	In conformance with 10-2-10
Public arenas such as rodeo grounds, equestrian sports facilities, fairgrounds		Yes					Yes	Yes			
Public buildings and grounds, including shops and storage					Yes		Yes		YES		
Public, private and parochial schools and grounds		Yes								Yes NO	Yes

PROPOSED CHANGES TO ZONES AND PERMITTED USES ** For discussion purposes only **											
PROPOSED CHANGES TO PERMITTED USES	DEFINITIONS FROM CODE OR TO CONSIDER FOR CODE	OMIT A1 RESIDENTIAL-AGRICULTURAL	A1 AGRICULTURAL	A2 AGRICULTURE-RESIDENTIAL	OMIT COLUMN C1 COMMERCIAL	OMIT COLUMN C2 LIGHT COMMERCIAL	C1 COMMERCIAL	G1 GOVERNMENT PARKS & RECREATION	I1 INDUSTRIAL	R1 RESIDENTIAL	R2 RESIDENTIAL
Recreational enterprises including bowling alley, recreation center, indoor motion picture theater, athletic clubs, private clubs, fitness gym, sororities, and fraternal lodges	Club - A building used, occupied and operated by an organized association of persons for social, fraternal, religious or patriotic purposes, whose activities are confined to the members and their guests, but not including any building used principally to render a service usually and ordinarily carried on as a business.				Yes		Yes				
Recreational vehicle park					In conformance with 10-15		In conformance with 10-15				
Religious facilities, not including revival tents or buildings	Meetinghouse, church, temple, mosque, synagogue or other permanent structure used primarily for regular religious worship. (St George)	Yes					YES			Yes	Yes
Residential treatment facility	A residence where more than one person with a disability resides and the residence is licensed with the State Dept of Human Services or the Dept of Health as a residential facility to care for the disabled (St George)						YES				
Rest homes, nursing homes, convalescent homes, assisted living homes	Nursing Home - Institution providing long term residence and care for the aged or inform (St George)	Requires conditional use permit				Yes	Yes			Requires conditional use permit	Requires conditional use permit
Restaurants, food drive-ins, bars, taverns, pubs					Yes	Yes	Yes				
Restrooms for public use							Yes	Yes			
Retaining wall	Any structure designed to resist the lateral displacement of soil or other materials, not including rockery walls. An example includes block walls, concrete walls, or segmented wall designed and approved as a retaining wall (St George)			Yes			Yes	Yes	Yes	Yes	Yes
Rockery wall	A system of stacked rocks constructed to retain soil or rock and includes rock-faced slopes (St George)			Yes			Yes	Yes		Yes	Yes
Sexually oriented business	An adult arcade, adult bookstore, adult motion picture theater, adult novelty store, adult theater, adult video store, adult cabaret, and adult motel.								In conformance with 3-11		
Shopping centers, shopping mall	A series of buildings on a common site, connected by a common pedestrian access route and providing a common parking area				Yes	Yes	Yes				
Signs		In conformance with 10-2-6	In conformance with 10-2-6	In conformance with 10-2-6	In conformance with 10-2-6	In conformance with 10-2-6	In conformance with 10-2-6		In conformance with 10-2-6	In conformance with 10-2-6	In conformance with 10-2-6
Slaughter houses, meat packaging, and wholesale distribution of meat products							YES?		In conformance with 4-7		
Solar energy systems	Solar photovoltaic and solar thermal energy capture, storage, and use	In conformance with 10-2-16		In conformance with 10-2-16			In conformance with 10-2-16		In conformance with 10-2-16	In conformance with 10-2-16	In conformance with 10-2-16
Storage units	A building separated into individual spaces for customer storage and retrieval of personal effects, household goods, furniture or archived materials (St George)						YES		YES		
Supermarkets	A single structure that serves as a one-stop shop, carrying a wide range of products beyond groceries, including clothing, household items, and electronics						YES				
Tattoo establishment	Any location, place, area, structure, or business used for the practice of tattooing or the instruction of tattooing, excluding permanent cosmetics establishments (St. George)						YES				
Temporary uses	Certain uses may be permitted on a temporary basis in any zone when approved by the city council and allowed in 10-2-9	In conformance with 10-2-9	In conformance with 10-2-9	In conformance with 10-2-9	In conformance with 10-2-9	In conformance with 10-2-9	In conformance with 10-2-9	Temporary private gatherings upon reservation	In conformance with 10-2-9	In conformance with 10-2-9	In conformance with 10-2-9
Tiny home parks							Yes				Yes
Tire storage and recycling							?		Yes		
Townhouses and condominiums (will require additions to city code)	Development designed and approved for separate ownership of a single unit in a multi-family development, together with an undivided interest in the common area and facilities. (St George)										Yes
Unavailable for private development	Development means adapting the land to suit individual needs							Yes			

