



12.1400.1402 PERMITTED USES

- A. Accessory uses and buildings customarily incidental to permitted uses, not to exceed 20% of the land.
- B. Agriculture; tilling of the soil, the raising of crops, horticulture, and gardening.
- C. Animals and fowl for recreation or family food production for the primary use of persons residing on the premises, or lot(s) contiguous to the lot on which the primary dwelling exists.
- D. Household pets.
- E. Public buildings.
- F. Public cemetery.
- G. Public church.
- H. Public park or playground.
- I. Public school.
- J. Public utilities, essential services. (Limit area 4' X 4')
- K. Single-family dwellings.
- L. Single-family dwelling with an Internal Accessory Dwelling Unit (IADU).
- M. Single-family dwelling with an External Accessory Dwelling Unit (EADU).
- N. Solar energy systems which provide energy for the private use provided that requirements under Section 4-9 of the Ordinance are met.
- O. Other uses similar to the above may be recommended by the Planning Commission and judged by the City Council to be in harmony with the character and intent of this zone.



12.1400.1403 CONDITIONAL USES

- A. Child day care or nursery.
- B. Golf course.
- C. Home occupation business.
- D. Private recreation grounds and facilities.
- E. Congregate Living Facilities

 ENOCH CITY
12.200.206 DEFINITIONS

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 the word **"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 **"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 local jurisdiction.

- (1) 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.
- (2) Accessory Dwelling Unit, External (EADU) means a single dwelling unit not to exceed 800 square feet of livable space and subject to the setbacks of an accessory building on a lot or parcel. Utilities may only be metered separately from the primary dwelling if the setback of the EADU is closer to a municipal utility than the primary dwelling. Connection fees are required if metered separately. Impact fees and water rights are required if the EADU is separated from the parent property. Must meet building codes, including a permanent foundation.
- (3) Accessory Dwelling Unit, Internal (IADU) means a single dwelling unit created:
 - (i) within a primary dwelling;
 - (ii) within the footprint of the primary dwelling at the time the internal accessory dwelling unit is created;
and
 - (iii) for the purpose of offering a long-term rental of 30 consecutive days or longer; and

- (v) is prohibited as a rental if the internal accessory dwelling unit is located in a dwelling that is not occupied as the owner's primary residence.
- (4) Accessory Farm Building. A subordinate use or detached building clearly incidental to and located upon the same lot occupies by the main building; also a building clearly to an agricultural or animal care land use located on a lot in an agricultural zone.
- (5) Agent of Owner. Any person who can show written proof that he is acting for the property owner and with the property owner's knowledge and permission.
- (6) 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 packing plants, fur farms, animal hospitals, or similar uses.
- (7) Agricultural Industry or Business. An industry or business involving agricultural products in manufacturing, packing, 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.
- (8) Alley. A public access-way less than twenty-six (26) feet in width, such is designed to give secondary access to lots of abutting properties. An alley shall not be considered a street, for the purposes of this ordinance.
- (9) Alterations – Structural. Any change in the supporting members of a building, such as bearing walls, columns, beams of girders.
- (10) Altitude. The angular distance from the horizon to the sun.
- (11) Amusement – Indoor. An amusement center housed inside a building.
- (12) Amusement --Outdoor. An amusement center on an unobstructed space on a lot, unoccupied and unobstructed from the ground upward.
- (13) Antiques. An item belonging to a former time: old-fashioned, a relic of antiquity.
- (14) Animal Clinic. An establishment for the medical treatment and care of animals, including household pets, livestock, and commercial poultry, and which may include temporary or overnight boarding of animals that are recuperating from treatment, all facilities to be within a completely enclosed building, except for exercising runs and parking of automobiles.
- (15) Apartment House. A multiple dwelling. (See Dwelling, Multi-family)
- (16) Arcade. An area or building designed as an amusement center.
- (17) Architectural Projection. Any building or structure 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.

(18) Athletic Club. A facility used by a group of persons joined by a common interest of performing in athletic activities such as tennis, swimming, exercising, etc.

