



Staff Report

Coalville City
Community Development Director

To: Coalville City Council and Mayor
From: Don Sargent, Community Development Director
Date of Meeting: August 24, 2026
Re: Update Amendments to the City Development Code
Action: Work Session Review and Discussion

Update Amendments to the City Development Code

REQUEST

The purpose of this work session is to review and discuss amendments to the Development Code as recommended by the Planning Commission.

This item is scheduled for a work session only. No public comment or action is requested on this item.

BACKGROUND

It has come to the attention of the City that the current Development Code contains language provisions and references that should be addressed, clarified, and corrected related to administrative review and approval processing for administrative applications consistent with current State statutes.

The City is also proposing various amendments to the Code to address several regulatory requirements and provide clarity, correctness, and possible changes related to temporary signs, commercial campgrounds, business licenses, special events, and other provisions.

In addition, the provisions in the code related to the membership of the planning commission are being updated to be consistent with recent State Code amendments.

Planning Commission Review

On May 18, 2026, June 16, 2026, and July 21, 2026, the Planning Commission addressed the draft code amendments, conducted public hearings on the proposed language, and at their July 21st meeting recommended approval of the amendments to the City Council.

ANALYSIS

According to Chapter 03-080 of the Development Code, any development code text amendment must first receive a recommendation from the Planning Commission and then be

adopted by the City Council through an ordinance. When reviewing proposed amendments to the Development Code, the following Standards for Decision of Section 03-080.E are to be considered as applicable:

1. Is the amendment consistent with the goals, objectives, and policies of the General Plan.
2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property.
3. Whether the proposed amendment is consistent with the standards of any applicable overlay zone.
4. Will the proposed amendment adversely affect adjacent property; and
5. The adequacy of facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection. Is the Amendment consistent with the goals, objectives, and policies of the General Plan.

Attachment A includes the recommended language amendments to the Development Code in a "Track Change" format. Attachment B includes the revisions in "Track Change" format of the Planning Commission provisions.

Required Review Process

The Development Code amendment process includes review by the Planning Commission with formal public hearing and recommendation to the City Council. The City Council then conducts a public hearing and adopts the amendments by ordinance.

RECOMMENDATION

Staff recommend the City Council review and discuss the recommended Development Code amendments and provide any direction to Staff for preparation of a public hearing and possible adoption action.

Attachments:

- A.** Updated Language Amendments to the Development Code (Page 3)
- B.** Updated Planning Commission Provisions (Page 39)

03-250: - BUSINESS LICENCES**03-250:1. GENERAL LICENSE PROVISIONS**

A. Each business location, including any use(s) offering services or the sale of goods or door-to-door sales, shall maintain its own distinct business license. Multiple business uses operating at different locations under the same ownership are not eligible to operate under a single business license, as each use must be reviewed in accordance with the zoning district in which it is located.

B. Door-to-Door Sales Requirements:

Anyone who wishes to solicit goods door-to-door in Coalville City must obtain a Solicitor's License. Each solicitor must obtain a criminal background check through the Utah Bureau of Criminal Investigation. Submittal of a photo for a Solicitor's Badge is also required, which is an additional fee.

03-250:2. LICENSE FEES; PAYMENT DATES; PENALTY:

A. Payment Date; Delinquency: All license fees shall be due and payable as follows, except as may be otherwise provided in the applicable ordinance:

1. Date Payable: Annual fees shall be payable each calendar year in advance. The annual license date is from January 1 of each year and shall expire on December 31 of each year.
2. Date Delinquent: Annual fees shall be due on the first day of December each year and shall become delinquent if not paid by January 15 of each year.

B. Proration Of Fees:

1. One-half (1/2) of the annual fee shall be payable for all licenses issued by the city pursuant to applications made after July 1 of each year, and licenses issued after July 1 shall expire on the following January 1.
2. Payment shall be due upon the date of application approval.
3. Fees for licenses are issued after January but prior to July shall be pro-rated according to the length of time the applicant engaged in business that calendar year.