<i>PROPOSED CHANGES TO PERMITTED USES</i>	<i>DEFINITIONS FROM CODE OR TO CONSIDER FOR CODE</i>	<i>OMIT A1 RESIDENTIAL- AGRICULTURAL</i>	<i>A1 AGRICULTURAL</i>	<i>A2 AGRICULTURE- RESIDENTIAL</i>	<i>OMIT COLUMN C1 COMMERCIAL</i>	<i>OMIT COLUMN C2 LIGHT COMMERCIAL</i>	<i>C1 COMMERCIAL</i>	<i>G1 GOVERNMENT PARKS & RECREATION</i>	<i>I1 INDUSTRIAL</i>	<i>R1 RESIDENTIAL</i>	<i>R2 RESIDENTIAL</i>
Utility buildings	A structure designed and used for protecting equipment used as part of a system of utility lines			Yes			Yes		Yes		Yes
Utility lines	A pipe, conduit, cable, or other similar facility by which services are conveyed to the public or individual recipients		Yes	Yes			Yes	Yes	Yes	Yes	Yes
Veterinary clinics and animal boarding facilities		Yes		Yes			YES		Yes		
Veterinary clinics for treatment of household pets and the enclosed temporary boarding of same while receiving care					Yes	Yes	Yes				
Warehouse	Structure designed and used for the storage of raw materials or manufactured goods until used or distributed.						Yes		Yes		
Wind turbine (needs a section in code)	Device that converts wind into mechanical power that runs a generator to produce clean electricity for home or business use		YES	Yes			Yes		Yes	Yes	Yes

10-5-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012; amd. Ord. passed 11-29-2022; Ord. 2024-02, 2-27-2024)

10-5-2: INTENT:

A-1 agricultural zone covers certain fringe areas of the city where residential areas may be integrated with the raising of livestock for family food production and for the pleasure of the people who reside on the premises. (Ord. 2012-01, 7-10-2012; amd. Ord. passed 11-29-2022; Ord. 2024-02, 2-27-2024)

10-5-3: PERMITTED USES:

A. The following buildings, structures and uses of land shall be permitted upon compliance with requirements set forth in this title:

Accessory buildings.

Bunkhouses used by workers and staff.

Churches, not including temporary revival tents or buildings.

Fences, walls and hedges.

Foster care homes.

Grain bins and silos.

Household pets.

Landscape businesses, exclusive of gravel crushing and which do not violate dust, noise, or nuisance ordinances.

Machinery and equipment sheds used for storage of equipment in connection with agricultural activities performed on the premises.

Mobile home parks meeting the requirements of chapter 13 of this title.

Plant nursery.

Public agency arenas such as rodeo grounds, equestrian sports facilities, fairgrounds.

Public agency parks and playgrounds.

Public buildings and grounds, not including storage yards or repair shops.

Public, private and parochial schools and grounds.

Single- and two-family dwellings of conventional construction and manufactured homes.

The care and keeping of livestock and fowl. Also barns, corrals, pens and sheds for the care and keeping of the permitted animals and fowl.

The growing of field crops and fruit.

Veterinary clinics and animal boarding facilities.

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:

All signs shall conform with section 10-2-6 of this title.

Conditional uses shall conform with section 10-2-8 of this title.

Temporary uses shall conform with section 10-2-9 of this title.

Portable Storage Containers shall conform with section 10-2-10 of this title

Fences shall conform with section 10-2-14 of this title.

Solar Electricity Systems shall conform with section 10-2-16 of this title

C. The following uses are permitted as conditional uses.

Daycare, nursery, preschool.

