SCOFIELD TOWN ORDINANCE NO. 6-2026

AN ORDINANCE AMENDING CHAPTER II, MUNICIPAL PLANNING, AND CHAPTER V, REGULATIONS WITHIN ZONES, OF THE SCOFIELD TOWN LAND USE CODE; MODERNIZING CONDITIONAL USE AND APPEAL PROCEDURES; AMENDING TABLE 2 USES OF LAND; AND PROVIDING FOR RELATED MATTERS

WHEREAS, Scofield Town is authorized pursuant to the Utah Municipal Land Use, Development, and Management Act, Utah Code Ann. §§ 10-9a-101 et seq., to adopt and amend land use ordinances regulating the use and development of land within the Town;

WHEREAS, the Town Council finds it necessary and appropriate to modernize portions of the Scofield Town Land Use Code relating to conditional uses, Planning Commission authority, Board of Adjustment authority, and permitted land uses within the Town;

WHEREAS, the Town Council finds that the amendments contained herein promote the public health, safety, and welfare of the citizens of Scofield Town by encouraging orderly growth, clarifying land use procedures, protecting residential character, and improving consistency within the Town's land use regulations;

WHEREAS, the Town Council further finds that certain industrial, service, and retail business uses may create adverse impacts relating to traffic, noise, environmental concerns, infrastructure burdens, public safety, and incompatibility with the character and intended development patterns of Scofield Town;

WHEREAS, the Planning Commission has reviewed the proposed amendments and submitted its recommendation following a duly noticed public hearing;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Scofield Town, Carbon County, Utah, as follows:

SECTION 1.

For the purposes of this Ordinance, the following definition shall apply;

"Conditional Use" means a land use that because of its unique characteristics or potential impact on the Town, surrounding neighbors, or adjacent land uses, may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts of the land use.

SECTION 2. AMENDMENTS TO CHAPTER II – 2-2 PLANNING COMMISSION

2-2.9 Powers and Duties.

k. Hear and decide applications for Conditional Uses as authorized by this Code.

2-2.12 Conditional Uses.

a. The Planning Commission is designated as the Land Use Authority for Conditional Use applications unless otherwise specifically provided by ordinance.

b. A conditional use permit shall be required for all uses listed in Table 2 as conditional uses in the zone regulations where they are, or will be located, or if the use is specified as a conditional use elsewhere in the Scofield Town Land Use Ordinance.

c. Conditional Uses listed in Table 2 may be approved by the Planning Commission subject to reasonable conditions necessary to mitigate the reasonably anticipated detrimental effects of the proposed use and to protect the public health, safety, and welfare and the intended character of the applicable zoning district.

d. Conditional Use approvals shall run with the land so long as all conditions of approval continue to be satisfied.

e. The Planning Commission may hear and decide applications relating to:

1. Conditional Uses identified in Table 2;

2. Expansion of lawful nonconforming uses where authorized by this Code excluding single-family dwellings;

3. Utility buildings and utility structures within residential zones; and

4. Home occupations, premise occupations, bed and breakfast inns, short-term rental properties, caretaker dwellings, and similar uses identified within this Code.

e. A Conditional Use application shall be approved if reasonable conditions can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use.

f. The Planning Commission may deny a Conditional Use application only where the reasonably anticipated detrimental effects of the proposed use cannot be substantially mitigated through the imposition of reasonable conditions.

g. All Conditional Use applications shall be submitted upon forms approved by the Town and accompanied by the applicable fee. Incomplete applications may be rejected.

h. The listing of a conditional use in Table 2 of permitted and conditional uses of the Scofield Land Use Ordinance for each category of zoning district does not constitute an assurance or presumption that such conditional use will be approved. Rather, each proposed conditional use shall be evaluated on an individual basis, in relation to its compliance with the standards and conditions set forth in this chapter and with the standards for the district in which it is located, in order to determine whether the conditional use is appropriate at the particular location.

2-2.13 Application Review

Only when the following elements are satisfied is a conditional use application deemed complete:

1. An application for a conditional use permit shall be made to the Scofield Town Planning Commission. All applications shall be signed by the property owner or certified agent thereof in writing upon the form designated by the zoning administrator.

2. Detailed sites plans and specifications drawn to scale shall be submitted with the completed application form. Additionally, the with the planning commission may require additional maps, drawings, statements or other documents, including water and waste-water feasibility letters or studies; applicable impact studies; technical studies regarding grading, drainage,

traffic, geologic hazards; and assurances, or other information deemed necessary to evaluate compliance with applicable ordinance standards.

