

**ESCALANTE CITY COUNCIL MEETING
JUNE 16, 2026
REGULAR MEETING/ELECTRONIC MEETING – 6:00 P.M.
PUBLIC HEARING/ELECTRONIC MEETING – 6:00 P.M.
ESCALANTE CITY COUNCIL CHAMBERS - 65 NORTH CENTER STREET**

Mayor Melani Torgersen called the meeting to order at 6:00 p.m. in the Escalante City Council Chambers.

Present at said meeting were Mayor Torgersen, Council members Marlene Stowe, Chad Lyman, Ryan Cottam, City Attorney Barry Huntington and City Recorder Stephanie Steed. Council members Sally Orme and Tara Woolsey were excused.

Also present were Bill Weppner, Margie Weppner, Sam Spencer, Julia Spencer, Glen Wilson, Terry Brennan, Brent Pickering and Julie Brugger.

Melyssa Holbrook joined electronically.

Mayor Torgersen led the Pledge of Allegiance.

ADOPTION OF THE AGENDA

Council member Lyman moved to adopt the agenda as written. Council member Stowe seconded the motion. Motion carried with Council members Stowe, Lyman and Cottam voting aye.

APPROVAL OF THE MINUTES OF JUNE 2, 2026 MEETING

Council member Stowe moved to approve the minutes of the June 2, 2026 meeting as written. Council member Cottam seconded the motion. Motion carried with Council members Lyman, Stowe and Cottam voting aye.

OPEN PUBLIC HEARING

Council member Stowe moved to open the public hearing at 6:01 p.m. Council member Lyman seconded the motion. Motion carried with Council members Stowe, Lyman and Cottam voting aye.

RESOLUTION 2026-02 ADOPTING THE 2026-2027 BUDGET

City Recorder Steed explained Ordinance 2026-02 the 2026-2027 Budget.

BILL WEPPNER

Mr. Weppner asked how many years are left on the loan for the fire station. City Recorder Steed said two or three years.

ORDINANCE 2026-03 AMENDING ORDINANCE 8.04.230 WATER OUTSIDE MUNICIPAL LIMITS

Council member Lyman explained Ordinance 2026-03 Amending Ordinance 8.04.230 Water Outside Municipal Limits. Council member Lyman explained that the city is considering

amendments to this ordinance to permit Accessory Dwelling Units (ADUs) within the County. Council member Lyman said that ADU's would be prohibited from operating as short-term or nightly rentals, consistent with current regulations within City Limits.

SAM SPENCER

Mr. Spencer inquired whether existing rental businesses could be stopped and Mayor Torgersen replied that they could not. Mr. Spencer asked about the impact on residents near Center Street if 25 new homes are constructed on Center Street, would the city be able to supply water to existing homes alongside the new developments. Mr. Spencer asked if the affected public would be consulted prior to the sale and development of that land. Mayor Torgersen clarified that the discussion during this item on the public hearing is limited to the allowance of Accessory Dwelling Units (ADUs). Mr. Spencer asked if a later date would be provided for further discussion if the matter could not be addressed that evening.

JULIA SPENCER

Ms. Spencer said some individuals were unfamiliar with the process during the meeting. Mayor Torgersen explained that during a public hearing, only items specifically listed on the agenda may be discussed.

ORDINANCE 2026-04 AMENDING ORDINANCE 8.04.040 WATER CONNECTIONS - ONE METER PER PARCEL

Council member Lyman explained Ordinance 2026-04 Amending Ordinance 8.04.040 Water Connections - One Meter Per Parcel.

JULIA SPENCER

Ms. Spencer asked if the proposed ordinance would affect ranchers or property values. Council member Lyman said that since purchasing a water meter now requires house plans, it does impact property values. Mayor Torgersen explained that the city does not sell water meters without a valid building permit.

CLOSE PUBLIC HEARING

Council member Cottam moved to close the public hearing at 6:11 p.m. Council member Lyman seconded the motion. Motion carried with Council members Stowe, Cottam and Lyman voting aye.

DECISION ON RESOLUTION 2026-02 ADOPTING THE 2026-2027 BUDGET

Council member Stowe moved to adopt Resolution 2026-02. Council member Cottam seconded the motion. Motion carried with Council members Stowe, Cottam and Lyman voting aye.

DECISION ON ORDINANCE 2026-03 AMENDING ORDINANCE 8.04.230 WATER OUTSIDE MUNICIPAL LIMITS

Council member Lyman moved to adopt Ordinance 2026-03. Council member Stowe seconded the motion. Motion carried with Council members Lyman, Cottam and Stowe voting aye.

DECISION ON ORDINANCE 2026-04 AMENDING ORDINANCE 8.04.040 WATER CONNECTIONS - ONE METER PER PARCEL

City Recorder Steed said if this amendment passes it would also be for the Commercial/Residential (C/R) zone. City Recorder Steed asked the Council if they would like to change it to excluding the C/R zone. Council member Lyman said he likes the amendment the way it is. Mayor Torgersen said she would like to look at the amendment. City Attorney Huntington said he would suggest adopting as written and look at the need to amend it in the future. **Council member Lyman moved to adopt Ordinance 2026-04. Council member Stowe seconded the motion. Motion carried with Council members Stowe, Cottam and Lyman voting aye.**

PUBLIC COMMENTS

There were no public comments at this time.

PLANNING AND ZONING ITEMS**PLANNING AND ZONING UPDATES**

There were no Planning and Zoning updates at this time.

SCHEDULED ITEMS**TERRY BRENNAN - LOCAL CONSENT - RESTAURANT - LIMITED SERVICE**

City Recorder Steed explained this item. **Council member Stowe moved to approve the Local Consent for Mr. Brennan. Council member Lyman seconded the motion. Motion carried with Council members Lyman, Stowe and Cottam voting aye.**

BILL WEPPNER - TOOLS AND CLOCK FOR FIRE DEPARTMENT

Mr. Weppner said the Fire Department would like to use the remaining budget balance of \$1,600.00 to purchase hand tools for the trucks, a clock, and a brass water fixture required for drafting water from a pond. **Council member Lyman moved to approve purchases discussed above for \$1600.00 Council member Cottam seconded the motion. Motion carried with Council member Stowe, Cottam and Lyman voting aye.**

RESOLUTION 2026-05 FINAL TAX RATE

City Recorder Steed explained Resolution 2026-05 Final Tax Rate. **Council member Lyman moved to adopt Resolution 2026-05. Council member Cottam seconded the motion. Motion carried with Council members Lyman, Stowe and Cottam voting aye.**

DEPARTMENT REPORTS**ADMINISTRATIVE**

The Administrative department had nothing to report at this time.

PUBLIC WORKS DEPARTMENT

Public Works Director Brent Pickering reported the current water regulations prohibiting watering between 10:00 a.m. and 6:00 p.m. will remain in effect. Mr. Pickering explained if drought conditions persist, watering schedules may be adjusted for different areas of town. Mr. Pickering said the City is working on delaying operating the well as long as possible. Council member Lyman said the City is looking into a filtration system for the well. Council member Lyman said the city continues to urge the community to practice water conservation.

Mr. Pickering reported the pickleball courts are finished and are scheduled to open tomorrow morning.

FIRE DEPARTMENT

BILL WEPPNER

Mr. Weppner reported that there has been one call-out since the last meeting, which was a false alarm caused by a dropped iPhone.

Mr. Weppner said the Fire Department is concerned regarding water access and identifying sufficient sources. Mr. Weppner explained a comprehensive list of all water sources in the valley has been compiled, and the department is in the process of contacting owners of wells or ponds to secure access. Mr. Weppner said he met with Myron Cottam with the school board and the school board has agreed to allow the department to investigate accessing water from the school well. Mr. Weppner said he would like Council member Lyman, Council member Cottam, Brent Pickering, and himself to review the operation and access requirements of the school well.

Mr. Weppner said the city fire hydrants require servicing, a task estimated to take the entire Fire Department several weekends to complete. Mr. Weppner requested any assistance or incentives the Council could provide. Council member Lyman asked about the water usage for this process. Mr. Weppner said it would require some water but they would attempt to minimize usage. Council member Lyman asked if the servicing could be delayed, but Mr. Weppner emphasized that the hydrants must be accessed and maintained. Mayor Torgersen suggested that if the fire department could work on the fire hydrants on a Friday, city employees could assist. Council member Lyman asked if water could be flushed into a tank or handled differently. Mr. Weppner explained that flushing is typically done onto the ground.