(19) Automobile Paint Shop. A facility for painting of automobiles, trucks, trailers, boats, or other travel or recreation vehicles or units.

(20) Automobile Sales Area. An open area used for display, sale, or rental of new or used motor vehicles, mobile homes, recreational coaches, or recreational vehicles in operational condition.

(21) 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 of automobiles, replacement of spark plugs, lights, fans, and other small parts, but not including major auto repair.

(22) Average Percent 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) percent slope.

(23) Azimuth. The angular distance between true south and the point on the horizon directly below the sun (also called bearing).

(24) Bank or Credit Union. An institution for receiving and lending money.

(25) Barber Shop. An establishment where hairdressing is performed.

(26) Basement. A story whose floor is more than twelve (12) inches below the average level of the adjoining ground. A basement shall be counted as a story for purpose of height measurement and as a half-story for the purposes of side-yard determination.

(27) Basement Home. A residential structure without a full story structure above grade.

(28) Beauty Salon. An establishment where hairdressing, manicuring, etc., are performed.

(29) Bed & Breakfast. An owner-occupied dwelling containing only one kitchen where a combination of breakfast and overnight lodging is furnished for pay. It shall have no more than five (5) guest rooms.

(30) Beginning of Construction. The pouring of concrete footings for a building structure.

(31) Block. The land surrounded by streets or other right-of-way, other than an alley, or land which is designed as a block on any recorded subdivision plat.

(32) Boarding House. A dwelling where, for compensation, meals are provided for at least three (3) but not more than fifteen (15) persons.

- (33) Body and Fender Shop. A facility for major automobile, truck, mobile home, recreational coach or recreational vehicle repairs to body, frame, or fenders, and including rebuilding.
- (34) 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 approved by conditional use permit for construction, after study by a geologist, soil engineer, or sanitarian as required by the Planning Commission.
- (35) Building. Any structure having a roof supported by columns or walls, used or intended to be used for the shelter of enclosure of persons, animals, or property of any kind or nature.
- (36) 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.
- (37) Building – Height. The vertical distance from the average finished grade surface to the highest point of the building roof or coping, but not including roof mounted solar energy systems.
- (38) Building Inspector. The official designated as the building inspector for the local jurisdiction by the governing body. The building inspector may also be the zoning administrator, if so designated.
- (39) Building Material Sales. A place of business where building materials are stored for retail purchase. Known also as a “Lumber Yard”.
- (40) Bus Station. A terminal or location where travel buses such as “Greyhound” stop to drop off, and pick up travelers by buss on their way to or from Enoch City to or from a distant location.
- (41) Campground. A public area designated by public agency for camping, or a private area licensed by the local governing body for camping.
- (42) Camping. A temporary establishment of living facilities such as tents or recreational coaches as regulated by this ordinance and the Enoch Recreational Vehicle Park Ordinance.
- (43) 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.
- (44) Car Wash. A facility for automatic of self-service washing and cleaning of automobiles and small trucks not exceeding one and one-half (1-1/2) tons capacity.
- (45) Child Nursery. An establishment for the care and/or the instruction of five (5) or more children, for compensation, other than for members of the family residing on the premises, but not including a public school.
- (46) 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.
- (47) 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 in-patient care or operating rooms for major surgery.

(48) Commercial Parking Structure. A multi-level structure designated for parking automobiles and available for public or private use, whether free, or compensation or an accommodation for clients or customers.

(49) Community Center. Assembly occupancy includes, among others, the use of a building or structure, or a portion thereof, for the gathering of persons for purposes such as civic, social or religious functions; recreation, food or drink consumption; or awaiting transportation.

(50) Conditional Use. A use of land for which a conditional use permit is required, pursuant to this Ordinance.

(51) Condominium. The ownership of a single unit in a multi-unit project together with an undivided interest in common in the common areas and facilities of the property.

(52) Convenience Store. An establishment where goods are kept for retail sale and is conveniently located within or close to a residential zone.