3. The initial application fee for any conditional use permit shall be paid in full. The payment of a partial application fee, or the submittal of plans or other documents for a pre-submittal review, does not constitute a complete application.

Plans requiring review by the Planning Commission shall be provided 14 days in advance of the next regularly scheduled meeting of the Planning Commission so that staff can review the materials submitted for completeness and place the item on the agenda for consideration by the Planning Commission.

2-2.14 Approval of Conditional Use Permits.

The land use authority shall approve a conditional use permit in writing if the applicant, after having submitted a completed application, brings forth substantial evidence to show that reasonable conditions can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use, in accordance with applicable standards in which a conditional use permit is required by the regulations of that zone or elsewhere in these ordinances. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the imposition of reasonable conditions to achieve compliance with applicable standards the conditional use shall be denied. The effects of the proposed use shall include the effects upon adjacent or nearby properties and other nearby land uses, public facilities, and the public welfare. A conditional use permit shall not be issued if the applicant has made a false, misleading or deceptive statement in providing the information required.

2-2.15 Appeals

Any party adversely affected by the granting or denial of a conditional use permit by the Land Use Authority may appeal to the Board of Adjustment within 30 days of the decision of the Land Use Authority.

2-2.16 Expiration

Unless there is substantial action under a conditional use permit within a period of one year from the date written approval of the conditional use permit is granted, the conditional use permit shall expire. The Planning Commission may grant a maximum extension of time of one year. Upon expiration of any extension of time granted by the Planning Commission, the approval for the conditional use permit shall expire and become null and void.

2-2.17 Discontinued Use

When an approved conditional use has been discontinued and/or abandoned for a period of one year, the conditional use permit becomes null and void. In order to restore the conditional use, a new application must be submitted.

2-2.18 Revocation

A breach, violation, or default of the terms of the conditional use permit may result in revocation upon failure to comply with the conditions imposed with the original approval of the permit or upon failure to comply with all local, State, and Federal laws, including remaining current on Property Tax payments.

SECTION 3. AMENDMENTS TO CHAPTER II - BOARD OF ADJUSTMENT

Section 2-3.3 Powers and Duties of the Board entitled "The Board of Adjustment shall hear and decide:

> b. Requests for special exceptions to the terms of the Zoning Regulations, including home occupations, premise occupations, and bed and breakfast inns; and" is hereby repealed in its entirety.

The remaining lettering of Section 2-3.3 may be administratively re-lettered and re-written during codification for clarification and consistency as follows:

The Board of Adjustment shall serve as the Appeal Authority and Variance Authority of Scofield Town as authorized by applicable Utah law.

> a. The Board of Adjustment shall hear and decide appeals from administrative land use decisions and applications for variances as provided by this Code and applicable state law.

Section 2-3.5 entitled "Special Exceptions" is hereby repealed in its entirety.

The remaining sections of Chapter 2-3 may be administratively renumbered during codification for consistency.

SECTION 4. AMENDMENTS TO CHAPTER V – REGULATIONS WITHIN ZONES

Section 5-1 Uses of Land is amended to provide that uses designated by the letter “C” are Conditional Uses requiring approval by the Planning Commission pursuant to Chapter 2-2.12.

Table 2 Uses of Land is amended as reflected in the attached revised table incorporated herein by reference.

CHAPTER V

REGULATIONS WITHIN ZONES

5-1 USES OF LAND

The use of land within the various zones of Scofield Town shall be limited to those uses listed in

Table 2. Table 2 shall be interpreted as follows:

a. Uses which are not specifically listed shall not be permitted.
b. Uses which are designated by the letter “N” within a zone are Not Permitted within that zone, except as legal non-conforming uses.
c. Uses which are designated by the letter “C” within a zone are permitted only by Conditional Use within that zone.
d. Uses which are designated by the letter “P” within a zone are permitted within that zone, subject only to the applicable requirements of the Code.