COUNCIL REPORTS

MAYOR MELANI TORGERSEN

Mayor Torgersen provided a brief educational reminder regarding meeting procedures. Mayor Torgersen explained that public comments must be made during the designated public comment period, and items not included on the agenda cannot be discussed by the Council. Mayor Torgersen explained there is to be no discussion during department reports from the public, however, the public is welcome to approach a Council member or herself after the meeting with questions or request to be placed on a future agenda. City Attorney Huntington confirmed these requirements are in accordance with the Utah Public and Open Meetings Act.

Mayor Torgersen announced that the upcoming 4th of July celebration will feature a parade and a brief program, though no fireworks will be held. Mayor Torgersen explained, following a suggestion from the President of the United States, a community dinner is scheduled for Sunday, July 5, at 4:00 p.m. Mayor Torgersen said the city will provide meat, water, pie and ice cream for the event. Mayor Torgersen said a special fast will also be observed to express gratitude and seek relief from the drought.

COUNCIL MEMBER CHAD LYMAN

Council member Lyman suggested several methods for efficient water usage, such as placing a bucket in the shower and using dishwater to water lawns or trees. Council member Lyman encouraged everyone to be frugal by actively seeking opportunities to conserve and reuse water.

COUNCIL MEMBER TARA WOOLSEY

Council member Woolsey was not present at said meeting.

COUNCIL MEMBER RYAN COTTAM

Council member Cottam had nothing to report at this time.

COUNCIL MEMBER MARLENE STOWE

Council member Stowe said on July 5th, the community dinner will be held at the park pavilion. Council member Stowe said attendees are encouraged to bring lawn chairs, and the event will include a short program followed by a potluck dinner.

COUNCIL MEMBER SALLY ORME

Council member Orme was not present at said meeting.

UNPAID BILLS

Council member Stowe moved to pay the unpaid bills. Council member Cottam seconded the motion. Motion carried with Council members Stowe, Lyman and Cottam voting aye.

Mayor Torgersen adjourned the meeting at 6:36 p.m.

Stephanie Steed, MMC, UCC
City Recorder

Date minutes approved:

**ESCALANTE CITY
ORDINANCE 2026-05**

**AN ORDINANCE AMENDING ESCALANTE CITY ORDINANCE
10.36.070, 10.38.070, 10.40.070, 10.42.070, 10.44.070 AND 10.50.070 ADDING
LANDINGS AND WALKOUT PORCHES IN REAR CAN BE LOCATED WITHIN
THE REAR SETBACK, 10.50.020 TAKING OUT MULTI FAMILY DENSITY,
10.50.055 ADDING DENSITY REQUIREMENTS FOR SHORT TERM RENTALS
AND PROVIDING REPEALER WITHIN THE CITY OF ESCALANTE, STATE OF
UTAH.**

WHEREAS, the City Council, as the governing body of the City of Escalante, State of Utah, specifically finds that it is in the best interest of the safety and welfare of the citizens of the City of Escalante to adopt the following Ordinance; and

WHEREAS, The City Council and Mayor wish to adopt such an Ordinance.

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

SECTION 1: **AMENDMENT** “10.36.070 Modifying Regulations” of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.36.070 Modifying Regulations

- A. Side Yard setbacks (street side) on corner lots shall be the same as the front yard.
- B. Accessory buildings may have a side yard and rear yard of two (2) feet except on the street side of the corner lot.
- C. Any Landings and walkout porches can be located within the rear setback if:
 - No larger than 32 square feet in size
 - Used for ingress and egress from the rear
 - Is uncovered, connected to the rear of the dwelling

SECTION 2: **AMENDMENT** “10.38.070 Modifying Regulations” of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.38.070 Modifying Regulations

- A. Side Yard: On corner lots, the side yard which faces on a street shall be not less than twenty-five (25) feet.
- B. Rear Yard: All accessory buildings shall be located at the rear of, and at least ten (10) feet from, the main building and shall have a rear yard setback of at least ten (10) feet.
- C. Any stable, corral, chicken coop, pen, or run in which animals or fowl are maintained shall be at least fifty (50) feet from any neighboring residential structure.
- D. Any Landings and walkout porches can be located within the rear setback if:
 - No larger than 32 square feet in size
 - Used for ingress and egress from the rear
 - Is uncovered, connected to the rear of the dwelling

SECTION 3: AMENDMENT “10.40.070 Modifying Regulations” of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.40.070 Modifying Regulations

- A. Side Yards:
 - 1. Main buildings, other than dwellings, shall have a minimum side yard often (10) feet, and the total of the two side yards shall be a minimum of twenty (20) feet.
 - 2. Private garages and other accessory buildings if not attached located at least ten (10) feet behind the main building may have a side yard of two (2) feet, except that the street side yard of the corner lot shall be the same as the front yard setback required for that district.
- B. Rear Yards: Private garages and accessory buildings if not attached located at least ten (10) feet behind the main building may have a rear yard of two (2) feet, provided that on corner lots abutting on the side of another lot, the minimum rear yard for all buildings shall be the same as the minimum side yard requirements of the zoning district.
- C. Any Landings and walkout porches can be located within the rear setback if:
 - No larger than 32 square feet in size
 - Used for ingress and egress from the rear
 - Is uncovered, connected to the rear of the dwelling

SECTION 4: AMENDMENT “10.42.070 Modifying Regulations” of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.42.070 Modifying Regulations

A. Side Yards:

1. Main buildings other than dwellings shall have a minimum side yard often (10) feet, and the total of the two side yards shall be a maximum of twenty (20) feet.
2. Private garages and other accessory buildings located at least ten (10) feet behind the main building may have a side yard of two (2) feet, except that the street side yard of the corner lot shall be the same as the front yard setback required for that district.

B. Rear Yards: Private garages and accessory buildings located at least ten (10) feet behind the main building may have a rear yard of two (2) feet, provided that on corner lots abutting on the side of another lot, the minimum rear yard for all buildings shall be the same as the minimum side yard requirements of the zoning district.

C. Any Landings and walkout porches can be located within the rear setback if:

- No larger than 32 square feet in size
- Used for ingress and egress from the rear
- Is uncovered, connected to the rear of the dwelling

SECTION 5: **AMENDMENT** “10.44.080 Modifying Regulations” of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.44.080 Modifying Regulations

- A. Area: The minimum lot area shall be 1/4 acre (10,000 square feet) for the first one-family dwelling, with four thousand (4,000) square feet for each additional dwelling unit.
- B. Side Yards: Side yard setback on a street yard of a corner lot shall be the same as the front yard setback required for the district.
- C. Private garages and accessory buildings located at least ten (10) feet behind the main building may have a side yard of two (2) feet provided that all corner lots maintain a setback of twenty-five (25) feet on the street side.
- D. Rear Yards: Private garages and accessory buildings located at least ten (10) feet behind the main building may have a rear yard of two (2) feet, provided that on corner lots rearing the side of another lot the minimum rear yard for all buildings shall be the same as the minimum side yard requirement of the zoning district.
- E. Any Landings and walkout porches can be located within the rear setback if:
 - No larger than 32 square feet in size
 - Used for ingress and egress from the rear
 - Is uncovered, connected to the rear of the dwelling

SECTION 6: **AMENDMENT** “10.50.020 Permitted Uses” of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.50.020 Permitted Uses

A. Single-family uses subject to the following provisions

1. Height Regulations:

- a. No building may exceed thirty-five (35)) feet in height above existing grade. No dwelling shall be less than one (1) story in height.

2. Minimum Area, Width, And Yard Requirements:

- a. Minimum Area 1/4 acre
- b. Minimum Width 75'
- c. Front setback 25'
- d. Side and Rear setbacks 10'

3. Side Yards:

- a. Main buildings, other than dwellings, shall have a minimum side yard of (10) feet, and the total of the two side yards shall be a minimum of twenty (20) feet.
- b. Private garages and other accessory buildings located at least ten (10) feet behind the main building may have a side yard of two (2) feet, except that the street side yard of the corner lot shall be the same as the front yard setback required for that district.
- c. Rear Yards: Private garages and accessory buildings located at least ten (10) feet behind the main building may have a rear yard of two (2) feet, provided that on corner lots abutting on the side of another lot, the minimum rear yard for all buildings shall be the same as the minimum side yard requirements of the zoning district.

