PUBLIC NOTICE

AGENDA OF THE KANE COUNTY
BOARD OF COMMISSIONERS WORK MEETING TO BE HELD
December 15, 2014
KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH
AGENDA

The Work Meeting will begin at10:00 am

CALL MEETING TO ORDER
PRAYER:
PLEDGE OF ALLEGIANCE:
WELCOME:

Public Topics and Comments:

Elected Officials Report:

1. Presentation on Utah Land Use Institute Oct. 22, 2014 (Property Rights vs. Police Power)/ Commissioner Clayson

2. Southwest Utah Planning Authorities Council (SUPAC)/ Commissioner Dirk Clayson

3. Discuss Goals & Objectives for 2015/ Commissioners

4. Coordination Status With the Bureau of Land Management (GSEMN)/ Commissioner Jim Matson

Departmental Reports:

5. Lot Joinder, Gawin & Kristine Horrocks- Lots 148,149 & 172, Zion View Mtn. Estates/LUA Shannon McBride

6. Proposed Changes/ Revisions to Land Use Ordinance, Chapters 6 & 7/ LUA Shannon McBride

7. Council On Aging- 2014 Services Provided /COA Fayann Christensen

Other Business:

- Discuss Goals & Objectives for 2015/ Commissioners
- Report on Commission, Committees, and Authorities/Commissioners

CLOSED SESSION:

- Discussing an individual's character, professional competence, or physical or mental health;
- Strategy sessions to discuss collective bargaining, pending or reasonably imminent litigation, or the purchase, exchange lease or sale of real property;
- Discussions regarding security personnel, devices or systems;.
- Investigative proceedings regarding allegations of criminal misconduct.

Utah Land Use Institute October 22, 2014

Property Rights vs. Police Power

Greg Bell

SOUTHWEST UTAH PLANNING AUTHORITIES COUNCIL

(SUPAC)

INVOICE

A $60.00 annual fee must be paid to remain a participant of SUPAC 2015. The approved dues at the January 7, 1997 SUPAC meeting are in effect. It is noted in Section V. Part B. of the Memorandum of Cooperation.

If you wish to remain a participant on the Council, please complete the form below and remit $60.00 payment to: **(You may fax the completed form and respective signature page only on the Memo of Cooperation to 435/673-3540 or 435/865-8236)**

SUPAC
c/o Five County AOG
P.O. Box 1550
St. George, UT 84771-1550

Amount Remitted: $_____ Check ( ) **Credit Card Payment SEE BELOW FOR INSTRUCTIONS**

Person/Agency Remitting Funds:
FOR:
Name: _____

Title: _____

Agency: _____

Address: _____

City: _____

State, Zip: _____

Fax this form to 435.673.3540
We accept credit cards for payment of fees. Go to:
https://secure.touchnet.net/C20196_ustores/web/product_detail.jsp?PRODUCTID=615&SINGLESTORE=true

MEMORANDUM OF COOPERATION

for the

SOUTHWEST UTAH PLANNING AUTHORITIES COUNCIL

JANUARY 2015

I. PARTICIPANTS TO THIS MEMORANDUM OF COOPERATION

A. Instrumentalities of the United States Government:

1. U.S. Army Corps of Engineers
2. U.S.D.A. Forest Service
3. U.S.D.A. Natural Resources Conservation Service
4. U.S.D.O.I. Bureau of Indian Affairs
5. U.S.D.O.I. Bureau of Land Management
6. U.S.D.O.I. Bureau of Reclamation
7. U.S.D.O.I. Fish and Wildlife Service
8. U.S.D.O.I. National Park Service

B. Officers and Instrumentalities of the State of Utah:

1. Department of Agriculture and Food
2. Department of Environmental Quality
3. Department of Natural Resources
4. Department of Transportation
5. Governor's Office: Management & Budget, Public Lands Policy Coordination Office, and Office of Economic Development
6. School and Institutional Trust Lands Administration (SITLA)

C. Local Planning Authorities:

1. Beaver County
2. Central Iron County Water Conservancy District
3. Five County Association of Governments
4. Garfield County
5. Iron County
6. Kane County
7. Kane County Water Conservancy District
8. Paiute Indian Tribe of Utah
9. Washington County
10. Washington County Mayors Association
11. Washington County Water Conservancy District

II. CREATION OF COUNCIL and ADVISORY GROUPS

A. The Participants hereby join in a council established by the governor of Utah. The council shall be known as the "Southwest Utah Planning Authorities Council," or alternatively by the acronym "SUPAC."

B. SUPAC's members consist of each Participant's duly-appointed representative. Members appointed by Participants may be changed at the will of each respective Participant. In addition, ex-officio members may join in SUPAC's meetings upon the chair's invitation.

C. The governor shall chair SUPAC, and shall appoint a vice chair to coordinate SUPAC's activities and conduct meetings in the governor's absence. The vice chair need not otherwise be a member.

D. SUPAC may create Topical Advisory Groups (TAGs) to advise and assist SUPAC as to specific issues, topics, problems, controversies or opportunities. TAG members are appointed by the chair or vice chair, upon the advice of SUPAC Participants. TAG members may be selected from among any combination of SUPAC members, citizens, and stakeholder representatives and staff experts. Each TAG's assignment and membership shall be reflected in

SUPAC's minutes. Each assignment shall be finite and specific. Any TAG's assignment or membership may be amended in the manner originally established. SUPAC's chair or vice chair shall appoint a director to each TAG. The director is responsible to call and chair TAG meetings and to otherwise direct or forward the accomplishment of the TAG's specific charge. Each TAG's director shall periodically report the group's activities and recommendations to SUPAC. Except as specifically approved as part of SUPAC's budget, TAG members bear their own participation expenses.

III. AREA OF INTEREST and PURPOSES

A. SUPAC's "Area of Interest" is all of Garfield, Beaver, Iron, Kane and Washington Counties in the State of Utah.

B. Relative to the area of interest, SUPAC's purposes are to:

1 Minimize duplication of efforts, expenditures and proceedings with respect to the planning processes of the Participants;

2. Facilitate the establishment of shared goals and strategies for resource management and development;

3. Promote awareness and understanding of the legal requirements and objectives which motivate the planning processes of the various Participants;

4. Enhance intergovernmental cooperation and public participation in addressing issues which relate to or affect the stewardships of more than one Participant;

5. Serve as a non-binding forum for the discussion and consensual resolution of issues, grievances, misunderstandings and disputes among the Participants; and,

6. Serve as a clearinghouse for the exchange of information relevant to the planning processes of the Participants.

IV. LIMITS

This Memorandum of Cooperation does not:

A. Modify in any way the respective duties, obligation, rights, privileges or immunities of the Participants;

B. Require the Participants to expend money in excess of appropriations authorized by law and appropriately allocated to each Participant;

C. Legally bind any Participant, the continued involvement of each Participant being wholly voluntary; nor,

D. Give rise to any delegation or relinquishment by any Participant of jurisdiction or authority over any issue.

V. MEETINGS and OTHER ACTIVITIES

A. SUPAC will meet at least once each calendar quarter at the call of the chair or at times and places established by the majority vote of the members.

B. SUPAC shall mail a notice of its meetings and provide a copy of the anticipated agenda of its meetings to persons requesting notice. Those requesting notice may be required to pay a modest annual fee, not to exceed $60 to reimburse the cost of providing notices and lunch.