Table 2: Uses of Land

	USE TYPE	ZONE			
		R 1	**R 2**	**C**	**A**
1	Single Family Detached, Modular, and Conventional Construction	P	P	P	P
2	Single Family Attached Dwelling	C	C	C	C
3	Two-Family Dwelling	C	C	C	C
4	Multi-Family Dwelling	C	C	C	C
5	Hotel or Motel	N	N	C	C
6	Bed and Breakfast Inn or Short-Term Vacation Rental Property	C	C	C	C
7	Individual Manufactured Home Built 1976 and Later	C	C	C	C

8	Recreational Vehicle Court	N	N	C	C
9	Residential Facility for Elderly Persons	C	C	C	C
10	Residential Facility for Persons with a Disability	C	C	C	C
11	Caretaker Dwelling	C	C	C	C
12	Rental Dwellings	C	C	C	C
13	Accessory Buildings	P	P	C	P
14	Community Center	C	N	C	C
15	Private Swimming Pool	P	P	P	P
16	Manufactured Home, Temporary Placement at Construction Site	C	C	C	C
17	Home Occupations	C	C	P	C
18	Premise Occupations	C	C	P	C
19	Institutional and Special Service	N	N	C	C
20	Airport, Heliport	N	N	C	C
21	Cemetery, Mausoleum	N	N	C	C
22	Church, Rectory	N	N	C	C
23	Convent, Monastery	N	N	C	C
24	Private Country Club	N	N	C	C
25	Child Care Center, Kindergarten	C	C	C	C

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	USE TYPE	**ZONE**

		R1	**R 2**	**C**	**A**
26	Farm, Ranch, or Orchard	N	N	P	P
27	Social Club or Lodge	N	N	C	C
28	Home, halfway house, or other group dwelling for alcoholic, narcotic, or psychiatric patients, felons, or delinquents, (other than a residential facility for person with disability)	N	N	C	C
29	Hospital (acute care)	N	N	C	C
30	Nursing Home, Assisted Living center (other than a residential facility for elderly persons	N	N	C	C
31	Religious or Philanthropic Organizations	N	N	C	C
32	Library, Museum	N	N	C	C
33	Public Park or Playground	C	C	C	C
34	Fairgrounds	N	N	C	C

35	Government Office	N	N	C	C
36	Private School, College, University, or Seminary	N	N	C	C
37	Public School	N	N	C	C
38	Private Athletic Club	N	N	C	C
39	Electrical Substation	C	C	C	C
40	Electrical Power Generating Plant	N	N	C	C
41	Fire Station	N	N	C	C
42	Natural Gas Metering and Transmission Station	N	N	C	C
43	Local Utility Distribution Lines	P	P	P	P
44	Telecommunications Towers	N	N	C	C
45	Commercial Radio or Television Transmitting Station	N	N	C	C
46	Sewage or Water Service Facilities	C	C	C	C
47	Railroad Tracks	N	N	P	P
48	Telephone Business Office	N	N	C	C
49	Telephone Switching, Relay, and Transmitting Facility	N	N	C	C
50	Irrigation Canals and Controls	P	P	P	P
51	Water Well, Reservoir, or Storage Tank	N	N	C	C
52	Right - of - Way	C	C	C	C
53	Commercial Outdoor Amusement	N	N	C	C
54	Commercial Indoor Amusement	N	N	C	C
55	Retail Sporting Goods Sales	N	N	C	C
56	Car Wash	N	N	C	C
57	Auto Dealership	N	N	C	C
58	Auto Body Repair	N	N	C	C
59	Auto Mechanical Service	N	N	C	C
60	Drag Strip, Race Track	N	N	C	C
61	Petroleum Storage or Distribution Facility	N	N	C	C
62	Retail Gasoline Sales	N	N	C	C
63	Commercial Facility for Parking or Storage of Autos or Trucks	N	N	C	C
64	Indoor Retail Used Auto Parts Sales	N	N	C	C
65	Indoor Retail Reconditioned or Auto Parts Sales	N	N	C	C

	USE TYPE	ZONE

		R 1	R 2	C	A
66	Seat Cover or Muffler Installation Shop	N	N	C	C
67	Tire Re-capping and Re-treading Shop	N	N	C	C
68	Auto Wrecking or Salvage Yard	N	N	C	C
69	Commercial Storage of Recreational Vehicles, Boats, or Trailers	N	N	C	C
70	Trailer Sales	N	N	C	C
71	Antique or Collectible Shop	N	N	C	C
72	Art Supply Store	N	N	C	C
73	Animal Clinic or Pet Hospital with Outdoor Pens	N	N	C	C
74	Animal Clinic or Pet Hospital with Indoor Pens	N	N	C	C
75	Financial Institution	N	N	C	C
76	Book or Office Supply Store	N	N	C	C
77	Barber or Beauty Shop	N	N	C	C
78	Retail Bakery or Confectionery	N	N	C	C
79	Cafeteria Restaurant, or Coffee Shop	N	N	C	C
80	Retail Camera Sales and Service	N	N	C	C
81	Laundry or Laundromat	N	N	C	C
82	Medical or Dental Clinic	N	N	C	C
83	Drug Store or Pharmacy	N	N	C	C
84	Discount or Department Store	N	N	C	C
85	Grocery Store	N	N	C	C
86	Convenience Store	N	N	C	C
87	Furniture or Appliance Store	N	N	C	C
88	Florist Shop	N	N	C	C
89	Garden Shop, Plant Sales Nursery	N	N	C	C
90	Boarding Kennel	N	N	C	C
91	Arts and Handicrafts Sales	N	N	C	C
92	Hardware Store	N	N	C	C
93	Locksmith or Key Shop	N	N	C	C
94	Medical or Dental Laboratory	N	N	C	C
95	Retail Medical Supply Store	N	N	C	C
96	Mortuary, Crematorium	N	N	C	C