4. Modifying Regulations

a. Any Landings and walkout porches can be located within the rear setback if:

- No larger than 32 square feet in size
- Used for ingress and egress from the rear
- Is uncovered, connected to the rear of the dwelling

B. Art Gallery/Antique Shop.

C. Bank

D. Clinic

E. Food Services:

- 1. Bakery
- 2. Delicatessen
- 3. Restaurant

F. Florist/Gift Shop

G. General Retail:

1. Barber Shop
2. Drug store
3. Department store
4. Hardware store
5. Furniture store
6. Grocery store
7. Laundromat
8. Salon/Spa
9. Gift Shop

H. Professional Offices

I. Public Buildings

J. Recreation:

1. Bowling alley
2. Music store
3. Sporting goods store
4. Theater
5. Guide Services
6. Car Rental
7. OHV Rental
8. Bicycle Sales, Rental and Service Shop

K. Hotels, Motels and Inns

L. Churches

M. Gas Station

N. Alcoholic Beverage Services

O. Vacation Rentals

P. Bed and Breakfasts

Q. Accessory Dwelling Unit

R. Multi-family Dwellings: ~~(Following the Multi-Family Residential District Density Regulations and Modifying Regulations).~~

1. Two-family dwellings
2. Three-family dwellings
3. Four-family dwellings
4. Multi-family dwellings

5. Group dwellings

S. Second Story living quarters

T. RV Park

U. Real Estate Agency

SECTION 7: **AMENDMENT** “10.50.060 Special Provisions” of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.50.060 Special Provisions

- A. All materials and merchandise, except vehicles in running order, shall be stored in an enclosed building or within an enclosure surrounded by a sight-obscuring fence or wall of not less than six (6) feet in height and neither materials nor merchandise shall be stored to a height of more than the height of the enclosing fence or wall.

SECTION 8: **ADOPTION** “10.50.055 Density Requirements For Short Term Rentals (Less Than 30 Days)” of the Escalante Zoning Code is hereby *added* as follows:

ADOPTION

10.50.055 Density Requirements For Short Term Rentals (Less Than 30 Days)(*Added*)

Maximum of nine (9) units per acre and one (1) building per quarter (1/4) acre (10,890 square feet)

SECTION 9: **REPEALER CLAUSE** Any previously enacted ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed, but only to the extent that they are inconsistent with this ordinance. The repealer shall not, however, be construed to revive any ordinance heretofore repealed.

SECTION 10: **SEVERABILITY CLAUSE** If any provision of this ordinance is declared invalid or inoperative by a court of competent jurisdiction, the remainder shall not be affected thereby and effect shall be given to the intent manifested by the portion held invalid or inoperative

SECTION 11: **EFFECTIVE DATE** The City Council of Escalante City, State of Utah, has determined that the public health, safety and welfare requires that this Ordinance take effect immediately. Therefore, this Ordinance shall become effective immediately upon passage and publication as required by law.

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Stowe	_____	_____	_____	_____
Councilmember Lyman	_____	_____	_____	_____
Councilmember Cottam	_____	_____	_____	_____
Councilmember Orme	_____	_____	_____	_____
Councilmember Woolsey	_____	_____	_____	_____

Presiding Officer

Attest

Melani Torgersen, Mayor, Escalante City

Stephanie Steed, MMC, UCC, City Recorder, Escalante City

**ESCALANTE CITY
ORDINANCE 2026-06**

**AN ORDINANCE AMENDING ESCALANTE CITY ORDINANCE 10.50 ADDING
10.50.045 ACCESS REQUIREMENTS AND 10.50.055 SETBACKS FOR
COMMERCIAL USE WITH NO ACCESS OFF HIGHWAY 12. REQUIREMENTS
AND PROVIDING REPEALER WITHIN THE CITY OF ESCALANTE, STATE OF
UTAH.**

WHEREAS, the City Council, as the governing body of the City of Escalante, State of Utah, specifically finds that it is in the best interest of the safety and welfare of the citizens of the City of Escalante to adopt the following Ordinance; and

WHEREAS, The City Council and Mayor wish to adopt such an Ordinance.

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

SECTION 1: **ADOPTION** “10.50.045 Access Requirements” of the Escalante Zoning Code is hereby *added* as follows:

ADOPTION

10.50.045 Access Requirements(*Added*)

Commercial Access Requirements:

Minimum width of 66' if not accessed off Highway 12.

SECTION 2: **ADOPTION** “10.50.055 Minimum Area, Width, And Yard Regulations (Commercial Uses with no access off Highway 12)” of the Escalante Zoning Code is hereby *added* as follows:

ADOPTION

10.50.055 Minimum Area, Width, And Yard Regulations (Commercial Uses with no access off Highway 12)(*Added*)

Minimum Area, Width, And Yard Requirements:

A. Minimum Area 1/4 acre

B. Minimum Width 75'

- C. Front setback 25'
- D. Side and Rear setbacks 10'

SECTION 3: REPEALER CLAUSE Any previously enacted ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed, but only to the extent that they are inconsistent with this ordinance. The repealer shall not, however, be construed to revive any ordinance heretofore repealed.

SECTION 4: SEVERABILITY CLAUSE If any provision of this ordinance is declared invalid or inoperative by a court of competent jurisdiction, the remainder shall not be affected thereby and effect shall be given to the intent manifested by the portion held invalid or inoperative.

SECTION 5: EFFECTIVE DATE The City Council of Escalante City, State of Utah, has determined that the public health, safety and welfare requires that this Ordinance take effect immediately. Therefore, this Ordinance shall become effective immediately upon passage and publication as required by law.

SECTION 6: CUSTOM CLAUSE NAME

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Stowe	_____	_____	_____	_____
Councilmember Lyman	_____	_____	_____	_____
Councilmember Cottam	_____	_____	_____	_____
Councilmember Orme	_____	_____	_____	_____
Councilmember Woolsey	_____	_____	_____	_____

Presiding Officer

Attest

Melani Torgersen, Mayor, Escalante City

Stephanie Steed, MMC, UCC, City Recorder, Escalante City

**ESCALANTE CITY
ORDINANCE 2026-07**

**AN ORDINANCE AMENDING ESCALANTE CITY ORDINANCE 10.54.030 AND
10.02.050 STREET DEFINITION AND PROVIDING REPEALER WITHIN THE
CITY OF ESCALANTE, STATE OF UTAH.**

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

SECTION 1: **AMENDMENT** "10.54.030 Definitions - Subdivisions" of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.54.030 Definitions - Subdivisions

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this Ordinance. Words used in the present tense include the future; singular numbers shall include the plural, and the plural, the singular; the word "building" shall include the word "structure"; and the words "used" and "occupied" shall include arranged, designed, constructed, altered, converted, rented, leased or intended to be used or occupied; the word "shall" is mandatory and not directory, and the word "may" is permissive; the word "person" includes firm, association, organization, partnership, trust, company, or corporation, as well as an individual; the word "lot" includes the words plot or parcel. Words used in this Ordinance but not defined herein shall have the meaning as defined in any other Ordinance adopted by the Escalante City Council:

BEGINNING OF CONSTRUCTION: Grading or removal of any vegetation or earth from a site for construction of access routes or preparation for excavation of building pads or footings.

BUILDING: Any structure used or intended to be used for the shelter or enclosure of a person, animals or property.

BUILDING, HEIGHT OF: The vertical distance from the average finished grade surface to the highest point of the building roof or coping.

BUILDING SET BACK LINE: A line parallel to the street line between which no building structure or portion thereof, may be erected, constructed or established.

BUILDING OFFICIAL: The official designated as the Building Inspector for Escalante City.

CAMPGROUND: A parcel designated and approved by Escalante City for occupancy by tents, trailers, motor homes or campers on a temporary basis.

CITY ENGINEER: The Escalante City Engineer or his duly authorized representative. (Ord. 1987 sec 1-3, 1987)

COMMISSION: Means the planning commission of the City, provided however, that the city board may act for and in the place of the planning commission, as set forth in Chapter/Section 24/111.

COMMISSION'S AUTHORIZED REPRESENTATIVE: Means the planning director or any other city employee or official who has been designated by the commission to represent the city enforcing or carrying out the function of the commission as set forth in this chapter.

COUNTY: County shall mean Garfield County, Utah.

CUL-DE-SAC: A street or passage that is only open on one end, which must measure 100 feet in radius at its termination.

DESIGN: Design refers to a street alignment, grades and widths, and alignment and widths of easements and right-of-way for roads, drainage, sewage, water supply and other utilities, lot area dimensions, and the treatment of such factors for the proposed use of the land.

DIVISION OF AGRICULTURE LAND FOR AGRICULTURE PURPOSES: A bona fide division or partition of agriculture land into two (2) or more parcels for agriculture purposes as defined herein.

DWELLING: Any building or portion thereof, which is designed for residential use, except the following: hotels, apartment hotels, boarding houses, lodging houses, motels, apartment motels, trailers, mobile homes, or dormitories.

DWELLING. SINGLE FAMILY: A building arranged or designed to be occupied by one (1) family, the structure having only one (1) dwelling unit.

DWELLING. MULTIPLE FAMILY: A building arranged or designed to be occupied by more than one (1) family.

EASEMENT: The acquired privilege or right-of-use or enjoyment that one person may have on the land of another.