C. Minutes shall be maintained as to all of SUPACs meetings. Copies of the minutes shall be distributed to each member for review, amendment and adoption at a subsequent meeting. Copies of approved minutes shall be provided to others upon request and upon payment of the reasonable cost of reproducing and distributing the minutes.

D. SUPAC may engage in other activities which are reasonably related to forwarding its purposes and which are not inconsistent with any law or policy governing the Participants.

VI. EXPECTATIONS OF PARTICIPANTS and MEMBERS

A. Work with diligence to forward the accomplishment of SUPAC's purposes.

B. Be open, honest, accurate and complete in relevant communications.

C. Address concerns of other members and participants in a swift and civil manner.

D. Recognize and respect each Participant's responsibilities, authorities and goals.

E. Share details of each Participant's legal planning requirements and planning calendars.

F. Share collective science, skills and data for mutual benefit.

G. Assist SUPAC to identify critical resource management priorities which may affect private property owners, governmental agencies or growth and development within the area of interest.

H. Educate and inform other Participants and members of the environmental, social and economic needs within the area of interest.

I. Seek to coordinate planning processes for the various agencies so that the opportunity for public comment can be conducted on an inter-agency basis.

VII. STAFF, FUNDING and BANK ACCOUNT

A. The vice chair may hire staff and maintain office resources to the extent reasonably required to accomplish SUPAC's purposes, but may do so only in a manner consistent with funding available under paragraph VII.B. and budgets developed from time-to-time under paragraph VII.C. The Participants will, to the extent practicable, assist with the office resource needs of SUPAC.

B. While this Memorandum of Cooperation cannot and does not require the Participants to allocate funds for the operation of SUPAC, the Participants may voluntarily agree to provide funding or in-kind contributions to SUPAC to facilitate its effective operation.

C. From time-to-time the members shall consider and approve an operating budget for SUPAC. The budget shall set forth available revenues under VII.B., anticipated reimbursements under V.C. and V.D. as well as anticipated expenditures. SUPAC may not deficit spend.

D. Each Participant shall bear the expenses incurred by its appointed members(s) in connection with their service with SUPAC. The vice chair shall be reimbursed by SUPAC for actual expenses reasonably incurred but shall not otherwise be compensated.

E. A review of SUPAC's expenditures and operations shall be conducted from time-to-time by the Five County Association of Governments, which shall act as SUPAC's fiscal coordinator.

VIII. STATEMENTS OF PARTICIPANTS' ROLES and RESPONSIBILITIES

To encourage understanding by Participants and members, each Participant shall provide to the vice chair, for distribution to all members, a succinct statement of the Participant's roles, responsibilities and objectives relative to the area of interest.

IX. AMENDMENTS

Any change or amendment to this Memorandum of Cooperation may be made only with the consent of all parties hereto.

X. SUPAC'S SUNSET

At SUPAC's first meeting in each calendar year after 1994, each Participant shall be asked to affirm its continued participation in SUPAC. Such affirmations shall be recorded in the meeting's minutes. Any Participant not affirming continued participation is discontinued as a Participant to this Memorandum of Cooperation, unless the participant, within 30 days of the relevant meeting, submits a letter to the chair or vice chair affirming continued participation. If more than half of the original participants fail to affirm continued participation, this Memorandum of Cooperation is inoperative 30 days after the relevant meeting.

XI. SIGNATURES

Twenty-five (25) counterparts of the Memorandum of Cooperation shall be signed. Each Participant shall receive a fully-executed counterpart. Each is deemed an original.

SIGNED by representatives of the specific Participants on the dates listed below.

Instrumentalities of the United States Government

UNITED STATES ARMY CORPS OF ENGINEERS

Signature:

Name:

Title:

Date Signed:

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Signature:

Name:

Title:

Date Signed:

NATURAL RESOURCES CONSERVATION SERVICE

Signature:

Name:

Title:

Date Signed:

UNITED STATES DEPARTMENT OF INTERIOR
BUREAU OF INDIAN AFFAIRS

Signature:

Name:

Title:

Date Signed:

BUREAU OF LAND MANAGEMENT

Signature:

Name:

Title:

Date Signed:

BUREAU OF RECLAMATION

Signature:

Name:

Title:

Date Signed:

FISH AND WILDLIFE SERVICE

Signature:

Name:

Title:

Date Signed:

NATIONAL PARK SERVICE

Signature:

Name:

Title:

Date Signed:

STATE OF UTAH

DEPARTMENT OF AGRICULTURE and FOOD

Signature:

Name:

Title:

Date Signed:

DEPARTMENT OF ENVIRONMENTAL QUALITY

Signature:

Name:

Title:

Date Signed:

DEPARTMENT OF NATURAL RESOURCES

Signature:

Name:

Title:

Date Signed:

DEPARTMENT OF TRANSPORTATION

Signature:

Name:

Title:

Date Signed:

GOVERNOR'S OFFICE OF MANAGEMENT & BUDGET

Signature:

Name:

Title:

Date Signed:

GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT (GOED)

Signature:

Name:

Title:

Date Signed:

GOVERNOR'S PUBLIC LANDS POLICY COORDINATION OFFICE

Signature:

Name:

Title:

Date Signed:

SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION

Signature:

Name:

Title:

Date Signed:

LOCAL PLANNING AUTHORITIES

BEAVER COUNTY

Signature:

Name:

Title:

Date Signed:

CENTRAL IRON COUNTY WATER CONSERVANCY DISTRICT

Signature:

Name:

Title:

Date Signed:

FIVE COUNTY ASSOCIATION OF GOVERNMENTS

Signature:

Name:

Title:

Date Signed:

GARFIELD COUNTY

Signature:

Name:

Title:

Date Signed:

IRON COUNTY Signature: Name:

Title:

Date Signed:

KANE COUNTY Signature:

Name:

Title:

Date Signed:

KANE COUNTY WATER CONSERVANCY DISTRICT

Signature:

Name:

Title:

Date Signed:

PAIUTE INDIAN TRIBE OF UTAH

Signature:

Name:

Title:

Date Signed:

WASHINGTON COUNTY

Signature:

Name:

Title:

Date Signed:

WASHINGTON COUNTY MAYORS ASSOCIATION

Signature:

Name:

Title:

Date Signed:

WASHINGTON COUNTY WATER CONSERVANCY DISTRICT

Signature:

Name:

Title:

Date Signed:

KANE COUNTY COMMISSION AGENDA REQUEST:

Regular or Work Meeting

Date of Commission Meeting Requested: 12-15-14

Dept. /Business Name: Planning & Zoning Dept.

Topic/Re: Lot Joinder w/ vacating (2) 15.0' utility easements

For: Gawin & Kristine Horrocks, Lots 148, 149 & 172 Zion View Mtn. Estates, Unit E. New lot 149.

Dept. Head/Owner: Shannon McBride

Meeting Requested by: Shannon McBride

Contact name & #: 644-4966 (Shannon) or 4951 (Mary)

Notes: Lot Joinder and vacating two 15' easements.

Fee: _____
Paid: _____
List of Prop. Owners: _____

REQUEST FOR LOT JOINDER WITHIN A SUBDIVISION PLAT

Property Owner's Name: Gawin & Kristine Horrocks

Date: 11-19-2014 Address: P.O. Box 3023

City: Page State: Arizona Zip Code: 86040-3023

Home Phone: 928-645-5402 Cell or Other Phone: _____

Location and Legal Description of Subdivision Plat: _____

Lots 148, 149 & 172, Zion View Mountain Estates, Unit E

Reason for Parcel Joinder Request:
To Join these 3 lots to save on Taxes

I (We) certify that the proposed subdivision plat will conform to the Kane County Subdivision Ordinance and that no changes will be made without prior approval.