(53) Corral. A space, other than a building, less than one (1) acre in area, or less than one hundred (100) feet in width, used for confinement of animals or fowl.

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

(55) Coverage – Building. The percent of the total site area covered by building, but not including solar, wind, or other individual, small scale energy generation equipment.

(56) Crosswalk or Walkway. A right-of-way to facilitate pedestrian access through a subdivision block; designed for the 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.

(57) Cul-de-sac – Width Requirement. For rectangular lots, lots having side lot lines not parallel, and lots on the outside of the curve of a street, the distance between side lot lines measured at the required minimum front yard line on a line parallel with the street or long chord is the measurement for the minimum width requirement. For lots on the inside of the curve of a street, the distance between side lot lines measured thirty (30) feet behind the required minimum front yard line on a line parallel with the street or long chord is the measurement for the minimum width requirement.

(58) Dairy. A commercial establishment for the manufacture, processing or packaging of dairy products and their sale. For the purpose of this definition, the production of milk on a farm for wholesale marketing off the premises shall not classify the farm as a dairy.

(59) Dance Hall or Night Club. An establishment for dancing and other social activity.

(60) Day Care Center. Facilities specializing in the education and/or care of children prior to their entrance in the first grade, other than facilities owned and/or operated by public school system.

(61) District. A portion of the territory of the local jurisdiction established as a zoning district by this ordinance, within which certain uniform regulations and requirements or various combinations thereof applying under the provisions of this Ordinance; also includes "zone", and "zoning district".

(62) 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.

(63) Duplex. A dwelling having two apartments with separate entrances for two households. This includes two-story houses having a complete apartment on each floor; and also side-by-side apartments on a single lot that share a common wall.

(64) Dwelling. Any building or portion thereof designed or used as the more or less permanent residence or sleeping place of one or more persons or families, but not including a tent, recreational coach, hotel, motel, hospital or nursing home.

(65) Dwelling – Farm or Ranch Housing. Dwelling units constructed to provide housing for migratory or temporary farm workers; or for persons permanently working on a farm ranch.

(66) Dwelling – Mobile Home. (See "Mobile Home")

(67) Dwelling – Single-family. A building arranged or designed to be occupied by one (1) family, the structure having only one (1) dwelling unit. The dwelling unit may only be occupied by one family. See "Single-family and Two-family Dwelling Standards" Section 12.300.321.

(68) Dwelling – Two-family. A building arranged or designed to be occupied by two (2) families, the structure having only two (2) dwelling units. Each dwelling unit may only be occupied by one (1) family. See "Single-family and Two-family Dwelling Standards" Section 12.300.321

(69) Dwelling – Three-family. A building arranged or designed to be occupied by three (3) families, the structure having only three (3) dwelling units. Each dwelling unit may only be occupied by one (1) family.

(70) Dwelling – Four-family. A building arranged or designed to be occupied by four (4) families, the structure having only four (4) dwelling units. Each dwelling unit may be occupied by one (1) family.

(71) Dwelling – Multi-family. A building arranged or designed to be occupied by more than four (4) families, and having more than four (4) dwelling units. Each dwelling unit may only be occupied by one (1) family.

(72) Dwelling – Group. A group of two (2) or more detached buildings used as dwellings, located on a lot or

parcel of land.

(73) Dwelling Unit. One or more rooms in a dwelling, apartment hotel, or apartment motel, designed for and occupied by one (1) family for living and sleeping purposes.

(74) 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.

(75) Equipment Sales. A building or yard devoted to the retail sale of Tractors used to transport semi-trailers, also farm and earth moving equipment and other industry equipment.

(76) Essential Facilities. Utilities or sanitary and public safety facilities provided by a public utility or other governmental agency for overhead, surface or underground service, excluding and building, electrical sub-station or transmission line of fifty (50) KV or greater capacity, except by conditional permit.

(77) 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.

(78) Family Food Production. The keeping of domestic animals and fowl for the production of food for the sole use of the family occupying the premises.