ENGINEER: Means the engineer or a surveyor engaged by the subdivider to prepare a final map or to compile such data as may be required in connection therewith in accordance with the provisions of this chapter. Such engineer shall be a registered civil engineer in the State of Utah.

ESSENTIAL SERVICES: Utilities or sanitary and public safety facilities provided by a public or other governmental agency for overhead or surface or underground services, excluding any building, electrical substation and transmission lines.

FAMILY: An individual, or two (2) or more persons related by blood, marriage, or adoption,

or a group of not more than four (4) persons (who are not related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities.

FENCE: A physical barrier to delineate, contain, or designate an area designed for a specific use i.e., an enclosure for dwelling unit; an area for storage, etc.

FLOOD PLAIN: A highest area of land subject to inundation or overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses within a hundred (100) year time frame.

FRONTAGE BLOCK: All property fronting on one (1) side of the street between intersecting streets or between a street and a right-of-way, waterway, end of dead end street, or political subdivision boundaries, measured along the street line. An intersecting street shall determine only the boundary of the frontage on the side of the street which it intersects.

GEOLOGICAL HAZARD: A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to the movement, failure or shifting of the earth.

GRADE: For buildings adjoining one (1) street, the elevation of the sidewalk at the center of the wall adjoining the street. For buildings adjoining more than one (1) street, the average of the elevation of the sidewalk at the center of all walls adjoining the streets.

HIS: Refers to male or female gender.

IMPROVEMENT PLAN: A plan to complete permanent infrastructure on the subdivision that is essential for the public health and safety, that is required for human occupation, or that is required by applicable law and that an applicant must install in accordance with public installation and inspection specifications for public improvements and as a condition of recording a subdivision plat.

IRRIGATED LAND: Parcels that have surface or underground water diverted continuously or intermittently upon them for the production of crops or pasture, through the utilization of man-made improvements.

LANE: A street, either one-way or two-way, with a width less than fifty (50) feet.

LAND USE AUTHORITY: An individual, board, or commission appointed or employed by a municipality to make land use decisions. "Land Use Authority" includes any appropriately authorized designees.

LAND USE APPLICATION: An application required by the City and submitted by a land use applicant to obtain a land use approval; this does not mean an application to enact, amend, or repeal a land use regulation.

LOT: A parcel or unit of land described by metes and bounds and held or intended to be held in separate lease or ownership, or a parcel or unit of land shown as a lot or parcel on a

recorded subdivision plat, or shown on a plot used in the lease or offer of lease or sale of land resulting from the division of a larger tract into two (2) or more smaller units.

LOT CORNER: A lot abutting two (2) or more streets at their intersection or upon two (2) parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.

LOT DEPTH: The horizontal lines bounding the lot.

LOT LINES: The property lines bounding the lot.

LOT LINE ADJUSTMENT: The relocation of the property boundary line between two adjoining lots with the consent of the owners of record.

LOT LINES, FRONT: For the interior lot, the lot line adjoining the street; for the corner lot or through lot, the lot adjoining either street as elected by the lot owner.

LOT LINE, REAR: Ordinarily, the line of a lot which is opposite and most distant from the front line of the lot. In the case of a triangular or gore-shaped lot, a line ten (10) feet in length within the parcel parallel to and at a maximum distance from the lot line. In cases where these definitions are not applicable, the Garfield County Building Inspector shall designate the rear lot line.

LOT LINE, SIDE: Any lot boundary line not a front or rear lot line. In an interior lot, a side lot line separates a lot from another lot or lots. In a street side lot, a side line separates a lot from a street.

LOT RIGHT OF WAY: A strip of land not less than sixteen (16) feet in width connecting a lot to a street for the use as private access to that lot.

MASTER PLAN: A long range policy plan prepared and adopted by Escalante City to guide Escalante City growth.

MOBILE HOME: A detached single family dwelling unit of not less than forty-five (45) feet in length, designed for long term occupancy, and to be transported on its own wheels or on a flatbed or other trailers or detachable wheels; containing a flush toilet, sleeping accommodations, a tub or a shower, kitchen facilities, and plumbing and electrical connections for attachment to appropriate external systems, and ready for occupancy for connections to utilities and other minor work. Double wide mobile homes which are placed on permanent foundations which meet all applicable building and housing codes, and contain at least one-thousand (1,000) square feet of floor space shall be regulated as conventional housing.

MOBILE HOME LOT: A lot within a mobile home subdivision, designated and to be used for accommodation of one (1) mobile home.

MOBILE HOME PARK: Land designated and approved by Escalante City for occupancy by mobile homes, to be under single ownership or management, and meeting all other local

and state requirements for Mobile Home Parks.

MOBILE HOME SUBDIVISION: A subdivision designed and intended for the residential use where the lots are to be individually owned or leased, and occupied by mobile homes exclusively.

MODULAR HOME: A permanent dwelling structure built in prefabricated units, which are assembled and erected on the site, or at another location and brought as a unit to the site; modular home is classified as an unfinished structure until it is placed on a permanent foundation and complies with all governing building codes.

OFF-SITE FACILITIES: Improvements not on individual lots but generally within the boundaries of the subdivision which they serve.

OFFICIAL MAP: The official map or maps adopted by Escalante City pursuant to the city zoning and planning enabling legislation.

ON-SITE FACILITIES: Construction or placement of the dwelling and its appurtenant improvements on a lot.

OPEN SPACE: The area reserved for parks, court, playgrounds, golf courses, and other similar open areas to meet density requirements.

PARCEL OF LAND: Contiguous land owned by and recorded as the property of the person. Land under one (1) ownership but physically divided by a public highway, road or street is considered contiguous under this definition.

PARKING LOT: An open area other than a street, used for the parking of more than four (4) automobiles and available for public use, for compensation, or accommodations for clients or customers.

PLAT: An instrument subdividing property into lots as depicted on a map or other graphic representation of land that a licensed professional land surveyor makes and prepares in accordance with §10-9a-603 or §57-8-13 of Utah State Code (as amended).

PLOT PLAN: The plat of a lot, drawn to scale showing it's actual measurements, the size and location of any existing buildings to be erected, the location of the lot in relation to abutting streets, and such other information as may be required by Escalante City Planning and Zoning Commission.

PLAT MAP: Means a map made for the purpose of showing the design of a proposed subdivision and the existing conditions in and around it. Such map need not be drawn upon an accurate survey of the property. The plat map is essentially a study plan, which will be made part of the subdivision application plat.

PROTECTIVE STRIP: A strip of land between the boundary of a subdivision and street within a subdivision, for the purpose of controlling access to the street by property owners

abutting the subdivision.

RECREATIONAL COACH: A vehicle, such as a travel trailer, tent camper, camp car or other vehicle with or without motor power, designated and/or constructed to travel on the public thoroughfares in accordance with the provisions of the Utah Vehicle Code, and designed for use as human habitation for a temporary and recreational nature.

RECREATIONAL COACH PARK: Any park or tract of land or a separate designated section within a Mobile Home Park where lots are lots are rented out or held out for rent to one (1) or more owners or users of recreational coaches for a temporary time not to exceed one-hundred and twenty (120) days. Such parks may also be designated as "overnight" parks.

SINGLE PARCEL SPLIT: A single parcel split allows a landowner to divide a single tract of land into no more than 2 tracts without going through the subdivision ordinance. There is a five year waiting period before the lot can be split again.

STREETS: A street is a thoroughfare which has been approved by the City, which the City has acquired by prescriptive right or which the City owns, or has approved on an approved plat, or a thoroughfare of at least ~~fifty (50)~~ sixty eight (68) feet in width which has been abandoned or made public by right of use land and which affords access to abutting property, including highways, roads, lanes, avenues and boulevards. A street total right-of-way from property line to property line is sixty-eight (68) feet, with twenty-eight (28) feet for vehicle travel; with the remaining forty (40) feet split evenly as twenty (20) feet on each side, typically used for sidewalks, shoulders, curbs, landscaping, drainage, or utilities.

MAJOR STREET: A street existing or proposed, which serves or is intended to serve as a major traffic way and is designated on the master street plan as a controlled access highway, major street, parkway or other equivalent term to identify those streets comprising the basic structure of the street plan.

STREET COLLECTOR: A street, existing or proposed, which is the main means of access to the major street system.

MINOR STREET: A street, existing or proposed, which is supplementary to a collector street and of limited continuity which serves or is intended to serve the local needs of the neighborhood.

MARGINAL ACCESS STREET: A minor street which is parallel to and adjacent to a limited access major street and which provides access to abutting properties and protection from through traffic.