C. Penalty for Late Payment:

1. If any license fee is not paid by January 15, a penalty of twenty-five dollars (\$25) will be added to the original amount; if not paid by February 15, an additional twenty-five dollars (\$25) will be added to the outstanding balance. After March 1 the existing delinquent license shall be considered null and void.
2. A business being conducted without a license shall cease and desist until such time as a new application and license has been submitted to and approved by the city. No license shall be issued until all penalties are assessed and a new license fee have been paid in full. All costs shall be paid by the licensee, whether such remedy is pursued by filing suit or otherwise.

03-040: LAND USE DECISIONS AND APPEAL PROCESS

This Chapter shall not nullify the more restrictive provisions of covenants, agreements, other ordinances, or laws but shall prevail over provisions that are less restrictive.

Table 3-1 of this Chapter reflects the proper procedures governing land use decisions and appeals. Land use applicants shall have fifteen (15) days to appeal any decision to the appropriate Appellate Body. If the applicant desires to continue the appeal beyond the decision of the Appellate Body, they must file such appeal with the District Court within fifteen (15) days from the date on which the Appellate Body rendered its decision.

All required Public Hearing and Notice will follow provisions in 03-050 and 03-060.

No person may challenge in district court a municipality's land use decision made under this Chapter, or under a regulation made under authority of this Chapter, until that person has exhausted the person's administrative remedies as provided in Part 7 of Utah State Code, Appeal Authority and Variances, if applicable.

Table 3-1 - Land Use Authority Procedures

Decision To Be Made	Advisory Body	Land Use Authority	Appellate Body	External Appeal
Adoption of or Amendments to General Plan	Planning Commission (public hearing and notice required)	City Council (public hearing and notice required)	District Court	15 days from decision by legislative body
Adoption of or Amendments to Land Use Ordinance	Planning Commission (public hearing and notice required)	City Council (public hearing and notice required)	District Court	15 days from decision by legislative body
Annexation Policy Plan	Planning Commission (public hearing and notice required)	City Council (public hearing and notice required)	Administrative Law Judge (ALJ)	District Court (appeal within 15 days from decision by Appellate Body)
Annexation Application	Planning Commission (Public hearing if required by local ordinance)	City Council (public hearing and notice required)	Administrative Law Judge (ALJ)	District Court (appeal within 15 days from decision by Appellate Body)
Administrative Decisions	None	Planning Commission/Land Use Administrator (minimum of 15 days to appeal)	Administrative Law Judge (ALJ) (appeal within fifteen [15] days of decision)	District Court (appeal within 15 days from decision by Appellate Body)
Conditional Use Permits	Land Use Administrator	City Council <u>Planning</u>	Administrative Law Judge (ALJ)	District Court (appeal within 15

	<u>Planning Commission</u>	<u>Commission (public hearing and notice required)</u>	(fifteen [15] days from decision by Land Use Authority)	days from decision by Appellate Body)
Nonconforming Uses and Non-Complying Structures	None (As designated by municipal ordinance. *Need to allow rebuild provision in lieu of fire, etc.)	Planning Commission (Land Use Authority as designated by Legislative Body in municipal ordinance)	Administrative Law Judge (ALJ) (fifteen [15] days from decision by Land Use Authority)	District Court (appeal within 15 days from decision by Appellate Body)
Adoption of or Amendments to Subdivision Ordinance	Planning Commission /Land Use Authority as designated by Legislative Body in municipal ordinance (Public hearing and notice required)	City Council	District Court	15 days from decision by Land Use Authority
Preliminary Subdivision Applications and Plan Approvals	None	Planning Commission	City Council	15 days from decision by Land Use Authority
Final Subdivision Applications and Plat Approvals	None	Subdivision Review Committee (SRC)	City Council	15 days from decision by Land Use Authority
Vacations or amendments of Subdivision Plats	None	Planning Commission (public hearing and notice required). *(see below)	City Council	15 days from decision by Land Use Authority
Amendments to Platted Streets/ Vacations	Planning Commission	City Council (public hearing and notice required)	Administrative Law Judge (ALJ)	District Court (appeal within 15 days from decision by Appellate Body)