(79) Fast Food Establishment. An eating/drinking establishment that may be either a freestanding operation; or non-freestanding operation in a building where one or more other compatible and complimentary uses exist, and whose principal business is the sale of pre-prepared or rapidly prepared food to the customer in a ready-to consume state for consumption on or off the premises, and whose design or principal method of operation includes two or more of the following characteristics:

- (i). The elimination, in whole or part, of table service, thus requiring customers to place orders to the counter where the orders are filled.
- (ii). The food is usually served in edible containers of paper, plastic or other disposable containers.
- (iii). The facilities for on premises consumption of food are insufficient for the volume of food sold by the establishment.

(iv). The restaurant provides a drive-up facility for placing and receiving food orders.

(80) Flood Hazard. A hazard to land improvements due to inundation or overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage building or erode the banks of water courses.

(81) Floor Area. Area included within surrounding walls of a building or portion thereof, exclusive of vents, shafts, and courts.

(82) Forest Industry. An industry which uses forest products, such as sawmill, pulp or paper plant, wood products plants and similar uses.

(83) Foster Care. Accommodation provided children under the age of 18 in a dwelling unit licensed by the Utah Division of Family Services for either (1) basic (b) specialized, or (c) structured care, standards for the same being known to the City. Accommodation provided children in a dwelling unit licensed by any agency organization other than the Division of Family Services shall not automatically be considered to be foster care, but must obtain a conditional use permit as a group home in order to give the City opportunity to review the placement and applicable standards of the placing organization.

(84) 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 or that common line between a lot and public street.

(85) Frontage – Line. The lineal measurement of the front lot line

(86) Furniture Manufacturing. The making and assembly of furniture products to be sold by retail stores.

(87) Furniture/Appliance Store. An establishment of retail sales for furniture and appliances for the home or business.

(88) 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, but not including the parking or storage of trucks or vans having a capacity in excess of one and one-half (1-1/2) tons, and not including space for more than a total of four (4) such vehicles for each dwelling unit on the premises.

(89) Garage – Repair. A structure or portion thereof, other than a private garage, used for 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 incidental storage, care, washing or sale of automobiles.

(90) Garden Shop/Nursery. An establishment or green house where plants and trees are grown for retail purchase.

(91) Gasoline Sales. A building or use devoted to the retail sale of fuels, lubricants, and other supplies for motor

vehicles including repair activities which are subordinate to the sale of petroleum products.

(92) 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.

(93) Golf Course. An extensive field designed to play the game of golf, and is inclusive of all associated facilities.

(94) Grade.

(i). For buildings adjoining one (1) street only, the elevation of the sidewalk at the center of the wall adjoining the street is the grade.

(ii). For buildings adjoining more than one (1) street, the average of the elevations of the sidewalk at centers of all walls adjoining the streets is the grade.

(iii). For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the centers of all exterior walls of the building is the grade.

- (iv). 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.
- (95) Governing Body. The elected legislative body of the local jurisdiction.
- (96) Grocery Store. A building where food and household goods are sold.
- (97) Guest House. A dwelling not to exceed 800 square feet and subject to the setbacks of an accessory building on a single-family dwelling lot. Utilities are not to be metered separately from primary residence. Must meet building codes, including a permanent foundation.
- (98) Hardware Store. A building where wares such as tools, cutlery, etc., and other household products are sold.
- (99) Habitat conservation. Real Property that has been set aside, dedicated, reserved, encumbered, declared or restricted for the use of preserving or conserving wild plant or animal habitat for a term of years or in perpetuity.
- (100) Health Studio/Gym. An establishment where body conditioning is performed.
- (101) Home Occupation Business. The subordinate use of a residence for financial gain, or in anticipation of financial gain. The home occupation business must be clearly secondary to the residential use of the residence.
- (102) Hospital. An institution licensed by the State of Utah which provides diagnostic, therapeutic, and rehabilitative services to individuals on both an inpatient and outpatient basis by or under the supervision of one or more physicians. A hospital may include necessary support services facilities such as laboratories, out-patient units and training and central services, together with staff offices necessary to operate the hospital.
- (103) Hotel. A building designed 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.
- (104) 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.
- (105) Inundation. Ponded water or water in motion of sufficient depth of velocity to damage property, due to the presence of the water or to the deposit of silt.
- (106) Junk. Old scrap copper, brass, rope, rags, batteries, paper trash, rubber debris or other waste or salvage materials; dismantled ferrous or non-ferrous metal materials.
- (107) Junk Yard. 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.
- (108) Kennel. Any premises where three (3) or more dogs older than four (4) months are kept, except that more than three (3) of such dogs may be kept in the rural residential use districts as accessory uses to a use allowed in