Gawin Horrocks — Nov. 20, 2014
Gawin Horrocks Date:

Kristine Horrocks — Nov. 20, 2014
Kristine Horrocks Date:

Note: Once parcels are Joined they may not be re subdivided

Planning Commission Action: Approve _____ Deny _____

Comments:

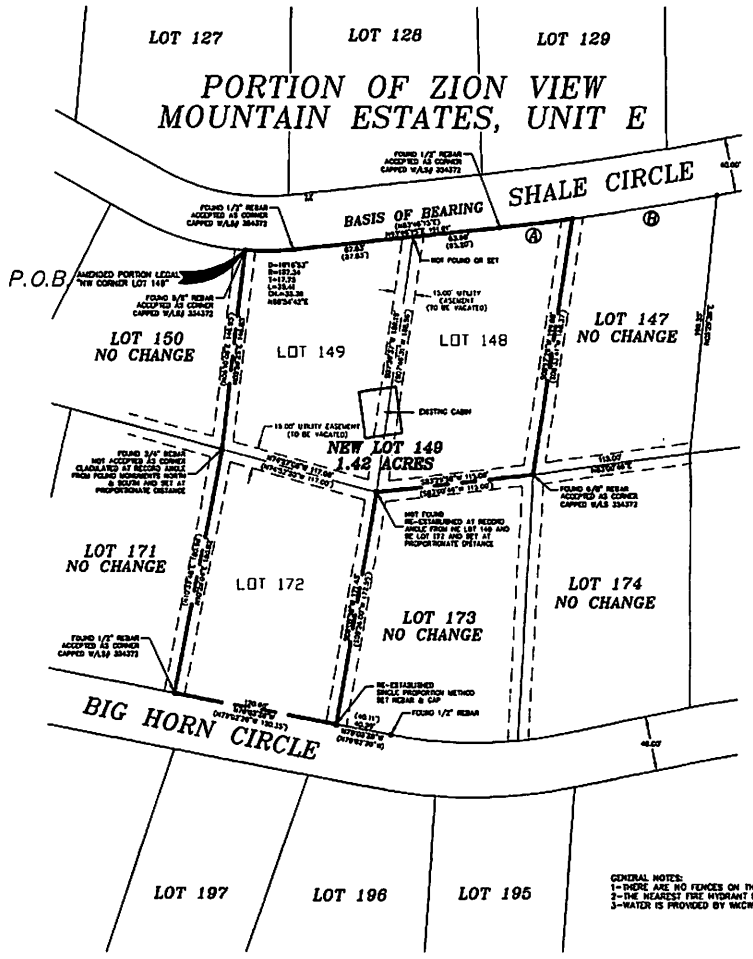
_____

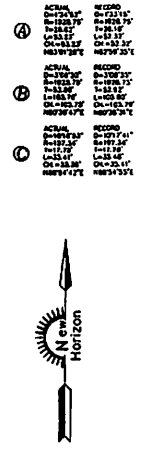
_____

Planning Commission Chairman _____ Date: _____

AMENDED PLAT OF LOTS 148, 149 & 172, ZION VIEW MOUNTAIN ESTATES, UNIT E

WITHIN SE1/4 SECTION 2, T39S-R8W, S.L.B.&M.





OWNERS INFO:
GAWIN & KRISTINE HORROCKS
PO BOX 3023
PAGE, AZ. 86040-3023

LEGEND
- SECTION CORNER
- FOUND MONUMENT
- SET REBAR & PLASTIC CAP L.S. NO. 334372
- FIRE HYDRANT
- FENCE LINE
- RECORD DIMENSION

GENERAL NOTES:
1-THERE ARE NO FENCES ON THE SUBJECT LOTS.
2-THE NEAREST FIRE HYDRANT IS SHOWN HEREON.
3-WATER IS PROVIDED BY WACWCD.

COUNTY ATTORNEY CERTIFICATE

I, _____ Attorney for Kane County, do hereby certify that I have examined the above subdivision amendment plat and said plat meets the requirements of Kane County and is hereby recommended for approval this _____ day of _____, 20__

KANE COUNTY ATTORNEY

COUNTY SURVEYOR CERTIFICATE

I _____ the Kane County Surveyor, do hereby certify that this office has examined the above subdivision amendment plat, and have determined that it is correct and in accordance with information on file in this office and recommend it for approval this _____ day of _____ 20__

KANE COUNTY SURVEYOR

COUNTY COMMISSION APPROVAL

I, _____ chairman of the County Commission of Kane County, do hereby certify that this plat of "AMENDED PLAT OF LOTS 148, 149 & 172, ZION VIEW MOUNTAIN ESTATES, UNIT E" was accepted and approved by the Kane County Commission on this the ____day of _____ _____. And is hereby ordered filed for record in the office of the Kane County Recorder. In witness whereof, I have set my hand by authority of a resolution of the County Commission.

CHAIRMAN - KANE COUNTY COMMISSION

ATTEST: _____
KANE COUNTY CLERK

LAND USE AUTHORITY APPROVAL

On this the _____ day of _____ 20____ the Land Use Authority of Kane County, Utah, having reviewed this Amended Plat, and having found that it complies with the requirements of the Kane County's Land Use ordinances, and by authorization of said Authority hereby recommend approval of said plat for acceptance by Kane County, Utah.

LAND USE AUTHORITY CHAIRMAN - KANE COUNTY

SURVEYOR'S CERTIFICATE

I, Newell Brent Carter, Do hereby certify that I am a registered land surveyor, and that I hold Certificate No. 334372, As prescribed under the laws of the state of Utah. I further certify that I have made this plat of "AMENDED PLAT OF LOTS 148, 149 & 172, ZION VIEW MOUNTAIN ESTATES, UNIT E", Located in Kane County, Utah. As shown hereon and described as follows:

LEGAL DESCRIPTION OF THAT PORTION OF ZION VIEW MOUNTAIN ESTATES, UNIT E, EFFECTED BY THIS AMENDMENT:
(NEW LOT 149) LOTS 148, 149 & 172, ZION VIEW MOUNTAIN ESTATES, UNIT E, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NW CORNER OF ORIGINAL LOT 149, ZION VIEW MOUNTAIN ESTATES, UNIT E; SAID POINT BEING ON A CURVE TO THE LEFT, NORTHEASTERLY, CURVE DATA: DELTA= 10°16'53", RADIUS= 197.34', CHORD= N88°34'42"E 33.38', THENCE ALONG THE ARC OF SAID CURVE 33.41 FEET TO THE PT; THENCE N83°46'15"E 151.61 FEET TO THE PC OF A CURVE TO THE LEFT, NORTHEASTERLY, CURVE DATA: DELTA= 04°34'52", RADIUS= 1928.79', CHORD= N83°01'28"E 53.23', THENCE ALONG THE ARC OF SAID CURVE 53.23 FEET TO THE ORIGINAL NE CORNER OF LOT 148; THENCE S08°17'28"W 138.63 FEET TO THE ORIGINAL SE CORNER OF LOT 148; THENCE S83°25'58"W 113.06 FEET TO THE ORIGINAL SW CORNER OF LOT 148; THENCE S09°08'59"W 171.43 FEET TO THE ORIGINAL SE CORNER OF LOT 172; THENCE N79°05'28"W 120.60 FEET TO THE ORIGINAL SW CORNER OF LOT 172; THENCE N10°29'04"E 180.82 FEET TO THE ORIGINAL SW CORNER OF LOT 149; THENCE N05°56'25"E 148.63 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.42 AC.