** Public hearing requirement does not apply, and a land use authority may consider at a public meeting an owner's petition to alter a subdivision plat if: (a) the petition seeks to join two (2) or more of the owner's contiguous,*

residential lots; and (b) notice has been given to adjacent property owners (see Notice Section 03-060) and pursuant to local ordinance.

(Ord. No. 2024-2, 10-15-2024)

03-120: CONDITIONAL USE PERMITS

- A. **Purpose.** This section sets forth procedures for conditional use permit review and decision.
- B. **Authority.** The Land Use Authority is authorized to issue conditional use permits as provided in this section.
- C. **Initiation.** A property owner, or the owner's agent, may request a conditional use permit as described below.
- D. **Procedure.** An application for a conditional use permit shall be processed in the following manner:
 - 1. **Pre-application Conference.** A pre-application conference shall be held with the Staff and applicant to determine the nature of the use and the general nature of conditions that might be imposed. At the pre-application conference, the Staff and the applicant shall review the following:
 - a. Application form.
 - b. Materials and information needed to complete the form.
 - c. Procedures used in reviewing the conditional use.
 - 2. **The Application.** A conditional use application must be completed and filed on a form prepared by the City (two (2) sets are required).
 - a. Additional information may be requested at the pre-application conference based on the nature of the project or the site.
 - b. Other documentation may be requested as noted on the application.
 - 3. **Notice/Posting.** Upon receipt of the complete conditional use application and payment of all applicable fees, the Staff shall follow the Notice Provisions set forth in Section 03-060.
- E. **City Action.**
 - 1. **Time Frame.** Once an application is received, the Staff shall review the application. The Application will appear before the Land Use Authority with an action recommendation within sixty (60) days of receipt of the application, if the applicant has been diligent in responding to requests for additional information required to process the application. A longer processing period may be needed depending on scale, scope, and complexity of the application. In such cases, the Staff shall inform the applicant of the projected processing time frame when an application is filed.
 - 2. **Staff Review.** Staff shall review the project and may recommend appropriate conditions of approval based on the Standards for Review outlined below to mitigate adverse effects, and to preserve the character of the zone. The conditional use application shall then be placed on the agenda of the Land Use Authority for approval consideration.
 - a. The Staff may recommend immediate review of the use at the next scheduled Land Use Authority meeting under the following conditions:
 - i. Notice requirements must be met as defined in Section 03-060, and
 - ii. The City Staff determines that the conditions may be better prepared and evaluated by the Land Use Authority, or

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- iii. The use requested is a minor or temporary conditional use.
3. **Standards for Review.** The Standards for review are set forth to ensure the proper consideration is taken in lieu of approving a Conditional Use and/or as follows:
- a. The Application complies with all requirements of this Code;
 - b. The Use will be Compatible with surrounding Structures in Use, scale, mass and circulation;
 - c. The Use is consistent with the General Plan, as amended; and
 - d. The effects of any differences in Use or scale have been mitigated through careful planning.
 - e. Review the following items to mitigate adverse impacts:
 - i. All applicable points of this Code have been complied with;
 - ii. Compliance of the conditional use process has been achieved;
 - iii. Size and location of the Site;
 - iv. Traffic considerations including capacity of the existing streets in the area;
 - v. Utility capacity;
 - vi. Emergency vehicle Access;
 - vii. Location and amount of off-Street parking;
 - viii. Internal vehicular and pedestrian circulation system;
 - ix. Fencing, Screening, and landscaping to separate the Use from adjoining Uses;
 - x. Building mass, bulk, and orientation, and the location of buildings on the Site; including orientation to Buildings on adjoining Lots;
 - xi. Usable Open Space;
 - xii. Signs and lighting;
 - xiii. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing;
 - xiv. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site;
 - xv. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash pickup areas;
 - xvi. Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities; and
 - xvii. Within and adjoining the Site, impacts on Environmentally Sensitive Lands, Slope retention, and appropriateness of the proposed Structure to the topography of the Site.
4. **Land Use Authority Review.** The Community Development Director and/or Land Use Authority must follow Standards for Review outlined above.