the district.

(109) Laboratory. A room or building equipped for scientific research.

(110) Laundromat. An establishment offering coin-operated washing machines and dryers for public use.

(111) Liquor Store. An establishment where hard liquor containing alcohol is sold for retail purchase.

(112) Local Attorney. The attorney employed by or officially representing the local jurisdiction.

(113) Local Building Inspector. The building inspector employed by or officially representing the local jurisdiction.

(114) Local Engineer. The engineer employed by or officially representing the local jurisdiction.

(115) Local Health Officer. The health officer or department employed by or officially representing the local jurisdiction.

(116) Local Planner. The planner employed by or officially representing the local jurisdiction.

(117) Local Jurisdiction. Enoch City.

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

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

(120) Lot – Interior. A lot other than a corner lot.

(121) LPG-Liquefied petroleum gas means any material having a vapor pressure not exceeding that allowed for commercial propane and composed predominately of the following hydrocarbons, either by themselves or as mixtures: propane, propylene, butane, normal butane or isobutene and butylene, including isomers. "Liquefied petroleum gas carburetion system" means any carburetion system using liquefied petroleum gas as a fuel in a motor vehicle. "Liquefied petroleum gas fueling system" means an assembly consisting of compressors, containers, piping and other delivery devices for the purpose of dispensing liquefied petroleum gas for use as a fuel in a motor vehicle.

(122) LP Gas Sales and tank refill station: An assembly consisting of compressors, containers, piping and other delivery devices for the purpose of dispensing liquefied petroleum gas for use by the public in appliances for home and RV consumption, such as BBQ appliances or any other portable tank.

- (123) Lumber Yard. A place of business where building materials are stored for retail purchase.
- (124) Manufacturing. The making or assembly of goods either by hand or machinery.
- (125) Manufactured Home. A manufactured home shall mean a dwelling designed and manufactured after June 14, 1976, by a recognized fabricator of mobile homes to be transported after fabrication on its own wheels or on detachable wheels, and which is ready for occupancy, except for connection to utilities and/or location on a foundation.
- (126) Medical/Dental Clinic. An outpatient medical or dental facility.
- (127) Mini-Storage Units. A place of business where units such as a garage are used for storing household items, and units are rented to individuals for such storage.
- (128) Mobile Home. A detached, single-family dwelling unit with a minimum of four hundred (400) square feet, designed for long term occupancy, and constructed to be transported on its own wheels, flatbed trailers or detachable wheels. It is designed to be used as a dwelling unit without a permanent foundation and shall have U.S. Department of Housing and Urban Development (HUD) certification.
- (129) Mobile Home Lot. A lot within an approved mobile home subdivision, designed and o be used for the accommodation of one (1) mobile home.
- (130) Mobile Home Park. Any plot of ground designated and approved by local governing body for occupancy by ten (10) or more mobile homes, to be under a single ownership or management, regardless of whether or not a charge is made for such accommodations, and meeting all requirements of this ordinance.
- (131) Mobile Home Space. A plot of ground within a mobile home park designed for accommodation of one mobile home together with its accessory structures including carports or other off-street parking areas, storage lockers, verandas, cabanas, patio covers, awnings, or similar apparatus.
- (132) Modular Home. A structure built from sections which are manufactured in accordance with the construction standards adopted pursuant to Uniform Building Codes and transported to a building sight, the purpose of which is for human habitation, occupancy, or use.
- (133) Mortuary. An establishment where the dead are held temporarily in preparation for burial.
- (134) Motel. 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.
- (135) Non-conforming Building or Structure. A building or structure which does not conform to the regulations for 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.
- (136) Non-conforming Use. The use of a building or structure of land which does not conform to use regulations for the district in which it is situated, if any, at the time of its establishment.