NEWELL BRENT CARTER DATE

OWNERS CONSENT

The Owner(s) of the Property described in the Boundary Description, consent to the preparation and recording of this Amended Plat and also to the abandoning of lot 243 & 172, adding that area to lot 149, as per this plat.
IN WITNESS, I have hereunto set our hands this _____ day of _____, 20__

GAWIN HORROCKS DATE

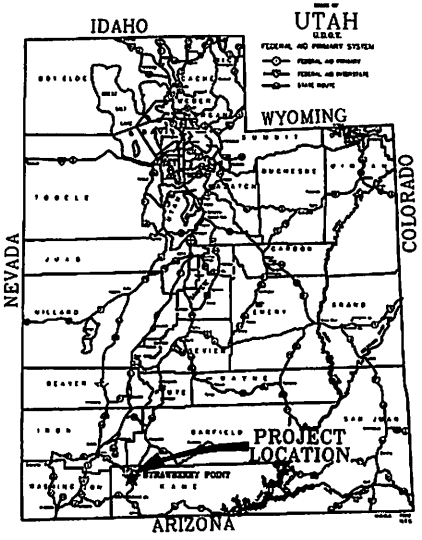
KRISTINE HORROCKS DATE

ACKNOWLEDGEMENT

STATE OF _____ }
COUNTY OF _____ }
ON THE ____DAY OF _____ 20____ PERSONALLY APPEARED BEFORE ME, GAWIN & KRISTINE HORROCKS, THE SIGNER(S) OF THE OWNERS DEDICATION WHO BEING BY ME DULY SWORN, DO SAY THAT HE IS THE OWNERS OF THE ABOVE DESCRIBED PROPERTY.

NOTARY PUBLIC

RESIDING IN _____ COUNTY
MY COMMISSION EXPIRES _____



SURVEY NARRATIVE

THIS SURVEY WAS DONE AT THE REQUEST OF GAWIN & KRISTINE HORROCKS TO ESTABLISH THE BOUNDARY AND MONUMENT THE CORNERS OF THE LOTS SHOWN HEREON, AND TO PROVIDE A RECORD OF SAID SURVEY.
THE BASIS OF BEARING IS N83°46'15"E BETWEEN THE PT OF LOT 148 (1/2" REBAR) AND THE PC LOT 148 (1/2" REBAR) ZION VIEW MOUNTAIN ESTATES, UNIT E, AS PER THE OFFICIAL PLAT THEREOF.

CERTIFICATE OF RECORDING

I, _____ COUNTY RECORDER OF KANE COUNTY, UTAH DO HEREBY CERTIFY THAT THE ABOVE SUBDIVISION AMENDMENT PLAT WAS FILED FOR RECORD IN MY OFFICE ON THIS THE __ DAY OF _____ 20__

KANE COUNTY RECORDER

BOOK_____ PAGE_____ FEE_____
ENTRY NO.:_____ DATE_____ TIME_____
RECORDED AT THE REQUEST OF: _____

KANE COUNTY
AMENDED PLAT OF LOTS 148, 149 & 172, ZION VIEW MOUNTAIN ESTATES, UNIT E

PREPARED FOR: GAWIN & KRISTINE HORROCKS

LOCATION: WITHIN SE1/4 SECTION 2, T39S-R8W, S.L.B.&M. ZION VIEW MOUNTAIN ESTATES, UNIT E

DATE: 11/19/2014 REVISION#0:

NEW HORIZON
Engineering & Surveying LLC
4103 N. Morgan Drive (435) 586-8897
Enoch UT, 84721 (435) 559-4104

JOB # NCCA1001.DWG

KANE COUNTY COMMISSION AGENDA REQUEST:

Regular or Work Meeting

Date of Commission Meeting Requested: 12-15-14

Dept. /Business Name: Planning & Zoning Dept.

Topic/Re: Proposed changes/revisions to Land Use Ordinance, Chapters 6 & 7

Dept. Head/Owner: Shannon McBride

Meeting Requested by: Shannon McBride

Contact name & #: 644-4966 (Shannon) or 4951 (Mary)

Notes: Chapter 6, Land Use Ordinance, definitions added/clarified
Intent section; Use Matrix
Chapter 7, Land Use Ordinance, "Tourist and Tour Guide...." added to use matrix.

CHAPTER 6. RESIDENTIAL ZONES

ARTICLE A: RESIDENTIAL ZONING DISTRICTS (R-1/2, R-1, R-2, R-5)

SECTION:

9-6A-1: Purpose
9-6A-2: Area, Width, and Setback Regulations
9-6A-3: Height Regulations
9-6A-4: Modifying Regulations
9-6A-5: Codes and Symbols
9-6A-6: Uses Table

9-6A-1: Purpose.

To provide for residential neighborhoods of a rural character together with a limited number of livestock for the benefit and enjoyment of the residents.

9-6A-2: Area, Width, and Setback Regulations.

District	Area	Front	Side	Rear
R-1/2	½ Acre	30 Feet	10 Feet	10 Feet
R-1	1 Acre	30 Feet	10 Feet	10 Feet
R-2	2 Acres	30 Feet	10 Feet	10 Feet
R-5	5 Acres	30 Feet	10 Feet	10 Feet

9-6A-3: Height Regulations.

A building erected to a height greater than 35 feet requires a Conditional Use Permit.

9-6A-4: Modifying Regulations.

1) No building, structure or enclosure housing animals or fowl shall be constructed closer to a dwelling on adjacent lots closer than 25 feet.

2) Accessory buildings located at least 10 feet behind the main building may have a three foot side yard requirement except that

the street side of a corner lot shall be a minimum of 30 feet for all buildings.

3) Accessory building located at least 10 feet behind the main building may have a rear yard of three feet provided that a corner lot rearing on a side yard of another lot, the minimum rear yard for all buildings shall be eight feet.

4) Individual water supply and/or sewage disposal systems shall be subject to the approval of the Department of Health.

5) All manufactured and mobile homes to be installed or modified shall be properly permitted and comply with state and local codes.

6) Allowable Numbers of Household Pets. Private holding and ownership of up to a maximum number of animals in a given land use (zoning) area as shown below; without a Conditional Use Permit.

a. R-1/2 May house a maximum of six household pets.

b. R-1 May house a maximum of six household pets.

c. R-2 May house a maximum of 12 household pets.

d. R-5 May house a maximum of 15 household pets.

The keeping of livestock for personal use is permitted, except that no more than one large animal, or no more than 10 small farm animals weighing 50 pounds each or less, may be kept for each 6,250 square feet of area dedicated for each animal not to exceed a maximum of ten large animals on any lot.

9-6A-5: Codes and Symbols.

1) In this part are tables describing uses of land or buildings that are allowed in the zone as shown. Permitted uses are indicated by a "P" in the appropriate column. Uses that may be permitted by a

Conditional Use Permit issued by the Land Use Authority are indicated by a "C" in the appropriate column.

2) Any use not named in this table which may be considered harmonious with the zone and current allowed uses can be considered for proposed inclusion into the ordinance by the Kane County Land Use Authority in a public hearing and approval of the County Commission.

3) If a use is not allowed in a given zone, it is either not named in the use list or it is indicated in the appropriate column by a dash, "-".