Rest homes, nursing homes, convalescent homes, assisted living homes. (Ord. 2012-01, 7-10-2012; amd. Ord. passed 11-29-2022; Ord. 2024-02, 2-27-2024)

10-6-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012; amd. Ord. passed 11-29-2022; Ord. 2024-02, 2-27-2024)

10-6-2: INTENT:

The R-1 residential zone has been established for the purpose of providing a place where single family detached dwellings can be constructed, having attractively landscaped yards and a favorable environment for family life. Uses such as multiple-family dwellings, apartment houses and commercial and industrial uses are not permitted in this zone. (Ord. 2012-01, 7-10-2012; amd. Ord. passed 11-29-2022; Ord. 2024-02, 2-27-2024)

10-6-3: PERMITTED USES:

A. The following buildings, structures and uses of land shall be permitted upon compliance with requirements set forth in this title:

Accessory buildings.

Childcare.

Churches, not including temporary revival tents or buildings.

Daycare, Nursery, Preschool.

Foster homes.

Growing of fruit and gardens for household use.

Household pets.

Public agency parks and playgrounds.

Public, private and parochial schools and grounds.

Single-family dwellings of conventional construction and manufactured homes.

Small homes of conventional construction and manufactured homes.

Utility lines.

Walls and hedges.

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:

Accessory signs conforming to section 10-2-6.

Fences in conformance with section 10-2-14.

Keeping of chickens as allowed in section 10-2-12.

Long-term rental of dwelling units subject to the provisions of section 10-2-17.

Solar electricity systems conforming to section 10-2-16.

Temporary uses are subject to the provisions of section 10-2-10.

C. The following uses are permitted as conditional uses (see section 10-2-8).

Home occupations.

Machinery sheds used for storage of equipment used in connection with agricultural activities performed on the premises.

Growing of field crops, garden produce, and fruit for sale or trade.

Rest homes, nursing homes, convalescent homes, assisted living homes. (Ord. 2012-01, 7-10-2012; and Ord. passed 11-29-2022; Ord. 2024-02, 2-27-2024)

10-7-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012; amd. Ord. passed 11-29-2022; Ord. 2024-02, 2-27-2024)

10-7-2: INTENT:

The R-2 zone has been established for the purpose of providing a place where single-, two- and multiple-family dwellings and small homes can be constructed. (Ord. 2012-01, 7-10-2012; amd. Ord. passed 11-29-2022; Ord. 2024-02, 2-27-2024)

10-7-3: PERMITTED USES:

A. The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this title:

Accessory Buildings.

All uses permitted in the R-1 residential zone, section 10-6-3 of this title. Single-family dwellings of conventional construction and manufactured homes.

Multi-family dwellings, townhouses and condominiums.

Small homes and tiny homes of conventional construction and manufactured homes.

Boarding house, lodging house, bed and breakfast, rooming house.

Childcare.

Churches, not including temporary revival tents or buildings.

Daycare, Nursery, Preschool.

Foster care homes.

Household pets.

Mobile homes on foundations with tie down.

Public agency parks and playgrounds.

Utility lines and buildings.

Walls and hedges.

B. The following uses are permitted when in conformance with the specified sections of Title 10, Zoning Regulations:

Accessory signs conforming to section 10-2-6.

Fences in conformance with section 10-2-14.

Keeping chickens in conformance with section 10-2-12.

Long-term rental of a dwelling unit as permitted in 10-2-17.

Short-term rental units as permitted in 10-2-17.

Solar electricity systems in conformance with 10-2-16.

Temporary uses are subject to the provisions of section 10-2-10.

C. The following uses are permitted as conditional uses (see section 10-2-8).

Home occupations.

Machinery sheds used for storage of equipment used in connection with agricultural activities performed on the premises.

Growing of field crops, garden produce, and fruit for sale or trade.

Rest homes, nursing homes, convalescent homes, assisted living homes. (Ord. 2012-01, 7-10-2012; and Ord. passed 11-29-2022; Ord. 2024-02, 2-27-2024)

10-8-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012; amd. Ord. passed 11-29-2022; Ord. passed - -)

10-8-2: INTENT:

The intent of the C-1 commercial zone is to provide a centralized place where retail and service uses can be constructed and maintained which will serve the needs of the citizens of the city and surrounding areas. It is the further intent in establishing this zone to maintain the central business district as the "heart of the city" and, to these ends, to promote its development in step with the increase in population within the trading area. Uses which tend to create business dead spots, cause undue scattering of business, and generally tend to thwart the use of the land for its primary purpose have been excluded from this zone. (Ord. 2012-01, 7-10-2012; amd. Ord. passed 11-29-2022; Ord. passed - -)

10-8-3: PERMITTED USES:

A. The following buildings, structures, and uses of land shall be permitted upon compliance with the requirements set forth in this title:

Accessory buildings and structures such as garages, carports, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in this zone.