(137) 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".

(138) On-Street Parking. Parking along a street where curb and gutter is installed and curb is not painted contrary to, or signage indicating no parking. Parking along a street without curb and gutter is prohibited.

(139) Open Space. Area formally reserved, improved or maintained in parks, trails, courts, playgrounds, sports fields, swimming pools, agricultural production, golf courses, and other similar recreational areas. Open space shall not include Habitat Conservation area.

(140) 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 renewable energy resources may be allowed in open space areas.

(141) Overnight 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 or more owners or users of recreational vehicles for a time less than 120 days. Such park may also be designated as "Recreational Vehicle Park".

(142) Passive Solar Energy System. A solar energy that uses natural and architectural components to collect and store energy without using any external mechanical power.

(143) Park Model. A recreational vehicle model with less than four hundred (400) square feet, designated as a temporary dwelling for recreation or seasonal living.

(144) Parking Lot. An open area, other than a street, used for parking of more than four (4) automobiles and available for public use, whether free, for compensation, or accommodation for clients or customers.

(145) Pawn Shop. An establishment where a licensed broker lends money on pledged property.

(146) Pedestrian-way. (See "Cross-walk").

(147) Pet Shop. An establishment where household pets are kept for retail purchase.

(148) Pharmacy. An establishment where drugs are compounded for prescription then sold to the consumer.

(149) 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 general development plan to be adopted by governing body as part of the zoning ordinance, after public hearing, as required for other zoning districts.

(150) Plot Plan. A plot of a lot showing its actual measurements, the size and location of any existing building or buildings erected, the location of the lot in relation to abutting streets, and such other information as may be required by the Planning Commission.

(151) Pre-School. Facilities specializing in the education and/or care of children prior to their entrance in the

first grade, other than facilities owned and/or operated by the public school system.

(152) Professional Offices. A building where professional businesses are housed.

(153) Radio/TV Transmission. A system for transmitting visual images and/or audio by wireless electrical or electronic means.

(154) Recreational Vehicle or Travel Trailer. A vehicular portable structure designed as a temporary dwelling for travel, recreation and vacation use. The vehicle is less than forty-five (45) feet in length.

(155) Recreational Vehicle 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 or more owners or users of recreational vehicles for a time less than 120 days. Such park may also be designated as "Overnight Park".

(156) Recreational Vehicle Space. A plot of ground within a recreational vehicle park designated and intended for the accommodation of one (1) recreational vehicle.

(157) Recycling Center. A location where recycling materials such as aluminum cans, paper, plastic, etc. are gathered for the purpose of recycling.

(158) Residential Congregate Living Facility. Buildings within residential zones that shall comply with all building, safety and health regulations, the American with Disabilities Act, fire regulations, and all applicable State core standards and licensing requirements, and any standards set forth in any contract with a state agency. Each facility shall be subject to minimum site development standards applicable to a dwelling unit in the zone in which the facility is located; and the minimum number of parking spaces required shall be the same as the number required for a dwelling with similar occupancy density in the same zone.

(159) Residential Treatment Center. A facility in a residential setting that includes a treatment program including room and board and provides for or arranges for the provision of specialized treatment, rehabilitation or habitation services for persons with emotional, psychological, developmental, or behavioral dysfunctions, impairments, or chemical dependencies. In residential treatment programs, consumers are assisted in acquiring the social and behavioral skills necessary for living independently in the community. Includes a 24-hour group living environment for four or more individuals unrelated to the owner or provider **OR** a 24-hour group living environment for four or more individuals unrelated to the owner or provider that offers room or board and specialized treatment, behavior modification, rehabilitation, discipline, emotional growth, or habilitation services for persons with emotional, psychological, developmental, or behavioral dysfunctions, impairments, or chemical dependencies.