The Land Use Authority may further amend, add, or delete conditions recommended by the Staff. The Land Use Authority shall ~~recommend approval or approve or denial deny~~ of the proposed Conditional

Use ~~to the Legislative Body for their review and consideration at the next regularly scheduled Legislative Body meeting,~~ if notice requirements of Section 03-060 can be met.

5. ~~Legislative Body Review.~~ A conditional use shall be approved by the ~~Legislative Body Land Use Authority-~~ if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the Standards for Review (Section 03-120).

If the reasonably anticipated detrimental effects of a proposed conditional use cannot be mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

~~The Legislative Body may also remand the Conditional Use Application back to the Land Use Authority for further review and evaluation.~~

If the ~~Legislative Body Land Use Authority-~~ denies the use, the applicant may amend and re-submit the application ~~to the Land Use Authority~~ or appeal to the Appeal Authority.

After approval by the ~~Legislative Body Land Use Authority-~~ building permits may be issued by the City Building Official as provided in the Building Code and this Code.

6. **Appeal.** If Staff and the Applicant are not able to agree on conditions of approval, the Applicant may still go before the Land Use Authority for review or may withdraw the application. The review shall appear on the agenda for the next regularly scheduled Land Use Authority meeting that meets notice requirements of Section 03-060.

If Staff does not act on an application or indicate to the Applicant what aspects of the plan are not acceptable as proposed within sixty (60) working days after submission, the Applicant shall have the right of review by the Land Use Authority. The Applicant may, at any time in the review process, request review of the conditions of approval by the Land Use Authority.

If the applicant does not agree with the findings or actions of the Land Use Authority ~~or the Legislative Body,~~ the appeal is to be heard by the Appeal Authority (Administrative Law Judge), as per Section 03-160.

7. **Plat Approval.** When a conditional use requires the recording of a plat, the final plat shall be reviewed by the Land Use Authority ~~and Legislative Body~~ for approval. The scope of review for plat approval is set forth below. Plat approval may be granted at the same time as the Conditional Use Approval.
8. **Transferability.** A Conditional Use Approval including all conditions of development approval may be transferable, conveyed or assigned by the applicant with the title to the underlying property.

Conditional Use cannot be transferred off the site on which the approval was granted.

9. **Expiration.** Conditional Use approvals shall expire one (1) year from the date of the ~~Legislative Body Land Use Authority~~ approval or as otherwise specified during the review and approval process unless substantial construction activity has commenced on the project.

Substantial construction activity is evidenced by the developer obtaining building permits for the project (or for the first phase of a phased project).

Construction of a footing and foundation is not evidence of substantial construction activity unless the permits for the remainder of the structure (or remainder of the phase, in phased projects) are obtained within six (6) months of the issuance of the footings and foundation permit.

Demolition permits do not evidence substantial construction work for purposes of extending a conditional use approval. Whether construction has commenced or not, the Legislative Body may grant

an extension of the Conditional Use Approvals for up to one (1) additional year when the applicant is able to demonstrate a legitimate need to delay the start of construction such as inclement weather, delays in financing, or similar reasons.

Where the ~~Legislative Body~~ Land Use Authority has granted a temporary conditional use approval, the expiration will occur on the date specified by the Land Use Authority, ~~or the Legislative Body~~. Renewal of a conditional use will require a complete re-application to be submitted for review and approval.