PRIVATE STREET: A thoroughfare within a subdivision which has been reserved by dedication onto the subdivider or lot owners to be used as private access to served the lots planned within the subdivision and comply with the adopted street cross section standards of Escalante City and maintained by the subdivider or other private agency.

SUBDIVIDER: Any person, developer, firm, corporation, partnership or association who

causes land to be divided into a subdivision for himself or others.

SUBDIVISION AUTHORIZED REPRESENTATIVE: Any person who has been designated by the subdivider in writing, which designation has been filed with the planning commission, as the authorized person to represent the subdivider.

SUBDIVISION: . Any land that is divided, subdivided, or proposed to be divided into two or more lots or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

a. Subdivision includes:

- i. The division or development of land, whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument, regardless of whether the division includes all or a portion of a parcel or lot; and
- ii. Except as provided below, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

b. Subdivision does not include:

- i. A recorded document, executed by the owner of record revising the legal descriptions of multiple parcels into one legal description encompassing all such parcels or joining a lot to parcel;
- ii. A boundary line agreement between owners of adjoining subdivided properties adjusting the mutual lot line boundary in accordance with §10-9a-524 and §10-9a-608 of Utah State Code (as amended) if no new dwelling lot or housing unit will result from the adjustment and the adjustment will not violate any applicable land use ordinance;
- iii. A joining of one or more lots to a parcel;
- iv. A road, street, or highway dedication plat; or
- v. A deed or easement for a road, street, or highway purpose.

SUBDIVISION, MINOR: Any subdivision resulting in three (3) or fewer buildable parcels where each lot is fronted by a dedicated and improved public street and where the subdivision does not require the construction of any new streets or other public improvements.

SURVEY-BOUNDARY: is used to determine the exact location of property boundaries and corners of a piece of land. A boundary survey may be used to settle legal disputes or local easements or for personal records.

SURVEY-LAND: is a drawing that shows exactly where the boundaries of a property are. A survey will also lay out the dimensions and location of any buildings or other site improvements on the property.

VICINITY PLAN: A map or drawing to scale showing the physical relationship of the proposed development to existing or proposed streets, buildings and utilities; other relevant information such as special terrain or surface drainage; and existing zoning classification of all land within three hundred(300) feet of the property proposed for development.

SECTION 2: AMENDMENT “10.02.050 Definitions - Zoning” of the Escalante Zoning Code is hereby *amended* as follows:

A M E N D M E N T

10.02.050 Definitions - Zoning

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this Ordinance. Words used in the present tense include the future. The singular number shall include the plural, and the plural the singular. The word "building" shall include "structure". The words "used" or "occupied" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used or occupied. The word "shall" is mandatory and not directory, and the word "may" is permissive. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual. The word "lot" includes the word plot, or parcel. Words used in this Ordinance but not defined herein shall have the meaning as defined in any other ordinance adopted by the local jurisdiction.

ACCESSORY USE or BUILDING: A use or building on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or building.

AGRICULTURE: The tilling of the soil, the raising of crops, horticulture and gardening, commercial greenhouses, breeding, grazing and keeping or raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business, such as fruit packaging plants, fur farms, animal hospitals, or similar uses.

AGRICULTURAL INDUSTRY or BUSINESS: An industry or business involving agricultural products in manufacturing, packaging, treatment, sales, intensive feeding, or storage, including but not limited to animal feed yards, fur farms, food packaging or processing plants, commercial poultry or egg production, and similar uses as determined by the Planning Commission.

AIRPORT: An area of land designed and set aside for the landing and the taking off of aircraft plus aircraft storage and service.

ANIMALS: Animals shall include the following: horses, cows, sheep, goats and fowl, excluding pigs.

ARCHITECTURAL PROJECTION: Any building or structural projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building or structure, but not including signs.

AUTOMATIC CAR WASH: A facility for automatic or self-service washing and cleaning of automobiles and small trucks not exceeding one and one-half (1.5) tons.

AUTOMOBILE SERVICE STATION: A place where gasoline, or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, and where services performed may include tube and tire repair, battery charging, storage of merchandise, lubricating or automobiles, replacement of spark plugs, lights, fans, and other small parts, but not including major auto repair.

AVERAGE PERCENT OF SLOPE: An expression of rise or fall in elevation along a line perpendicular to the contours of the land, connecting the highest point of land to the lowest point of land within an area or within a lot. A vertical rise of one hundred (100) feet between two points one hundred (100) feet apart, measured on a horizontal plane is a one hundred (100) percent slope.

BASEMENT HOUSE: A residential structure without a full story structure above grade.

BEGINNING CONSTRUCTION: The excavation of the site and/or breaking ground.

BED & BREAKFAST ESTABLISHMENTS: A lodging facility, with no more than six guest rooms, located within an existing single family residence which caters to the vacationing or traveling public.

BLOCK: The land surrounded by streets or other rights-of-way, other than an alley, or land which is designed as a block on any recorded subdivision plat.

BOARDING HOUSE: A dwelling where, for compensation, meals are provided for at least three (3) but not more than fifteen (15) persons.

BODY AND FENDER SHOP: A facility for major automobile, truck, mobile home, recreational coach or recreation vehicle repairs to body, frame, or fenders, and including rebuilding.

BREEZE-WAY: A porch or roofed passageway open on the sides, for connecting two buildings, as a house and a garage.

BUILDABLE AREA: The portion of a lot remaining after required yards have been provided, except that land with an average grade exceeding fifteen (15) percent shall not be considered buildable area unless it is approved by conditional use permit for construction, after

study by a geologist, soils engineer, or sanitarian as required by the Planning Commission.

BUILDING: Any structure used or intended to be used for the shelter, of enclosure or persons, animals, or property.

BUILDING, ACCESSORY: A building which is subordinate to, and the use of which is incidental to, that of the main building, or use on the same lot.

BUILDING, HEIGHT OF: The vertical distance from the average finished grade surface to the highest point of the building roof or coping.

BUILDING INSPECTOR: The official designated as the building inspector for the City of Escalante by the Escalante City Council. The Escalante City Building Inspector may also be the Escalante City Zoning Administrator, if so designated.

CAMPGROUND: A public area designated by a public agency for camping, or a private area licensed by the City of Escalante for camping.

CAMP HOST: Camp Host(S) (or campground host(S)) is an RVer who lives on-site and provides services to the campground's guests to ensure they have an enjoyable stay

CAMPING: A temporary establishment of living facilities such as tents or recreational coaches as regulated by this ordinance.

CARPORT: A private garage not completely enclosed by walls or doors. For the purpose of this Ordinance, a carport shall be subject to all the regulations prescribed for a private garage.

CELLAR: A room or rooms wholly under the surface of the ground, or having more than fifty (50) percent of its floor to ceiling height under the average level of the adjoining ground.

CHILD NURSERY: A duly licensed establishment for the care and/or the instruction of six (6) or more children, for compensation, other than for members of the family residing on the premises, but not including a public school.

CHURCH: A building, together with its accessory buildings and uses, maintained and controlled by a duly-recognized religious organization where persons regularly assemble for worship.

CLINIC, DENTAL or MEDICAL: A building in which a group of dentists, physicians, and allied professional assistants are associated for the conduct of their professions. The clinic may include a dental and or a medical laboratory and an apothecary, but it shall not include in-patient care or operating rooms for major surgery.

CLUB, SOCIAL: Any organization, group, or association supported by its members where the sole purpose is to render a service of said members and their guests.

CONDITIONAL USE: A use of land for which a conditional use permit is required, pursuant

to this Ordinance.

CONDOMINIUM: An ownership structure established in accordance with the Utah Condominium Act.

CORRAL: A space, other than a building used for the confinement of animals or fowl.

COURT: An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings, and which is bounded on two (2) or more sides by such building or buildings.

COVERAGE, BUILDING: The percent of the total site area covered by buildings.

CROSSWALK or WALKWAY: A right-of-way to facilitate pedestrian access through a subdivision block; designed for use by pedestrians and not for use by motor vehicles; may be located within or without a street right-of-way at grade, or separated from vehicular traffic.

DISTRICT: A portion of the territory of the City of Escalante Established as a zoning district by this ordinance, within which certain uniform regulations and requirements or various combinations thereof apply under the provision of this Ordinance; also includes "zone", and "zoning district."

DRIVEWAY: A private roadway, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which the driveway is located.

DWELLING: Any building or portion thereof designed or used as the permanent residence or sleeping place of one or more persons, but not including a tent, recreational coach, hotel, hospital, or nursing home.

DWELLING, SINGLE-FAMILY: A building arranged or designed to be occupied by one (1) family, the structure having only one (1) dwelling unit. Two structures connected by a Breezeway IS NOT a single dwelling.