9-6A-6: Uses Table.

Use	R-1/2	R-1	R-2	R-5
Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P
Accredited private educational institution having a curriculum similar to that ordinarily given in public schools	C	C	C	C
Animal Shelter-commercial	-	-	C	C
Animal Shelter-private	P	P	P	P
Apartment Court	C	C	P	P
Apartment Room	C	C	P	P
Apartments	C	P	P	P
Assisted Living Buildings	C	P	P	P
Building with a height greater than 35 feet	C	C	C	C
Cemetery	C	C	C	C
Child day care or nursery	C	C	C	C
Church	C	C	C	C
Condos	C	C	P	P
Construction equipment and supply trailer, temporary	C	C	C	C
Construction field office, temporary	C	C	C	C
~~Commercial dwellings or residential facilities for elderly or disabled persons~~	~~C~~	~~C~~	~~C~~	~~C~~
Commercial construction, storage yard	-	-	-	C
Duplexes	C	C	P	P
Group home*	P	P	P	P

Guest Homes	P	P	P	P
Electrical Power Substation or overhead lines with base structure greater than 70 feet in height	C	C	C	C
Home occupation	P	P	P	P
Livestock	P	P	P	P
Kennel and/or Catteries (private)	P	P	P	P
Multi Residential Units	C	C	C	C
Park Models	-	-	-	-
Personal agriculture, the tilling of the soil, the raising of crops, horticulture, and gardening, personal	P	P	P	P
Planned Unit Developments	C	C	C	C
Private road	P	P	P	P
Public parks and play ground	P	P	P	P
Public, quasi-public, and private service utility lines, pipelines, power lines overhead lines with base structure over 70 feet	P	P	P	P
Residential facilities	P	P	P	P
Residential facilities for persons with disabilities*	P	P	P	P
Residential facilities for the Elderly*	P	P	P	P
Single family dwelling	P	P	P	P
Solar Panels attached to a residential home producing less than 25 KW of energy	P	P	P	P
Temporary buildings for uses incidental to construction work, including living quarters for a guard, night watchman or family, which buildings must be removed upon completion or abandonment of the construction work	P	P	P	P
Tri-Plexes	C	C	P	P
4-Plexes	C	C	P	P
Town Homes	C	C	P	P

* *See* Article C for general requirements; *see also* Section 9-6C-3, Non-Permitted Use.

ARTICLE B: MULTI-RESIDENTIAL UNITS CONDITIONS

SECTION:

9-6B-1: Conditions
9-6B-2: Area, Width, and Setback Regulations

9-6B-1: Conditions.

1) Land coverage of all buildings shall not exceed 50% of the lot or parcel acreage.

2) Individual water supply and/or sewage disposal systems shall be subject to the approval of the Board of Health and/or the County Engineer.

3) Parking. Refer to: Kane County Land Use Ordinance Chapter 13-1.

4) Buildings with a height over 35 feet need a Conditional Use Permit.

5) Site plan subject to approval by the Kane County Land Use Authority.

9-6B-2: Area, Width, and Setback Regulations.

Zone	Area	Front	Side	Rear
R-1/2	½ Acre min.	30 Feet	10 Feet	20 Feet
R-1	1 Acre min.	30 Feet	10 Feet	20 Feet
R-2/R-5	2 Acres +	30 Feet	40 Feet	40 Feet

ARTICLE C. RESIDENTIAL FACILITIES FOR ELDERLY PERSONS, RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY, AND GROUP HOMES

SECTION:

9-6C-1: Intent; Compliance
9-6C-2: Requirements

9-6C-3: Exception to Permitted Use

9-6C-1: Intent; Compliance.

The purpose of this article is (1) to ensure residential facilities for elderly persons ("facility"), residential facilities for persons with a disability ("facility"), and group homes ("home") do not suffer from a discriminatory land use impact or action, (2) to ensure such facilities, ~~and~~ uses, and homes do not have an adverse impact on the character of adjacent neighborhoods or individuals, by posing a direct or serious threat to them or property, even with reasonable accommodation(s), and (3) to ensure that issues of public safety, traffic, and parking are mitigated. To carry out these purposes, residential facilities for elderly persons, residential facilities for persons with a disability, and group homes shall be governed by the provisions that follow.

Each ordinance under this article shall comply with and be enforced only to the extent allowed by: (1) Title 57, Chapter 21, Utah Fair Housing Act, and applicable jurisprudence; (2) the Fair Housing Amendment Act of 1988, 42 U.S.C. Sec 3601 et seq., and applicable jurisprudence; and (3) Section 504, Rehabilitation Act of 1973, and applicable jurisprudence.

"Disability" or "disabled," as referred to in this ordinance, shall have the same meaning as defined in Chapter 1 of this ordinance, Utah Code Section 17-27a-103, and the United States Code, Title 42, Section 12102, as may be amended or renumbered, with any disparities between the separate definitions being resolved by adherence to the United States Code. For purposes of this Chapter, "residential facilities for persons with a disability" also includes residential facilities for the rehabilitation and treatment of the disabled.

Discriminatory actions against elderly or disabled persons, residential facilities for elderly persons, residential facilities for persons with a disability, and group homes are prohibited.

9-6C-2: Requirements.

1) Residential facilities for elderly persons, residential facilities for persons with a disability, and group homes shall be permitted in any zone where a single-family dwelling is permitted, and shall not be considered a multiple-family dwelling when there is compliance with the provisions of this Chapter.

2) Wherever situated, residential facilities for elderly persons, residential facilities for persons with a disability, and group homes shall be ***subject to*** the same federal, state, and local laws, regulations and land use practices that govern single-family dwellings.

3) **Reasonable Accommodation**. ***Reasonable modifications*** to or ***reasonable accommodations*** in application of the ordinances, policies, rules and practices shall be granted, to the extent required by applicable law and jurisprudence, upon application to the Land Use Authority, subject to the process and review outlined in Chapter 15, Conditional and Temporary Uses, ***when such accommodation(s) may be necessary to afford an applicant to use and enjoy a dwelling***.

4) **Business License**. If operating as a business, a residential facility for elderly persons, residential facility for persons with a disability, or a group home shall be required to obtain a business license before operating the facility or home.

5) **Anticipatory Reasonable Accommodation**. As an anticipatory reasonable accommodation permitted under this ordinance, residential facilities for elderly persons, residential facilities for persons with a disability, and group homes located within a single building/dwelling or single-family dwelling may be occupied by up to eight (8) persons who are not related by blood, marriage or adoption, without application to the Land Use Authority.

6) **Licensure and Reports**. Residential facilities for elderly persons, residential facilities for persons with a disability, and group homes shall acquire and abide by any state, federal, or local licensure and inspection requirements. The facility or group home shall provide to the Land Use Administrator: (1) a copy of any reports issued by the Department of Health or by the Department of Human Services; (2) a copy of the Policy and Procedures manual for the specific location, if required and provided through the State licensing process; and (3) a copy of any pertinent license issued to the Land Use Administrator. These items shall be kept on file, as well as any

renewed or updated license or documents. This requirement must be fulfilled in order to be considered a permitted use.

7) **Proximity**. If a residential facility for elderly persons, a residential facility for persons with a disability, or a group home is being occupied by more than four (4) unrelated persons, under the explicit reasonable accommodation outlined herein, then the facility or home may not be located closer than 3/4 mile from a similar facility, in order to avoid or mitigate any detrimental impact resulting from an excessive concentration of such facilities in close proximity.