All R-1 uses that conform to section 10-6-3 of this title.

All R-2 uses that conform to section 10-7-3 of this title.

Automobile and truck repair establishments, provided all repair activities will be conducted within an enclosed structure and that there will be no outside storage of parts or nonoperative vehicles.

Automobile, motorcycle, ATV, and snowmobile sales and rental structures and lots (for both new and used units). Also, the related repair facilities when such facilities are included as an integral part of the sales structure and that there will be no outside storage of parts or nonoperative vehicles.

Automotive service establishments, including gasoline stations, car washes, parking lots and storage garages, and minor automotive repair establishments.

Cabinet, taxidermy, and welding and metalsmithing shops.

Commercial Plug-in Electric Vehicle Charging Stations that conform to 10-2-18 of this title.

Convenience goods stores (minimarkets) for the sale of food and variety products.

Establishments for the sale of hardware, lumber, plumbing and heating equipment and similar building products. All storage activities shall be within a building or within an enclosure surrounded by a fence not less than six feet (6') in height.

General retail stores and shops providing goods and services for sale at retail in the customary manner.

Hotels and motels.

Laundries and dry cleaning establishments, and laundromats.

Live-work units.

Office buildings, medical clinics, banks, insurance, and financial services.

Personal service establishments, such as barber and beauty shops, reception centers, and similar establishments.

Public parks and buildings, not including storage yards or repair shops.

Recreational enterprises including bowling alleys, recreation centers, motion picture theaters (indoor only), athletic clubs, private clubs, sororities, and fraternal lodges. Restaurants, food drive-ins, bars, taverns, pubs.

Shopping centers, supermarkets, clothing stores.

Veterinary clinics for the treatment of household pets and the enclosed temporary boarding of same while receiving care.

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:

All signs shall conform with section 10-2-6 of this title.

Conditional uses shall conform with section 10-2-8 of this title.

Temporary uses shall conform with section 10-2-9 of this title.

Portable Storage Containers shall conform with section 10-2-10 of this title.

Diagonal parking shall conform with section 10-2-12 of this title.

Fences shall conform with section 10-2-14 of this title.

Recreational vehicle (RV) parks that conform to Title 10 Chapter 15 of city code. (Ord. 2012-01, 7-10-2012; amd. Ord. 2013-5, 4-23-2013, eff. 4-23-2013; Ord. passed 11-29-2022; Ord. passed - -)

10-9-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012; amd. Ord. passed 11-29-2022; Ord. passed - -)

10-9-2: INTENT:

The intent of the C-2 light commercial zone is to provide a place where small-scale fabrication, repair services, offices, and limited commercial uses can be constructed and maintained which will serve the needs of the citizens of the city and surrounding areas. It is the further intent in establishing this zone to maintain a buffer zone between C-1 and R-1 and R-2 zones to promote its development in step with the increase in population within the trading area. (Ord. 2012-01, 7-10-2012; amd. Ord. passed 11-29-2022; Ord. passed - -)

10-9-3: PERMITTED USES:

A. The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this title:

Accessory uses and structures provided they are incidental to and do not substantially alter the character of the permitted principal use or structure.

All R-1 uses that conform to section 10-6-3 of this title.

All R-2 uses that conform to section 10-7-3 of this title.

Automobile and truck repair establishments, provided all repair activities will be conducted within an enclosed structure and any outside storage of parts or nonoperative vehicles will be surrounded by a view-obscuring fence.

Automobile, motorcycle, ATV, and snowmobile sales and rental structures and lots (for both new and used units). Also, the related repair facilities when such facilities are included as an integral part of the sales structure and that any outside storage of parts or nonoperative vehicles will be surrounded by a view-obscuring fence.

Automotive service establishments, including gasoline stations, car washes, parking lots and storage garages.

Communications towers.

Commercial Plug-in Electric Vehicle Charging Stations that conform to 10-2-18 of this title. Convenience goods stores (minimarkets) for the sale of food and variety products.

Daycare, nursery, preschool.

Establishments for the sale of hardware, lumber, plumbing and heating equipment and similar building products. All storage activities shall be within a building or within an enclosure surrounded by a view-obscuring fence.

Funeral homes.

General retail stores and shops providing goods and services for sale at retail in the customary manner.

Hospitals.

Hotels and motels.

Laundries and dry cleaning establishments, and laundromats.

Live-work units.