DWELLING, TWO-FAMILY: A building arranged or designed to be occupied by two (2) families, the structure having only two (2) dwelling units.

DWELLING, THREE FAMILY: A building arranged or designed to be occupied by three (3) families, the structure having only three (3) dwelling units.

DWELLING, FOUR-FAMILY: A building arranged or designed to be occupied by four (4) families, the structure having only four (4) dwelling units.

DWELLING, MULTI-FAMILY: A building arranged or designed to be occupied by more than four (4) families, the structure having more than four (4) dwelling units.

DWELLING GROUP: A group of two (2) or more detached buildings used as dwellings, located on a lot or parcel of land.

DWELLING UNIT: One or more rooms in a dwelling, apartment hotel, or apartment motel, designed for or occupied by one (1) family for living or sleeping purposes and having one (1) but not more than one (1) kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units.

EASEMENT: That portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner(s) of said property(ies). The easement may be for use under, on, or above said lot or lots.

ESSENTIAL FACILITIES: Utilities or sanitary and public safety facilities provided by a public utility or other governmental agency for overhead or surface or underground services, excluding any building, electrical sub-station or transmission line of seventy (70) KV or greater capacity, except by conditional use permit.

FAMILY: An individual, or two (2) or more persons related by blood, marriage, or adoption, or a group of not more than four (4) persons (excluding servants) who are not related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities.

FENCE: A physical barrier to delineate, contain, or designate an area designed for a specific use i.e. and enclosure for a dwelling unit, an area of storage, etc.

FLOOD HAZARD: A hazard to land or improvements due to inundation or overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses.

FLOOR AREA: Area included within surrounding walls of a building or portion thereof, exclusive of vents, shafts, and courts.

FRONTAGE, BLOCK: All property fronting on one (1) side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

FRONTAGE, LOT: The lineal measurement of the front lot line.

GARAGE, PRIVATE: A detached accessory building, or a portion of a main building, used or intended to be used for the storage of motor vehicles, recreational coaches, boats, or other recreational vehicles.

GARAGE, REPAIR: A structure or portion thereof, other than a private garage, used for the repair of self-propelled vehicles, trailers, or boats, including general repair, rebuilding or reconditioning of engines, motor vehicles, recreational coaches, and minor collision service, but not including major body, frame or fender repairs or overall automobile or truck painting, except by conditional use permit. A repair garage may also include incidentals storage, care, washing, or sale of automobiles.

GEOLOGICAL HAZARD: A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to the movement, failure, or shifting of the earth.

GRADE:

- A. For buildings adjoining one (1) street only, the elevation of the sidewalk at the center of the wall adjoining the street.
- B. For buildings adjoining more than one (1) street, the average of the elevations of the sidewalk at the centers of all walls adjoining the streets.
- C. For buildings having no wall adjoining the street, the average level of the natural surface of the ground adjacent to the centers of all exterior walls of the building.
- D. Any wall parallel or nearly parallel to and not more than five (5) feet from a street line is to be considered as adjoining the street.

GLAMPING: A shorthand term for glamorous camping. for the purpose of this ordinance, Glamping shall be used to describe canvas or membrane-covered frame structures or recreational coach's located in areas that offer outdoor camping experiences with amenities such as, but not limited to: beds, electricity, heat and indoor plumbing usually not used when camping traditionally.

GLAMPING UNIT: A canvas or membrane-covered frame structure or recreational coach designed to be used or occupied for commercial, transient or recreational purposes. Glamping Unit structures include, but are not limited to: tents, yurts, teepees, covered wagons, inflatable spheres, geodesic domes, recreational coaches, etc.

GOVERNING BODY: The elected legislative body of the City of Escalante.

HOME OCCUPATION: Any use conducted entirely within a dwelling or accessory building and carried on by persons residing in the dwelling, occupying no more than twenty-five (25) percent of the dwelling which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. The person residing in the dwelling must own and operate the home occupation.

HOSPITAL: Institution for the diagnosis, treatment, and care of human illness or infirmity, but not including sanitariums and clinics.

HOTEL: A building designated for or occupied as the more or less temporary abiding place of sixteen (16) or more individuals who are for compensation, lodged, with or without meals.

HOUSEHOLD PETS: Animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats, and canaries, but not including a sufficient number of dogs as to constitute a kennel as defined in this Ordinance. Household pets shall not include the keeping of dangerous animals.

JUNK: Old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris or other was to salvage materials dismantled, junked, or wrecked automobiles or parts thereof, and old or scrap ferrous or non-ferrous metal materials.

JUNKYARD: The use of any lot, portion of a lot, or tract of land for the storage, keeping or abandonment of junk, including scrap metals or other scrap material, or for the dismantling, demolition or abandonment of automobiles, or other vehicles, or machinery or parts thereof; provided that this definition shall be deemed not to include such uses which are clearly accessory and incidental to any agricultural use permitted in the district.

KENNEL: Any premises where three (6) or more dogs older than two (2) months are kept for commercial boarding, breeding, or sale.

LOCAL ATTORNEY: The attorney employed by or officially representing the City of Escalante.

LOCAL BUILDING INSPECTOR: The City of Escalante Building Inspector employed by or officially representing the City of Escalante.

LIVESTOCK: "Livestock" means a domestic animal or fur-bearer raised or kept for profit, including: cattle, sheep, goats, swine, horses, mules, poultry and domesticated elk.

LOCAL ENGINEER: The engineer employed by or officially representing the City of Escalante.

LOCAL HEALTH OFFICER: The health officer or department employed by or officially representing the City of Escalante.

LOCAL JURISDICTION: The City of Escalante.

LOCAL PLANNER: The planner employed by or officially representing the City of Escalante.

LOT: A parcel or unit of land described by metes and bounds and held or intended to be held in separate lease or ownership, or a place or unit of land shown as a lot or parcel on a recorded subdivision map, or shown on a plat used in the lease or sale or offer of lease or sale of land resulting from the division of a larger tract into three (3) or more smaller units.

LOT, CORNER: A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.

LOT DEPTH: The horizontal distance between the front and the rear lot lines measured in the main direction of the side lot lines.

LOT, INTERIOR: A lot with no defined public street access.

LOT LINES: The property lines bounding the lot.

LOT LINE, FRONT: For an interior lot, the lot line adjoining the street; for a corner lot or through lot, the lot line adjoining either street, as elected by the lot owner.

LOT LINE, REAR: Ordinarily, that line of a lot which is opposite and most distant from the front line of the lot. In the case of a triangular or gore-shaped lot, a line then (10) feet in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where these definitions are not applicable, the City of Escalante Building Inspector shall designate the rear lot line.

LOT LINE, SIDE: Any lot boundary line not a front or rear lot line. A side lot line separating a lot from another lot or lots in an interior side lot line, a side lot line separating a lot from a street is a street side lot line.

LOT, RIGHT-OF-WAY: A strip of land connecting a lot to a street for use as private access to that lot.

MAINTENANCE: The condition of being maintained and/or supported. The act or fact or keeping up or in repair. The upkeep or preservation of conditions of property including cost of ordinary repair necessary and proper from time to time for that purpose.

MOBILE HOME: A detached, single-family dwelling unit built prior to June 15, 1976 designed for long-term occupancy, and to be transported on its own wheels or on a flatbed or other trailers or detachable facilities, and plumbing and electrical connections provided for attachment to appropriate external systems, and ready for occupancy except for connections to utilities and other minor work.

MOBILE HOME LOT: A lot within a mobile home subdivision, designed and to be used for the accommodation of one (1) mobile home.

MOBILE HOME PARK: A space designed and approved by the City of Escalante for occupancy by mobile homes, to be under a single ownership or management, and meeting all requirements of the City of Escalante Zoning Ordinance.

MOBILE HOME SUBDIVISION: A subdivision designed and intended for residential use where the lots are to be individually owned or lease, and occupied by mobile homes exclusively.

MODULAR HOME: A permanent dwelling structure built after June 15, 1976 in pre-fabrication units, which are assembled and erected on the site, or at another location and brought as a unit to the site; said modular home must be placed on a permanent foundation and comply with all governing building codes.

MOTEL/INN: A building or group of buildings for the drive-in accommodation of transient guests, comprising individual sleeping or living units, and designed and located to serve the motoring public, with the maximum of nine (9) units per acre and one (1) building per quarter

(1/4) acre (10,890 square feet)

Motel/Inn/Hotel Units: A room or suite of a motel, hotel or inn which is capable of being rented separately and which has its own bathroom.

NONCONFORMING BUILDING or STRUCTURE: A building or a structure which does not conform to the regulations of height, coverage, or yards of the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its erection.

NONCONFORMING USE: The use of a building or structure or land which does not conform to use regulations for the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its establishment.