8) **Parking**. Residential facilities for elderly persons, residential facilities for persons with a disability, and group homes shall comply with the parking regulations of Chapter 13 of this ordinance, providing sufficient off-street parking and circulation to prevent issues of public safety and traffic.

9) In order to avoid and mitigate health and safety concerns, and to be considered a permitted use, placement in a residential facility for elderly persons, residential facility for persons with a disability, or a group home shall be on a strict voluntary basis and may not be a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional institution, or a condition of probation/parole.

10) **Safety Plan – Facility for Elderly**. If a residential facility for elderly persons, a residential facility for persons with a disability, or a group home is being occupied by more than four (4) unrelated persons, under the explicit reasonable accommodation outlined herein, then a safety plan must be developed and submitted to the Land Use Administrator, for the use to be a permitted use, demonstrating adequate supervision and control of the residents, in order to ensure the safety of the residents and surrounding community.

    a. Any denial, rejection, or request to modify the safety plan must be based on written findings articulating grounds related to a serious or direct threat(s) to health or safety.

b. The safety plan shall be reviewed by and must be determined to be satisfactory to the Kane County Sheriff's Office and be approved by the Land Use Administrator.

c. The safety plan shall include, but not limited to: (1) a parking and circulation plan; (2) security and surveillance plan; and (3) visitation hours, if any.

d. If considered necessary for traffic safety, pursuant to applicable requirements, additional parking in a reasonable number may be required by the Land Use Administrator.

11) **Safety Plan – Substance Abuse Facilities.** For residential facilities for persons with a disability that are substance abuse facilities and are located within five hundred feet (500') of a school, where more than four (4) unrelated persons reside, then a safety plan must be developed and submitted to the Land Use Administrator, for the use to be a permitted use, demonstrating adequate supervision and control of the residents, in order to ensure the safety of the residents and surrounding community.

a. Any denial, rejection, or request to modify the safety plan must be based on written findings articulating grounds related to a serious or direct threat(s) to health or safety.

b. The safety plan shall be reviewed by and must be determined to be satisfactory by the Kane County Sheriff's Office and be approved by the Land Use Administrator.

c. The safety plan shall include, but not limited to: (1) a security and surveillance plan; (2) twenty-four (24) hour supervision of residents; (3) other twenty-four hour supervision measures; if any.

12) The owner/operator of the facility or home shall ensure that each resident has adequate personal space.

13) To ensure the health and safety of adjacent neighbors, when a residential facility for persons with a disability involves the rehabilitation and/or treatment of individuals diagnosed and

suffering from an addiction to alcohol or a controlled substance (as defined in Section 102 of the Controlled Substance Act, 21 U.S.C. 802), the following provisions must be complied with in order to be considered a permitted use under this Chapter:

a. Individual residents have completely abstained from the use of alcohol and all controlled substances for a continuous period of at least thirty (30) days immediately prior to becoming a resident of the home.

b. All residents of the home must completely abstain from using alcohol and controlled substances during the period that they are residents of the home. Any resident who uses alcohol or a controlled substance, whether on or off the premises, shall be immediately expelled from the facility and shall not be readmitted for a period of at least thirty (30) days following the violation. However, nothing contained herein shall be construed to prohibit a resident from taking a prescribed medication for which a resident has a valid and current prescription.

14) **Threat to Health or Safety**. Residency within a residential facility for elderly persons, a residential facility for persons with a disability, or a group home shall not be available to or occupied by any individual whose tenancy or recent personal history would constitute an articulable, direct or serious threat to the health or safety of other individuals or whose tenancy could result in substantial physical damage to the property of another.

a. Prior to allowing an individual to reside in a facility or home, an owner/operator of a facility or home shall conduct an individualized assessment of each person desiring to become a resident of the facility or home to determine if such person would constitute a direct or serious threat to the health or safety of other individuals or property. Such assessments should consider such things as the individual's past criminal history, violent or aggressive sexual acts, passage of time since such acts, and evaluations and treatments the individual has received.

b. No individual determined to pose a risk for commission of sexual offenses, or being classified as having predatory tendencies may be accepted as a resident.

15) The owner/operator of a facility or home shall promptly investigate, and cooperate in any law enforcement investigation, of any and all allegations, of which it is or may become aware, relating to the acts of an individual residing in or employed by such facility or home as may constitute a violation of the provisions of this Chapter. The owner/operator shall provide the Land Use Administrator with the details of any allegation(s), results of the investigation, and any proposed remedial measures. If an allegation is found to be substantiated, the owner/operator shall take immediate and reasonable action under the circumstances to correct, mitigate, or remedy the violation and any harm or damage resulting therefrom, and to protect the person or property of such individual and others residing or employed in and near the facility or home.

9-6C-3: Non-Permitted Use.

1) The permitted use designation of a residential facility for elderly persons, a residential facility for persons with a disability, or a group home is contingent upon compliance with the provisions in this Article. Non-compliance with this Article constitutes a non-permitted use under this ordinance.

2) A residential facility for elderly persons, a residential facility for persons with a disability, or a group home that poses a serious or direct threat to the health or safety of another person or another's property, and the threat to health and safety cannot be adequately abated with a reasonable accommodation(s), ***is not a permitted use***.

3) Determining whether an individual resident, a residential facility for elderly or disabled persons, or group home poses a direct or serious threat, thereby constituting a non-permitted use, must be made on an individualized basis, based on overt acts, past criminal history, violent or aggressive sexual acts, passage of time since such acts, evaluations, and/or factually supported reports. Such determination

shall not be based on general assumptions or speculation about the nature of a disability, group home, or residential facility.

4) The normal and proper procedures for abating a non-permitted use shall be followed should an existing home or facility be found in non-compliance with this Chapter. The Land Use Administrator is encouraged to advise an owner, operator, or applicant of the application process to request a reasonable accommodation, if appropriate.

ARTICLE D. RESERVED

ARTICLE E. RECREATIONAL VEHICLE REGULATIONS WITHIN RESIDENTIAL ZONES

SECTION:

9-6E-1: Definitions
9-6E-2: Scope
9-6E-3: Occupied Recreational Vehicles
9-6E-4: Unoccupied Recreational Vehicles
9-6E-5: Miscellaneous Requirements

9-6E-1: The following definitions shall apply to this article.

1) Recreational Vehicle: A motor vehicle or trailer equipped with living space and amenities found in a home which may include a kitchen, bathroom, bedroom, living room, water and sewer; including but not limited to a camp trailer, motor home, travel trailer, fifth wheel trailer, popup trailer, and slide-in camper.

2) Seasonally: No more than six months in any calendar year.

3) Occupied: lived in or slept in for twenty four (24) hours or more.

9-6E-2: Scope.

This article shall apply only to Recreational Vehicles located within Residential Zones.

9-6E-3: Occupied Recreational Vehicles.

1) No occupied recreational vehicle shall be located in a residential zone anywhere within the county except as follows:
   a. Within a:
      i. Recreational Vehicle Park (see Chapter 18);
      ii. Manufactured/mobile home park subject to the requirements of Chapters 17 and 18 of this ordinance; or
      iii. Designated Camping area; or
   b. As allowed by this article.