97	Musical Instruments or Musical Recordings Store	N	N	C	C
98	General Business or Professional Office	N	N	C	C
99	Optical Laboratory or Shop	N	N	C	C
100	Package Liquor Store	N	N	C	C
101	Pawn Shop	N	N	C	C
102	Household Pets and Supplies Shop	N	N	C	C
103	Clothing Repair, Alteration, or Customization Services	N	N	C	C
104	Appliance and Electronics Repair Services	N	N	C	C
105	Shoe, Boot, and Leather Goods, Sales or Repair	N	N	C	C
106	Photography, Art, Dance, Music, or Drama Studio	N	N	C	C
107	Health, Exercise, Massage, or Martial Arts Studio	N	N	C	C

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	USE TYPE	**ZONE**

		R 1	**R 2**	**C**	**A**
108	Interior Design and Decorator Studio	N	N	C	C
109	Tavern	N	N	C	C
110	Variety Store	N	N	C	C
111	Wholesale Bakery	N	N	C	C
112	Lumber and Building Materials Sales	N	N	C	C
113	Cabinetry or Furniture Upholstery Shop	N	N	C	C
114	Clothing or Similar Light Manufacturing	N	N	C	C
115	Cleaning, Laundry, or Dyeing Plant	N	N	C	C
116	Heavy Equipment Storage	N	N	C	C
117	Dance Hall or Night Club	N	N	C	C
118	Heavy Equipment Sales or Repairs	N	N	C	C
119	Lithography or Printing Shop	N	N	C	C
120	Ice Cream Manufacturing Plant	N	N	C	C
121	Building Maintenance or Repair Service	N	N	C	C
122	Scientific or Research Laboratory	N	N	C	C
123	Wall or Floor Covering Shop	N	N	C	C
124	Plumbing Supply Shop	N	N	C	C
125	Rail or Bus Passenger Station	N	N	C	C

126	Storage Warehouse or Storage/Shipping Container 20 ft. or less (under 200 sf.) & Meeting Regulations	N	N	C	C
127	Trade, Vocational or Commercial School	N	N	C	C
128	Motor Freight Transfer and Storage Terminal	N	N	C	C
129	Welding, Metal Fabricating, Smithing, or Machine Shop	N	N	C	C
130	Wholesale Office	N	N	C	C
131	Loading and Storage of Sand, Grave, Earth, Stone, Gas, Minerals, Petroleum, or Similar Resources	N	N	C	C
132	Extraction and Mining of Sand, Gravel, Earth, Stone, Gas, Minerals, Petroleum, or Similar Resources	N	N	N	N
133	Industrial Establishments that Correspond to the Standard Industrial Classification Codes	N	N	N	C
134	Animal Slaughtering	N	N	N	C
135	Home Crop Production	P	P	P	P
136	Dairy	N	N	N	P
137	Ranch	N	N	N	P
138	Apiary	C	C	C	P
139	Crop Production for Sale	N	N	N	P
140	Home Orchard	P	P	P	P
141	Commercial Orchard	N	N	N	P
142	Keeping of Animals or Fowl for Food, Fiber Production, or as Beasts of Burden	N	N	N	P
143	Household Pets	P	P	P	P
144	Shipping/Storage Container Max. 40 ft. & Meeting Regulations	N	N	C	C

SECTION 5. SEVERABILITY

If any provision of this Ordinance or its application to any person or circumstance is held invalid by a court of competent jurisdiction, the invalidity shall not affect the remaining provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

SECTION 6. CONFLICTS

To the extent any provision of this Ordinance conflicts with prior ordinances or provisions of the Scofield Town Land Use Code, the provisions of this Ordinance shall control.

SECTION 7. EFFECTIVE DATE

This Ordinance shall take effect upon publication and as otherwise provided by law.