(160) Restaurant. A place of business where food is prepared or cooked, and completed meals or served to the general public for consumption on the premises (primarily indoor dining accommodations).

(161) Root Cellar. A room or rooms wholly under the surface of the ground, or having more than fifty (50) percent of its floors to ceiling height under the average level of the adjoining ground. A cellar shall not be counted as a story for the purpose of height measurement.

(162) School, College or University. A building built for the express function of providing educational purposes, having 6 or more persons at any time. Religious educational rooms and religious auditoriums, which are

accessory to places of religious worship in accordance with education and have 6 or more persons shall be classified as school, college or University.

(163) 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, on article of merchandise, a service, an assemblage, a solicitation, or a request for aid. Also, the structure of framework of 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.

(164) Sign – Accessory. A sign which is located on the premises and which directs attention to a business or profession which is conducted on the premises. An accessory sign may be attached or freestanding.

(165) Sign – Animated. A sign which revolves or has rotation of any part, created by artificial means, or which displays flashing, revolving or intermittent lights.

(166) Sign – Area. The area in square feet of the smallest rectangle enclosing the total exterior surface of a sign having but one exposed exterior surface. Should the sign have more than one surface, the sign area shall be aggregate of all surfaces measured as above, which can be seen from any on direction or one time. Where a sign consists of individual letters attached to or painted on a building, wall, or window, the area of the sign shall be considered to be that of the smallest rectangle which encompasses all the letters of symbols.

(167) Sign – Civic. A sign advertising the affairs and events of the city.

(168) Sign – Development. A sign advertising a specific area that is under development.

(169) Sign – Free-Standing. A sign that is supported by one or more upright columns, poles, or braces, in or upon the ground and is not attached to or part of a building.

(170) Sign – Identification and Information. A sign displayed to indicate the name or nature of a building, or of a use.

(171) 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.

(172) Sign – Marquee. Any sign attached to or made an integral part of a marquee.

(173) Sign – Monument. A freestanding sign whose face extends vertically from the curb.

(174) Sign – Off-premise (billboard). An outdoor advertising sign which directs attention to a business, commodity, service, or entertainment conducted, sold or offered elsewhere and including businesses located on the premises.

(175) Sign Ordinance. The sign ordinance of the local jurisdiction.

(176) 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 upon which it is placed.

(177) Sign – Real Estate. A temporary sign placed on real estate property to advertise the sale of said property including contact information.

(178) Sign – Temporary. A sign that is left standing for a total of 90 days or less during and calendar year.

(179) Single-Family Residential dwelling with rental. A dwelling with a rental area will be “owner occupied” as a condition of renting another portion of the home.

(180) Site Plan. A plan required by and providing the information required by Section 1-9 herein.

(181) Skirting. A weather-resistant material used to enclose the space from the bottom of a manufactured home to grade.

(182) Solar Energy. Radiant energy (direct, diffuse and reflected) received from the sun.

(183) Solar Energy System. A complete design or assembly consisting of a solar energy collector, an energy storage facility (where used), and components for the distribution of transformed energy (to the extent they cannot be used jointly with conventional energy system). Passive solar energy systems are included in this definition but not to the extent that they fulfill other functions such as structural and recreational.

(184) Solar Sky Space. The space between a solar energy collector and the sun, which must be free of obstructions that shade the collector to an extent which precludes its cost-effective operation.

(185) Stable – Private. A detachable accessory building for the keeping of horses owned by the occupants of the premises and not kept for hire, enumeration, or sale.

(186) Stable – Public. Any stable where horses are boarded and/or kept for hire.

(187) Storage Yards. A secure fenced area that is intended for storage of items for safekeeping.