2) A recreational vehicle may be occupied seasonally if the following terms are complied with:

   a. No more than two recreational vehicles are located on the property whether occupied or unoccupied;
   b. The recreational vehicle is not occupied more than six months in any calendar year;
   c. No rent or other form of payment is charged or received;
   d. The recreational vehicles shall comply with the required setbacks for the zone.
   e. The recreational vehicle is self contained using potable water or connected to the culinary water system;
   f. The holding tanks and any waste water are emptied in accordance with state and federal law at an approved facility or using an approved onsite septic system; no more than two Recreational Vehicles shall be hooked up to a single septic system.
   g. The power is connected in accordance with all applicable safety standards;
   h. The recreational vehicle is:
      i. removed from the property when not occupied,
      ii. vacated and removed from the property after six months of occupation in any calendar year, or
      iii. unoccupied and stored according to section 4;

i. The recreational vehicle is licensed and ready for highway use.

3) Upon application of the land owner, the Land Use Authority may approve a temporary use permit for the occupation of more than two recreational vehicles on one residential property depending upon the size and contour of the property, if the property is one acre or larger.

4) Upon application of the land owner, the Land Use Authority may approve a temporary use permit for the occupation of recreational vehicles on one residential property for a period exceeding six months but not more than nine months in any calendar year.

5) If living in a Recreational Vehicle while building a home, a building permit must be issued before a temporary use permit can be granted. A temporary use permit allowing occupation of a Recreational Vehicle while building a home may be authorized for more than nine months so long as the building permit remains active. The Land Use Administrator shall review the permit annually and may re-authorize the permit for an additional year if the building permit is still active.

6) The Land Use Authority may deny, approve, or approve with additional requirements any application submitted under subsection three or four.

7) The temporary permit shall state the number of recreational vehicles authorized if more than two and the dates that the vehicles will be on the property if for more than six months.

8) Any failure to comply with this section is grounds for immediate revocation of the temporary use permit and immediate removal of the recreational vehicle unless the recreational vehicle complies with another section of this article.

9) Note: Individual lots may belong to a Home Owner's Association or have restrictive covenants which have greater restrictions regarding Recreational Vehicles. Nothing in this Ordinance shall be construed as to prevent private enforcement of any restrictive covenants or HOA rules.

9-6E-4: Unoccupied Recreational Vehicles.

1) An unoccupied recreational vehicle may be located as follows:

   a. No more than two recreational vehicles shall be located on one residential property, whether occupied or unoccupied;

   b. Upon application of the land owner, the Land Use Authority may approve a temporary use permit for the storage of more than two recreational vehicles on one residential property depending upon the size and contour of the property if the property is an acre or larger.

9-6E-5: Miscellaneous Requirements.

1) Any recreational vehicle, located in a residential zone, that has fallen into disrepair, collapsed, or is otherwise uninhabitable shall constitute a nuisance and shall be removed from the property within sixty days of notice by the Land Use Administrator. Failure to remove recreational vehicles deemed a nuisance hereunder after notice shall be a violation of this ordinance.
2) Trash, refuse, or waste generated from use, storage or occupancy of a recreational vehicle must be contained and disposed of properly at all times.
3) Setbacks still apply according to the zone the recreational vehicle is placed in.
4) Any violation of this article is punishable as a Class C misdemeanor.
5) Any reported violation requires 3 directly affected property owners within 500 feet of the property reportedly in violation.

CHAPTER 7. COMMERCIAL ZONES (C-1, C-2)

ARTICLE A. C-1 ZONE

SECTION:

9-7A-1: Purpose
9-7A-2: Development Restrictions in a Commercial Zone
9-7A-3: Maximum Building Heights
9-7A-4: Codes and Symbols
9-7A-5: Uses Table

9-7A-1: Purpose.

The purpose of the C-1 Zone is to provide for light commercial areas located in or near residential zones to meet the day to day needs of area residences.

9-7A-2: Development Restrictions in a Commercial Zone.

1) Minimum yard setback requirements shall be established in permitted use, Conditional Use or Planned Unit Development approval; except no commercial building shall be located closer than 50 feet to any Residential Zone boundary, or to any street line which continues into a Residential Zone, and no such building shall encroach on any easement. Any commercial lots abutting commercial lots shall have a front setback of no less than 25 feet, a side setback of no less than 5 feet and a rear setback of no less than 20 feet.

2) Residential Zone: All uses listed in the residential matrix are allowed in the C-1 Zone with their appropriate designation of permitted or conditional unless otherwise changed in the commercial matrix.

9-7A-3: Maximum Building Heights.

C-1, Zones - 35 feet permitted; above 35 feet conditional.

9-7A-4: Codes and Symbols.

1) The C-1 table describes uses of land or buildings that are allowed in the zone. Conditional Uses are indicated by a "C" in the column. Conditional Uses require a permit, review and approval by the Land Use Authority.

2) If a use is not allowed in a given zone, it is either not named in the use list or is indicated in the appropriate column by a dash, "-". Any use not named in this table which may be considered harmonious with the zone and current allowed uses can be considered for proposed inclusion into the ordinance by the Kane County Planning Commission in a public hearing and approval of the County Commission.

9-7A-5: Uses Table.

Refer to Section 9-7B-5 of this chapter.

ARTICLE B. C-2 ZONE

SECTION:

9-7B-1: Purpose
9-7B-2: Development Restrictions in a Commercial Zone
9-7B-3: Maximum Building Heights
9-7B-4: Codes and Symbols
9-7B-5: Uses Table

9-7B-1: Purpose.

The purpose of the C-2 Zone is to provide for heavy commercial areas not appropriate near or in residential zones to meet larger commercial uses.

9-7B-2: Development Restrictions in a Commercial Zone.

1) No commercial building shall be located closer than 50 feet to any Residential Zone boundary or to any street line which continues into a Residential Zone, and no such building shall encroach on any easement. Any commercial lots abutting commercial lots shall have

a front setback of no less than 25 feet, a side setback of no less than 5 feet and a rear setback of no less than 20 feet.

2) Residential Zone: All uses listed in the residential matrix are allowed in the C-2 Zone with their appropriate designation of permitted or conditional unless otherwise changed in the commercial matrix.

9-7B-3: Maximum Building Heights.

C-2, Zones - 50 feet maximum height

9-7B-4: Codes and Symbols.

1) The C-2 Table describes uses of land or buildings that are allowed in the zone. Conditional Uses are indicated by a "C" in the column. Conditional Uses require a permit, review and approval by the Land Use Authority.

2) If a use is not allowed in a given zone, it is either not named in the use list or is indicated in the appropriate column by a dash, "-". Any use not named in this table which may be considered harmonious with the zone and current allowed uses can be considered for proposed inclusion into the ordinance by the Kane County Planning Commission in a public hearing and approval of the County Commission.

9-7B-5: Uses tables.