Office buildings, medical clinics, banks, insurance, and financial services.

Personal service establishments, such as barber and beauty shops, reception centers and similar establishments.

Public buildings and grounds, including shops and storage.

Public parks and buildings.

Rest homes, nursing homes, convalescent homes, assisted living homes.

Restaurants, food drive-ins, bars, taverns, pubs.

Shopping centers, supermarkets, clothing stores.

Veterinary clinics for the treatment of household pets and the enclosed temporary boarding of same while receiving care.

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:

All signs shall conform with section 10-2-6 of this title.

Conditional uses shall conform with section 10-2-8 of this title.

Temporary uses shall conform with section 10-2-9 of this title.

Portable Storage Containers shall conform with section 10-2-10 of this title

Diagonal parking shall conform with section 10-2-12 of this title.

Fences shall conform with section 10-2-14 of this title. (Ord. 2012-01, 7-10-2012; amd. Ord. passed 11-29-2022; Ord. passed - -)

10-10-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012; amd. Ord. passed 11-29-2022; Ord. passed - -)

10-10-2: INTENT:

The intent in establishing the I-1 industrial zone is to provide a place for the operation of industry in a location where impacts on residential areas are minimized. (Ord. 2012-01, 7-10-2012; amd. Ord. passed 11-29-2022; Ord. passed - -)

10-10-3: PERMITTED USES:

A. The following uses shall be authorized by a conditional use permit issued by the city:

Accessory buildings shall be permitted in this zone and may include, but are not limited to, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in this zone.

Automobile and truck repair establishments, and auto body repair shops.

Automobile, motorcycle, ATV, snowmobile sales and rental structures and lots (for both new and used units). Also, the related repair facilities when such facilities are included as an integral part of the sales structure.

Automotive service establishments, including gasoline stations, bulk petroleum storage, car washes, parking lots and storage garages.

Buildings exceeding thirty feet (30') in height.

Buildings over twenty-thousand square feet (20,000 sq ft) on the ground floor.

Care and keeping of livestock and fowl and the barns, corrals, pens and sheds for the care and keeping of permitted animals and fowl.

Commercial Plug-in Electric Vehicle Charging Stations that conform to 10-2-18 of this title.

Communication towers.

Concrete mixing, gravel crushing, stonecutting, and rock, sand and gravel distribution.

Convenience goods stores (minimarkets) for the sale of food and variety products, provided such stores are part of gasoline stations.

Diagonal parking shall conform with section 10-2-12 of this title.

Establishments for the sale of hardware, lumber, plumbing and heating equipment and similar building products, and the storage of supplies and materials used in conjunction with such establishments.

Fences shall conform with section 10-10-13A of this title.

Growing of field crops and fruit and the machinery and equipment sheds used for storage of equipment in connection with agricultural activities performed on the premises.

Impound yards, automobile wrecking yards.

Iron and steel fabrication, metalworking and welding shops.

Junkyards, collecting of rags, paper, iron or scrap materials.

Landscaping businesses, plant nurseries and shops, including storage of equipment and materials.

Lumber and planing mills, cabinetry, and taxidermy, and the equipment and materials storage used in conjunction with these businesses.

Machine shops.

Metal casting.

Ore reduction and processing.

Portable Storage Containers shall conform with section 10-2-10 of this title.

Public buildings for mechanical uses, livestock impoundments, storage yards, and repair shops.

Sexually oriented business subject to Title 3 Chapter 11 of city code.

Signs shall conform with section 10-2-6 of this title.

Slaughter houses, meat packaging, and wholesale distribution of meat products.

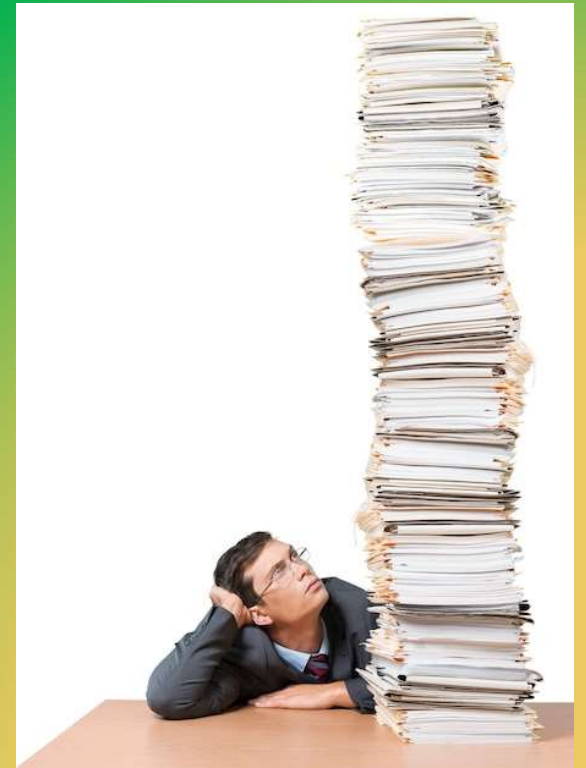
Temporary uses shall conform with section 10-2-9 of this title.