(188) 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.

(189) 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”.

(190) Tavern or Bar. A place of business where liquor is sold to be drunk on the premises. Liquor by the drink.

(191) Theater. A building or room fitted with a stage or screen and tiers of seats for spectators.

(192) Therapeutic Boarding School. a residential group living facility for four or more individuals that are not

related to the owner of the facility or the primary service provider of the facility; that serves students who have a history of failing to function at home, in a public school, or in a nonresidential private school; and that offers room and board, and academic education integrated with specialized structure and supervision, services and treatment related to a disability, emotional development, behavioral development, familial development, and social development.

(193) Tire Store. A building or use devoted to the retail sale of tires, lubricants, and other supplies for motor vehicles including repair activities, which are subordinate to the sale of petroleum products.

(194) Towing Service. A service for the towing of vehicles that are temporary out of order, or are not safe to be driven on the roadways.

(195) Town Home. A dwelling unit within a building where the owner owns the land upon which his/her unit is located, and each unit ownership is completely independent except for the yard surrounding the building.

(196) Transmission Towers. A tower that supports or contains communication antennas (transmitting or receiving) or related communications equipment. "Communication Tower" also includes equipment and facilities are used directly to provide communication service. Communication tower include guyed, lattice or monopole towers.

(197) Travel Trailer Court. Any area or tract of land used to accommodate two or more travel trailers or campers for a short period of time thirty (30) days or less.

(198) Troubled Youth. A person under the age of 18 years who:

- (i). Is dysfunctional as the result of psychological and/or attitudinal conditions evidence by a pattern of social adjustment difficulties, unlawful activities, disruptive behavior, or a combination of each, to a degree that has caused an agency of the State of Utah or iron County to intervene by ordering the physical separation of that person from a previous environment couples with a process of rehabilitation, informal or otherwise; and
- (ii). Is ordered to reside in a residential care facility or similar residential setting as the consequences of his own actions and behavior and not because of the actions or behavior of parents or others; and

(iii). Is determined by the Utah Division of Family Services as being in need of “structured care” as defined by the categories and standards of that agency.

(199) Truck Terminal. An area, which may include retail business where trucks are gathered for a short-term storage, may include servicing, and may include a fuelling station.

(200) Twin Home. Two family dwelling units of separate ownership having zero lot line. Each unit is structurally independent with separate utility connections and a maintenance break. The twin homes will have zero setbacks on adjoining sides and may be offset but not separated from each other up to a distance of six (6) feet. All other setback requirements shall apply. Each side of the twin home shall be considered a single-family dwelling unit; however, one building permit and certificate of occupancy shall be issued for both units.

(201) 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.

(202) Wrecking/Salvage Yard. The use of any lot, portion of a lot, or tract of land for the storage, keeping of abandonment of junk, including scrap metal or other scrap material, or for the dismantling, demolition of abandonment of automobiles or other vehicles, or machinery or parts thereof, providing that this definition shall be deemed not to include such uses which are clearly accessory and incidental to any agriculture use permitted in the zone.

(203) Yard. A required open area on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as permitted elsewhere in this ordinance.

(204) Yard – Front. A space on the same lot with a building, between the front line of the building and the front lot line and extending across the full width of the lot. The “depth” of the front yard is the minimum distance between the front lot line and the front line of the building.

(205) Yard – Rear. A space on the same lot with a building, between the rear line of the building and the rear lot line and extending the full width of the lot. The “depth” of the rear yard is the minimum distance between the rear lot line and the rear line of the building.

(206) Yard – Side. A space on the same lot with a building, between the side line of the building and the side lot line and extending from the front yard to the rear yard. The “width” of the side yard is the minimum distance between the side lot line and the side line of the building.

(207) Zone. (See “District”)

(208) Zoning Administrator. The local official designated by the local governing body to enforce the regulations of this ordinance. The zoning administrator may also be the building inspector.

(209) Zoning Ordinance. The zoning ordinances of the local jurisdiction.