NURSING HOME: An institution, other than a hospital, for the care of human illness or infirmity in which care, rather than diagnosis or treatment, constitutes the principal function. The term "nursing home" shall also include "rest home" and convalescent home."

OFFICIAL MAP: A map which has been adopted as the official map of the City of Escalante, showing existing public streets, streets on plats of subdivisions which have been approved by the City of Escalante Planning Commission, and /or other street extensions, widenings, narrowings, or variations which have been accurately surveyed and definitely located.

OFF-STREET: Is on private property not a City Street or a Public Right-Of-Way.

OFF-STREET PARKING SPACE: The space required to park one (1) passenger vehicle, which space shall meet the requirements of this ordinance.

OPEN SPACE: The area reserved in parks, courts, playgrounds, golf courses, and other similar open areas to meet the density requirements of Planned Development.

OPEN SPACE, USABLE: The area of a lot which is completely free and unobstructed from any structure constructed on, over or below grade. Walkways, uncovered patio areas, light poles, other ornamental fixtures, trees, shrubs, other vegetation and equipment utilizing renewable energy resources may be allowed in open space areas.

PARK MODEL RECREATIONAL VEHICLE (PMRV). A unit that: is designed and marketed as temporary living quarters for recreational, camping, travel, or seasonal use; is not permanently affixed to real property for use as a permanent dwelling; requires a special highway movement permit for transit; and is built on a single chassis mounted on wheels with a gross trailer area not exceeding 400 square feet in the setup mode.

PARKING LOT: An open area, other than a street, used for the parking of more than four (4) automobiles and available for public use, whether free, for compensation, or accommodations for clients or customers.

PERMANENT STRUCTURE: Permanently affixed, which means anchored to, and supported by, a permanent foundation or installed in accordance with the manufactured housing installation standard code referred to in the State of Utah Uniform Building Standards Act Section 58-56-4.

PLANNED DISTRICT: A zoning district, the boundaries of which are to be shown on the Zoning Map, but the regulations for which shall be determined by a general development plan to be adopted by the governing body as part of the City of Escalante Zoning Ordinance, after public hearing, a required for other zoning districts.

PLOT PLAN: A plat of a lot, drawn to scale, showing its actual measurements, the size and location of any existing buildings or buildings to be erected, the location of the lot in relation to abutting streets, and such other information as may be required by the City of Escalante Planning Commission.

PUBLIC: Municipal owned.

PUBLIC BUILDING: A building used by Federal, State, or local government that is open to the general public

RECREATIONAL COACH: A vehicle, such as a travel trailer, tent camper, camp car or other vehicle with or without motive power, designed and/or constructed to travel on the public thoroughfare in accordance with the provisions of the Utah Vehicle Code, and designed for use as human habitation for a temporary and recreational nature.

RECREATIONAL COACH PARK: Any area or tract of land or a separate designated section within a mobile home park where lots are rented or held out for rent to one (1) or more owners or users of recreational coaches for a temporary time not to exceed one hundred twenty (120) days. Such park may also be designated as "Overnight Park".

RECREATIONAL COACH SPACE: A plat of ground within a recreational coach park designated and intended for the accommodation of one (1) recreational coach.

REMODEL: To model again, to reconstruct; make over. To make over in structure or style; reconstruct.

RENTAL STORAGE: A group of individual or multiple units designed for the sole purpose of storing personal or commercial goods.

RIGHT-OF-WAY (LOT): A strip of land not less than sixteen (16) feet in width connecting a lot to a street for use as private access to that lot.

RVER: One who occupies or operates a recreational vehicle.

SAFETY ISLAND: An area provided for the safety of pedestrians from vehicular traffic, as between lanes on a busy street or highway.

SIGN: A presentation or representation of words, letters, figures, designs, picture or colors, publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid; also, the structure or framework or any natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes.

SIGN, ANIMATED: A sign which involves motion or location of any part, created by artificial means, or which displays flashing, revolving or intermittent lights.

SIGN AREA: The area in square feet of the smallest rectangle enclosing the total exterior surface of a sign having but one (1) exposed exterior surface. Should the sign have more than one (1) surface, the sign area shall be the aggregate of all surfaces measured as above which can be seen from anyone (1) time.

SIGN, FREE-STANDING: A sign which is supported by one (1) or more upright columns, poles, or braces, in or upon the ground.

SIGN, IDENTIFICATION AND INFORMATION: A sign displayed to indicate the name or nature of a building, or of a use.

SIGN, ILLUMINATED: A sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs.

SIGN, MARQUEE: Any sign attached to or made an integral part of the marquee.

SIGN, PROJECTING WALL: A sign which is affixed to an exterior wall or building or structure and which projects more than eighteen, (18) inches from the building or structure wall, and which does not extend above the parapet, eaves, or building facade of the building upon which it is placed.

SITE PLAN: A plan required by, and providing the information required by, Section 1.8 herein.

STABLE, PUBLIC: Any stable where horses are boarded and/or kept for hire.

STORAGE UNIT: Real property designed and used for the purpose of renting or leasing individual storage space to occupants who have access to the facility for the purpose of storing personal property. Does not include: real property used for residential purposes.

STORY, HALF: A partial story under a gable, hip, or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls do not extend more than four (4) feet above the floor of such story, and the ceiling area of which does not exceed two-thirds (2/3) of the floor area of the same half story.

STREET: A street is a thoroughfare which has been approved by the City, which the City has acquired by prescriptive right or which the City owns, or has approved on an approved plat, or

a thoroughfare of at least sixty eight (68) feet in width which has been abandoned or made public by right of use land and which affords access to abutting property, including highways, roads, lanes, avenues and boulevards. A street total right-of-way from property line to property line is sixty-eight (68) feet, with twenty-eight (28) feet for vehicle travel; with the remaining forty (40) feet split evenly as twenty (20) feet on each side, typically used for sidewalks, shoulders, curbs, landscaping, drainage, or utilities.

STRUCTURALLY ALTERING: Fundamental and significant change of the building's framework or system that results in a different building.

STRUCTURE: Anything constructed, the use of which requires fixed location on the ground, or attachment to something having a fixed location upon the ground; includes "building."

TENT: A temporary structure erected for a period of no more than fourteen (14) days allowed only in commercial zones, as part of a recreational business having sufficient restrooms and sanitary facilities.

VACATION RENTAL: The rental of a pre-existing single-family residence which is periodically provided to the vacationing public in its entirety for compensation. The length of stay shall be less than thirty (30) days to a single person.

VICINITY PLAN: A map or drawing, to scale showing the physical relationships of the proposed development to existing or proposed streets, buildings and utilities; other relevant information such as special terrain or surface drainage, and existing zoning classifications of all land within three hundred (300) feet of the property proposed for development.

YARD: A required open space on a lot, other than a court, unoccupied, and unobstructed from the ground upward, except as permitted elsewhere in this Ordinance.

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Stowe	_____	_____	_____	_____
Councilmember Lyman	_____	_____	_____	_____
Councilmember Cottam	_____	_____	_____	_____
Councilmember Orme	_____	_____	_____	_____
Councilmember Woolsey	_____	_____	_____	_____

Presiding Officer

Attest

Melani Torgersen, Mayor, Escalante City

Stephanie Steed, MMC, UCC, City Recorder, Escalante City

**ESCALANTE CITY
ORDINANCE 2026-08**

**AN ORDINANCE AMENDING ESCALANTE CITY ORDINANCE 10.22.030
DEVELOPMENT STANDARDS AND PROVIDING REPEALER WITHIN THE
CITY OF ESCALANTE, STATE OF UTAH.**

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

SECTION 1: **AMENDMENT** “10.22.030 Development Standards” of the Escalante Zoning Code is hereby *amended* as follows:

A M E N D M E N T

10.22.030 Development Standards

- A. ADUs shall not be allowed as short-term rentals.
- B. Only one ADU may be created per lot or property in single-family zones.
- C. Installing separate utility meters for the ADU is prohibited.
- D. ADUs shall not contain more than three (3) bedrooms. ADUs shall be occupied by no more than three (3) related or unrelated adults and their children.
- E. The minimum lot size required for construction of a detached ADU in all single-family residential zones shall be fourteen thousand five hundred (14,500) square feet.
- F. External ADUs shall meet the same setbacks as required for a primary residence in the zone and at least ten (10) feet from the existing primary residence.
- G. Any external ADU located in a required side yard must comply with the setbacks for the principal residence and shall have adequate facilities for all discharge from roof and other drainage.
- H. Any external ADU shall be architecturally compatible with the principal dwelling in order to maintain the appearance of the property as a single-family residence. A material and color board shall be required to ensure compatibility.
- I. Any external ADU shall be a permanent structure. Mobile homes, travel trailers, boats, Shipping Containers, yurts or similar portable structures shall not be permitted as detached ADUs or primary structures for this section. The City Planning and Zoning and Council shall make the determination of whether or not a structure is permanent.
- J. The maximum height for external ADUs is limited to one story above ground and to twenty feet (20') or the height of the principal structure, whichever is less. A basement for storage is permitted.
- K. External ADUs shall not exceed the greater of fifty percent (50%) of the size of the principle dwelling or one thousand (1,000) square feet excluding the basement. ~~In no case shall the accessory dwelling unit contain habitable square footage less than four hundred and fifty (450) square feet.~~

- L. Conversion of existing accessory buildings (such as detached garages) may only occur where the existing accessory building meets the setback requirements for the primary residence in the zone and meets the applicable building code.
- M. Any Internal accessory dwelling unit shall not alter the appearance of the structure as a single-family residence. There shall be no external evidence of occupancy by more than one (1) family. The architectural style, building materials and building colors of an accessory dwelling unit shall be compatible and consistent with the architectural style, materials and color of the primary building.
- N. Pets per City Ordinance per property.