10. **Standards for Review.** No Conditional Use shall be approved unless the application complies with all requirements of the Code; the use is compatible with surrounding structures in use, scale, mass and circulation; the use is consistent with the General Plan; and that the effects of any differences in use or scale have been mitigated through careful planning. Each of the following items shall be reviewed when considering a Conditional Use Approval:
 - a. Size and location of the site.
 - b. Traffic considerations including capacity of the existing streets in the area, location and amount of off-street parking, and internal traffic circulation.
 - c. Utility capacity.
 - d. Emergency vehicle access and control of delivery and service vehicles, loading and unloading zones, and screening of trash pick-up or waste storage areas.
 - e. Fencing, screening, and landscaping to separate the use from adjoining uses.
 - f. Design, architectural detailing, building mass, bulk, orientation, and the location of buildings on the site including orientation to buildings on adjoining lots.
 - g. Usable and permanent open space considerations.
 - h. Signage and lighting.
 - i. Noise, vibration, pollution, odors, steam, or other mechanical factors that might affect people and property off site.
 - j. Review for impact on City infrastructure shall be made as outlined in the Section 03-090. All costs associated with infrastructure improvements shall be borne by the developer.
 - k. Other technical review matters may be applicable or required to evaluate the impacts of the proposed project.
11. **Sensitive Lands Review.** If a conditional use is located within Sensitive Lands, additional requirements and regulations may apply. See the Sensitive Lands Provisions in Chapter 18.
12. **Design Review.** The Land Use Authority or Staff may review the proposal for appropriate design to create or maintain a desired architectural effect.
13. **Technical Review.** The Land Use Authority or Staff may complete a technical review if necessary. A committee may be set up to review and make suggestions to the Land Use Authority regarding unique concerns or features of a project that may be beyond the expertise of the Land Use Authority or Staff. Recommendations of that committee may be used as guidelines in the establishment of conditions of approval, as outlined in Section 03-120.
14. **Impact on Public Infrastructure.** Review of impact on City infrastructure shall be made as outlined in Section 03-090. All Infrastructure improvements must be concurrently constructed and timed with the development. All costs associated with infrastructure improvements shall be borne by the Applicant.

Impact fees will also be required to be paid by the Applicant and/or lot owner in accordance with the Coalville City Impact Fee Ordinance.

03-130: LOW IMPACT PERMITS

- A. **Purpose.** The purpose of the low impact permit is to provide a process and procedure for reviewing and approving, approving with conditions, or denying a low impact use. Low impact uses are identified in Section 08-020, Table 8-1 of this Code. Upon compliance with the provisions of this section, a low impact permit may be granted by the ~~City Council~~Land Use Administrator, with reasonable conditions necessary for the protection and preservation of public health, safety, and welfare.
- B. **Applicability.** A low impact permit is utilized to obtain administrative approval for projects determined to be low intensity and which are in conformance with the development evaluation standards and general regulations of this Code. An application for approval of a low impact permit shall be commenced by filing a plan and paying the applicable fee with the City.
- C. **Review Procedure.**
 - 1. The applicant shall provide a development plan and description of the proposed project. The plan shall contain enough information, in graphic and text form, to adequately describe to the satisfaction of the Community Development Director the applicant's intentions regarding use, site layout and compliance with this Chapter, and any applicable ordinance, development permit, or development agreement.
 - 2. In proposals where the Community Development Director determines that potential issues may arise, or additional comment is needed or has been received from the community, a public hearing on the application may be scheduled with the ~~Planning Commission~~Land Use Authority. Following the public hearing, the ~~Planning Commission~~Land Use Authority shall ~~make a recommendation to the City Council~~ to either approve, approve with conditions, or deny the low impact permit.
 - 3. The Community Development Director shall determine whether the application is sufficient and in compliance with the provisions of this Code. The Community Development Director may require the applicant to submit such additional information as may be necessary to determine whether the application conforms to all applicable requirements of this Chapter.
 - 4. The ~~City Council~~Community Development Director and/or Land Use Authority shall take final action on the application for a low impact permit and shall communicate the decision to the applicant. ~~The City Council may impose all r~~Reasonable conditions may be imposed as necessary to ensure compliance with applicable provisions of this Code. The Community Development Director may provide written notice of such decision to any persons who have requested notice of such decision. Any person aggrieved by such decision may appeal the final action in accordance with the provisions of this Code.
- D. **Findings for Approval.** Before a low impact permit is approved, the ~~City Council~~Community Development Director and/or Land Use Authority must conclude that factual evidence exists to verify the following findings:
 - 1. The use conforms to all applicable requirements of this Chapter and State and Federal regulations.
 - 2. The use is consistent with the goals and policies of the General Plan.
 - 3. The use conforms to all applicable requirements of this Code.
 - 4. The use is not detrimental to public health, safety, and welfare.
 - 5. The use is appropriately located with respect to public facilities and services.