Uses	C-1	C-2
Accessory uses and buildings customarily incidental to permitted uses	P	P
Accessory uses and buildings customarily incidental to conditional uses	C	C
Animal Shelter, Commercial	C	C
Appliance sales and service	P	P
Archery shop/range, conducted in enclosed buildings	P	P

Athletic Club	P	P
Art needlework shop; art shop; art supply	P	P
Automatic car wash	C	P
Automobile fuel filling station	C	P
Automobile or recreation vehicle sales	C	P
Automobile or recreation vehicle, ATV's, or side by sides sales, lease, rental, service, new or used, conducted entirely within an enclosed building	C	P
Auto parts sales (Indoor)	P	P
Awning sales/repair	P	P
Baby formula service; baby diaper service; sitter Agency	P	P
Bakery, retail sales	P	P
Bank	P	P
Barber shop	P	P
Bath and massage (not part of medical or health spa)	C	C
Beauty shop	P	P
Beauty shop for pets, dog grooming	P	P
Bed and Breakfast	P	P
Beer outlet, Class A, Class B	P	P
Bicycle shop	P	P
Billiards or pool hall	C	P
Bowling alley; commercial skating	C	P
Boxing arena	C	P
Building material sales	C	P
Bus terminal	C	C
Café, cafeteria, catering establishment, restaurant (not a drive-thru)	P	P
Campground	C	C
Candy, confectionery, nut shop	P	P
Carbonated and purified water sales	P	P
Carpet and/or rug cleaning	P	P
Cemeteries	C	C
Churches	P	P
Clothes cleaning, dyeing, pressing, dry cleaners	P	P
China and/or silver shop	P	P
Clothing store	P	P
Coal/fuel sales office	C	P
Construction equipment and supply trailer, temporary	C	C

Construction field office, temporary	C	C
Construction of buildings to be sold and moved off the premise	-	C
Contractors' equipment storage yard	C	P
Convenience store with gasoline sales	C	P
Copy store, blueprinting, Photostatting, duplicating	P	P
Costume rental	C	P
Dams and reservoirs	-	C
Dance hall; dancing	C	P
Delicatessen	P	P
Department store	P	P
Dramatics school	P	P
Drapery-curtain store	P	P
Dressmaking	P	P
Drive-ins; refreshment stand, eating and/or drinking place (non-alcoholic)	P	P
Drive-it-yourself agency, car, equipment rental	C	P
Drug store	P	P
Dry goods store	C	P
Egg candling, sales or processing	C	P
Electrical appliances and fixtures, electronic instruments sales, repair and/or service	P	P
Employment agency or employment office	P	P
Express office	P	P
Flea market, or swap meet	C	C
Fix-it shop, repair shop, for household items	P	P
Flooring, carpet, repair and sales	P	P
Florist shop	P	P
Freight or trucking yard or terminal	-	C
Frozen food locker	C	P
Frozen food locker incidental to a main grocery store or food business	P	P
Fountain equipment supply, restaurant supply	C	P
Fruit, fruit juice store; fruit and/or vegetable stand, or store; natural foods/health store	P	P
Fur sales, storage; repair	P	P
Furniture sales and/or repair	P	P
Garage; public	C	P
Gift shop; hobby	P	P

Golf courses	C	P
Greenhouse, nursery; plant materials; soil & lawn service	P	P
Grocery stores	P	P
Gunsmith	P	P
Hardware store, including the sale of lumber	P	P
Health food store	P	P
Heating ventilating, air conditioning; equipment (HVAC) sales/repair	C	P
Hospital supplies	C	C
Hotel, motel, inn	C	P
Household cleaning/repair, house equipment displays	P	P
Ice cream shop; ice sales	P	P
Ice manufacture, storage, and wholesale ice sales	P	P
Ice vendor units and/or reach-in ice merchandise units electric ice makers; ice storage, not more than five (5) tons capacity	P	P
Indoor Storage Facility for Boats, Automobiles and RVs: Minimum 1 Acre lot, Paved Ingress and Egress Required	C	P
Insulation sales, wholesale	C	P
Interior decorating store	P	P
Jewelry store	P	P
Kennel	C	C
Laundry, automatic self-help-laundry agency	P	P
Liquor and beer sales; places for the drinking of liquor or beer	C	C
Lithographing, including engraving, photo engraving	P	P
Lumber yard	P	P
Manufactured home sales and storage	C	P
Material sales yard, outside, with sale of rock, sand, gravel, and the like as an incidental part of the main business but excluding concrete mixing	C	C
Meat processing plant	C	C
Medical/ Chiropractic/ Dental clinic	P	P
Medical/dental laboratories	C	P
Military surplus store	C	P
Miniature golf course	C	P
Monument sales, retail	P	P
Mortuary	P	P
Motorboat and wave runner sales	C	P
Music store	P	P
News stand; magazine shop; book store	P	P

Night club/social club	C	C
Novelty shop, variety store (non-sexually oriented business)	P	P
Nurses' agency	P	P
Office, business or professional	P	P
Office supply; office machines sales, repair	C	P
Oil burner shop	C	P
Optometrist; oculist	P	P
Ornamental iron, sales only	P	P
Outdoor Storage Facility for Boats, Automobiles and RVs: Minimum 1 Acre lot, Paved Ingress and Egress Required, Privacy fencing required.	C	P
Package handling/shipping	C	P
Painter/paint store	P	P
Parking lot incidental to a use conducted on the premises	P	P
Parking lot not incidental to a use conducted on the premises	C	C
Parks, swimming pools and other recreation areas	C	P
Pawn Shop	C	P
Pest extermination operation	-	C
Pet shop/enclosed building	C	P
Photographer or photography shop, sales and service	P	P
Plumbing shop/retail	P	P
Popcorn and/or nut shop	P	P
Printing, including engraving, photo engraving	C	P
Printing and small paper reproduction service	P	P
Private club	C	C
Private school	C	C
Public buildings	C	C
Public, quasi-public, and private service utility lines, pipelines, power lines, roads and etc.	P	P
Radio and television sales and repair	P	P
Radio and television station	C	C
Real Estate agency	P	P
Radio/television wireless transmitting towers	C	C
Reception center and/or wedding chapel	C	P
Recreational center, recreational camp, facilities or area that is private and/or commercial	C	C
Recreational vehicle park	-	C
Recreation vehicles, rentals, leases, sales and service, outdoor and indoor	C	P

Rental Shops such as equipment, household appliances, etc.	C	P
Retail shops	C	P
Rock/Souvenir shops	P	P
Roofing sales	P	P
Second-hand shop, antiques, conducted within a building or enclosure	P	P
Seed/feed store	C	P
Sewing machine shop	P	P
Sign painting shop	C	P
Shoe shop; shoeshine; shoe repair	P	P
Solar Power Panels producing 25 KW or under	P	P
Solar Power Panels producing over 25 KW	C	C
State liquor store	C	C
Stationary and Greeting card sales	P	P
Storage unit sales office – not located on site of storage units	P	P
Storage units – unattended self-storage, no sales office, non-hazardous materials	-	C
Storage units – self-storage or services storage, attended with sales office, non-hazardous materials	C	C
Storage units – hazardous materials	-	-
Substation	C	C
Tailor Shop	P	P
Taxidermist	P	P
Taxi stand	P	P
Terminal, parking and maintenance facilities	C	C
Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work	P	P
Theater, indoor	P	P
Theater, outdoor, providing: A solid fence or masonry wall with a minimum height of six feet shall be constructed on all sides; Driveways and parking areas shall be provided with properly maintained dustless surfaces; Automobile off-street storage areas for automobiles awaiting	C	C

entrance to theater shall have capacity of at least fifteen percent of the number of auto parking spaces provided inside the theater; Minimum area for single screen theater shall be ten acres and the minimum area for a two screen theater shall be twelve acres.		
Tire shop, sales and repair	P	P
Tobacco shop	-	-
Towel and linen supply store	P	P
Tourist and Tour Guide Companies or Services	P	P
Transfer company	C	C
Travel bureau	P	P
Truck and heavy equipment, repair facility, truck stop, and truck wash	-	C
Used Car Lot	C	P
Variety store, notions	P	P
Veterinary	C	P
Veterinary-providing operations are completely enclosed within an air-conditioned and soundproof building	P	P
Wallpaper store	C	P
Warehouse	C	C
Wholesale business	C	P