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Stowe	_____	_____	_____	_____
Councilmember Lyman	_____	_____	_____	_____
Councilmember Cottam	_____	_____	_____	_____
Councilmember Orme	_____	_____	_____	_____
Councilmember Woolsey	_____	_____	_____	_____

Presiding Officer

Attest

Melani Torgersen, Mayor, Escalante City

Stephanie Steed, MMC, UCC, City Recorder, Escalante City



CITY COUNCIL MEETING AGENDA ITEM REQUEST

1. The undersigned, request(s) the opportunity to present the following matter in city council meeting (please be as clear and specific as possible)

Tall dry cypress tree (260ft tall) on Mrs.
Johnny Alvey's property. It is a fire risk as
one of the tallest trees in town. I have been unsuccessful
at reaching Mrs Alvey by mail or phone to discuss options
for the tree. I would like to request help from the city
for this fire hazard.

2. The undersigned requests 5 (five) minutes for presentation.
Dated this 14 day of JUNE, 20 26.

Printed Name Loren Peña Daytime Phone

Signature [Signature] Evening Phone same

Please note: Items on the agenda for city council meeting are set at the discretion of the mayor. If the mayor approves the above request, you will be on the next agenda. If the request is not approved, you will NOT receive any further notification.

The remaining portion of this form is for office use only

DECISION ON REQUEST FOR APPEARANCE

☐ The above item is APPROVED for hearing before the city council. The city recorder is instructed to place the item on the next available council agenda for _____ minutes.

☐ The above item is NOT APPROVED for hearing before the city council.

Dated this _____ day of _____, 20____.

[Signature]
MAYOR

P.O. BOX 18 ESCALANTE, UT 84726



Phone: (435) 826-4644 F:435-826-4642

CITY COUNCIL MEETING AGENDA ITEM REQUEST

1. The undersigned, request(s) the opportunity to present the following matter in city council meeting (please be as clear and specific as possible)

I WOULD LIKE TO THROW AN EVENT AT THE CITY PARK ON AUG 5TH. A SNOWBALL FIGHT FOR KIDS. I RUN & OWN THE ICE ESCALANTE SHAVED ICE TRAILER WITH MY PARTNER.
THANKS!

2. The undersigned requests 5 minutes for presentation.
Dated this 29 day of JUNE, 20 26.

Printed Name LYNN YUNG HANS Daytime Phone

Signature [Signature] Evening Phone

Please note: Items on the agenda for city council meeting are set at the discretion of the mayor. If the mayor approves the above request, you will be on the next agenda. If the request is not approved, you will NOT receive any further notification.

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DECISION ON REQUEST FOR APPEARANCE

☐ The above item is APPROVED for hearing before the city council. The city recorder is instructed to place the item on the next available council agenda for minutes.

☐ The above item is NOT APPROVED for hearing before the city council.

Dated this day of , 20

[Signature]
MAYOR

P.O. BOX 18 ESCALANTE, UT 84726



Phone: (435) 826-4644 F:435-826-4642

CITY COUNCIL MEETING AGENDA ITEM REQUEST

1. The undersigned, request(s) the opportunity to present the following matter in city council meeting (please be as clear and specific as possible)

Floating water pickup for Fire Dept.

2. The undersigned requests 5 minutes for presentation.

Dated this 22 day of June, 2026.

Printed Name Bill Weppner Daytime Phone _____

Signature Bill Weppner Evening Phone 11

Please note: Items on the agenda for city council meeting are set at the discretion of the mayor. If the mayor approves the above request, you will be on the next agenda. If the request is not approved, you will NOT receive any further notification.

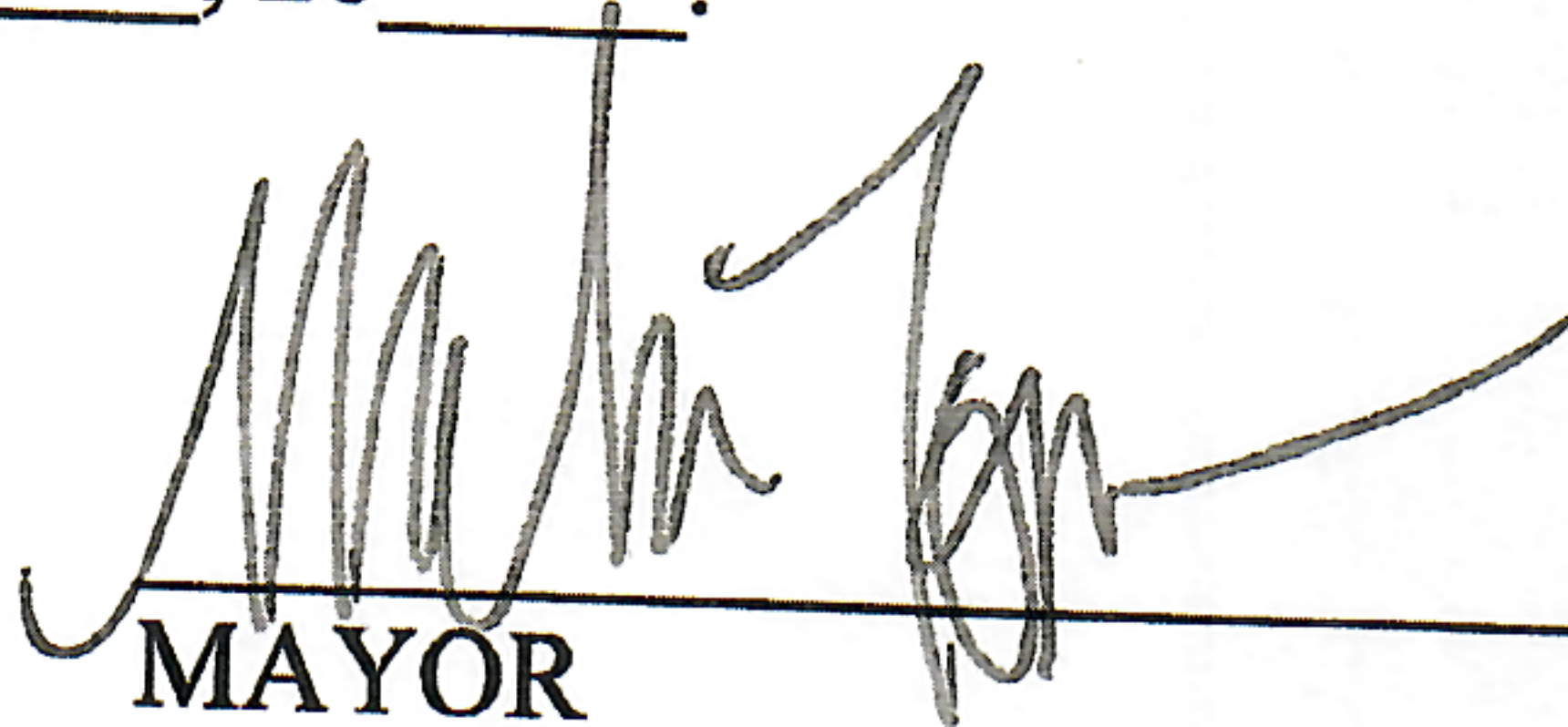
The remaining portion of this form is for office use only

DECISION ON REQUEST FOR APPEARANCE

☐ The above item is APPROVED for hearing before the city council. The city recorder is instructed to place the item on the next available council agenda for _____ minutes.

☐ The above item is NOT APPROVED for hearing before the city council.

Dated this _____ day of _____, 20____.



MAYOR