Tire recycling and storage establishments.

Warehousing and storage.

B. All permitted uses shall comply with the special provisions at 10-10-13 of this title. (Ord. 2012-01, 7-10-2012; amd. Ord. passed 11-29-2022; Ord. passed - -)

2025 LAND USE/ HOUSING LEGISLATIVE SUMMARY





So Much New Added!

- **Housing/Land Use**

- 40 bills introduced, 25 passed
- 765 lines of code added to LUDMA (780 in county LUDMA)

- **Other State Code Sections:**

- 15A – State Fire and Construction
- 71A – Veterans and Military Affairs
- 79-6 – Utah Energy Act
- 35A-8 – Housing & Comm. Devel.
- 63N – Economic Opportunity Act
- 53B – Higher Education
- 19-5 – Water Quality Act
- 10-8 – Powers of Municipalities
- 17C – Community Development
- 11-41 – Retail Incentive Payments
- 53-29 – Security Improvements



General Plans

- Transportation and Traffic Circulation Element (SB195)
 - All communities in Metropolitan Planning Organizations (MPOs)
 - “identify priority connections to remedy physical impediments ... that would improve circulation...”
 - Include cost estimates, potential funding sources, impediments to constructing
 - To be completed by July 1, 2027
 - MPO to provide annual reports to Transportation Interim Committee

General Plans

- Moderate Income Housing Element (HB37)
 - Creates Affordable Home Ownership Density Bonus option in LUDMA Section 5
 - Implementing an HTRZ, HOPZ, FHIZ, UHIP, Density Bonus – 3 years compliance



Local Ordinance Amendments

- Provisions for identical housing plans (HB368)
- Public hearings for variances, LU appeals prohibited (HB368)
- Parking standards for 1- and 2- family units, townhomes in MIHP cities (SB181)
- Street, fire improvements required for building permits, COs (HB368)
- Inspections and bond releases for public improvements, landscaping (HB368)
- Issuance of building permits, COs relating to landscaping (HB368)
- TDR provisions, transfer outside of jurisdiction must have agreement (HB368)



Local Ordinance Amendments



- Storm water runoff controls, permits, inspections (SB220)
- Property line adjustments – extensive changes (SB104)
- Counties – high tunnels exempt (HB435)
- Counties – minor subs now 50 acres, 500 ft. (HB255)
- Gravel pit regulation – limited (HB355)
- Process for determination of similar, unlisted business uses – flawed! (SB179)

LU Administration

- Mailing of notices for general code changes (HB368)
- Notify properties within 2,500 ft of private airport runway (HB44)
- Billboard relocations due to highway construction (HB198)
- Short-term rentals enforcement, licensing (HB256)
- No withholding building permits, COs for landscaping plans, installation (HB368)
- Timelines for deeming applications complete, plan resubmittals, plan reviews (HB368)
- Rules for release of bonds for infrastructure, landscaping (HB368)



LU Administration

- Changes to FHIZ program (SB23)
- Changes to HTRZ program (SB26)
- Station Area Plan reporting changes (SB195)
- Changes to use of housing set-aside funds, CRA funds (SB250)
- Cannot charge water districts with certified inspector permit fees (HB550)
- Certified security improvements exempt from local LU regs (SB340)
- Annexation process changed for Salt Lake County (HB368)



Coming Next Year?

- Beehive Development Authority?
- More zoning reform? (HB88, HB90, SB262)
- Correct process for similar, unlisted businesses
- Annexation?
- Gravel pits?
- State Housing Plan



Local Regulation of Business Entities Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Calvin R. Musselman

House Sponsor: Karen M. Peterson

LONG TITLE

General Description:

This bill enacts provisions related to local classification and approval of new and unlisted business uses.

Highlighted Provisions:

This bill:

- defines terms; and
- requires each municipality and county to enact a land use regulation establishing a process for reviewing a business use not listed as an approved use in existing ordinances.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

10-9a-507.5, Utah Code Annotated 1953

17-27a-506.5, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **10-9a-507.5** is enacted to read:

10-9a-507.5 . Classification of new and unlisted business uses.

(1) As used in this section:

- (a) "Classification request" means a request to determine whether a proposed business use aligns with an existing land use specified in a municipality's land use ordinances.
- (b) "New or unlisted business use" means a business activity that does not align with an existing land use specified in a municipality's land use ordinances.

- (2)(a) Each municipality shall incorporate into the municipality's land use ordinances a process for reviewing and approving a new or unlisted business use and designating an appropriate zone or zones for an approved use.
- (b) The process described in Subsection (2)(a) shall:
- (i) detail how an applicant may submit a classification request;
 - (ii) establish a procedure for the municipality to review a classification request, including:
 - (A) providing a land use authority with criteria to determine whether a proposed use aligns with an existing use; and
 - (B) allowing an applicant to proceed under the regulations of an existing use if a land use authority determines a proposed use aligns with that existing use;
 - (iii) provide that if a use is determined to be a new or unlisted business use:
 - (A) the applicant shall submit an application for approval of the new or unlisted business use to the legislative body for review;
 - (B) the legislative body shall consider and determine whether to approve or deny the new or unlisted business use; and
 - (C) the legislative body shall approve or deny the new or unlisted business use, within a time frame the legislative body establishes by ordinance, if the applicant responds to requests for additional information within a time frame established by the municipality and appears at required hearings;
 - (iv) provide that if the legislative body approves a proposed new or unlisted business use, the legislative body shall designate an appropriate zone or zones for the approved use; and
 - (v) provide that if the legislative body denies a proposed new or unlisted business use, or if an applicant disagrees with the land use authority's classification of the proposed use, the legislative body shall:
 - (A) notify the applicant in writing of each reason for the classification or denial; and
 - (B) offer the applicant an opportunity to challenge the classification or denial through an administrative appeal process established by the municipality.
- (3) Each municipality shall amend each land use ordinance that contains a list of approved or prohibited business uses to include a reference to the process for petitioning to approve a new or unlisted business use, as described in Subsection (2).

Section 2. Section **17-27a-506.5** is enacted to read:

17-27a-506.5 . Classification of new and unlisted business uses.

(1) As used in this section:

(a) "Classification request" means a request to determine whether a proposed business use aligns with an existing land use specified in a county's land use ordinances.

(b) "New or unlisted business use" means a business activity that does not align with an existing land use specified in a county's land use ordinances.

(2)(a) Each county shall incorporate into the county's land use ordinances a process for reviewing and approving a new or unlisted business use and designating an appropriate zone or zones for an approved use.

(b) The process described in Subsection (2)(a) shall:

(i) detail how an applicant may submit a classification request;

(ii) establish a procedure for the county to review a classification request, including:

(A) providing a land use authority with criteria to determine whether a proposed use aligns with an existing use; and

(B) allowing an applicant to proceed under the regulations of an existing use if a land use authority determines a proposed use aligns with that existing use;

(iii) provide that if a use is determined to be a new or unlisted business use:

(A) the applicant shall submit an application for approval of the new or unlisted business use to the legislative body for review;

(B) the legislative body shall consider and determine whether to approve or deny the new or unlisted business use; and

(C) the legislative body shall approve or deny the new or unlisted business use, within a time frame the legislative body establishes by ordinance, if the applicant responds to requests for additional information within a time frame established by the county and appears at required hearings;

(iv) provide that if the legislative body approves a proposed new or unlisted business use, the legislative body shall designate an appropriate zone or zones for the approved use; and

(v) provide that if the legislative body denies a proposed new or unlisted business use, or if an applicant disagrees with a land use authority's classification of the proposed use, the legislative body shall:

(A) notify the applicant in writing of each reason for the classification or denial;
and

(B) offer the applicant an opportunity to challenge the classification or denial

97 through an administrative appeal process established by the county.
98 (3) Each county shall amend each land use ordinance that contains a list of approved or
99 prohibited business uses to include a reference to the process for petitioning to approve a
100 new or unlisted business use, as described in Subsection (2).

101 Section 3. **Effective Date.**

102 This bill takes effect on May 7, 2025.