6. The natural topography, ridgelines, soils, critical areas, watercourses, and vegetation shall be preserved where possible through careful site planning and design of access routes, circulation areas, buildings and other structures, parking areas, utilities, drainage facilities and other features.

03-150: TEMPORARY USES

- A. **Purpose.** The following regulations are provided to accommodate those special events, activities, and uses of land or buildings which are temporary in nature and are not, therefore, listed as regular Permitted or Conditional Uses in any zone district of the City. The character of these uses is such that proper conditions are required to protect adjacent properties and the general health, safety, and welfare of citizens. Any use, building or structure which does not meet the requirements of this section shall be classified as permanent land uses and shall conform to all required standards of the building, health, fire, and development codes or other ordinances.
- B. **Authority.** ~~Staff of Coalville City~~The Land Use Administrator is authorized to review and approve Temporary Use applications. Based on the issues of the application, the Land Use Administrator ~~Staff~~ may schedule a public hearing before the Land Use Authority ~~and/or Legislative Body~~ for review and approval of the project.
- C. **Initiation.** A property owner, or the owner's agent, may request a Temporary Use permit.
- D. **Uses Allowed.** Uses allowed on a temporary basis in accordance with provisions of this section may include, but are not limited to, the following:
1. Carnivals, circuses, firework stands, firework displays, Christmas tree lots, promotional activities or special events, boutiques, motion picture productions, revivals, retreats, political rallies, or campaign headquarters.
- Uses shall not be allowed for more than thirty (30) days duration in that same calendar year.
- Temporary Use approval shall NOT be required for a garage sale, provided following requirements are adhered to:
- a. The garage sale operates no more than a total of five (5) days in any calendar year, and
 - b. Shall be conducted by bona fide residents of the premises, and
 - c. Goods for sale shall consist of personal belongings of the residents, and
 - d. Goods offered for sale shall not be placed over a public sidewalk or in a public right-of-way.
- E. **Approval Required Before Establishment.** Prior to the establishment of any qualifying Temporary Use, (except fireworks stands or fireworks displays which shall be administered by the North Summit Fire District), temporary use approval shall be obtained from the ~~Staff~~ Land Use Administrator or Land Use Authority.
- Temporary Use approval is not required to meet the notification requirements of this Code; however, the proposed use shall comply with the requirements of this Code and the Building Code.
- F. **City Celebrations or Events.** Any City sponsored celebrations or special events of a temporary nature are exempt from the requirements of obtaining Temporary Use approval as described by this section.
- G. **Procedure.**
1. The applicant shall submit a completed Application for Temporary Use Permit to the ~~Staff~~City.
 2. ~~Staff~~The Land Use Administrator shall review the application for completeness.
 3. ~~Staff~~The Land Use Administrator shall process the application by doing the following:

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- a. Review the application for conformity with the Standards and Requirements of this Code.
 - b. Determine if application adequately passes standards and requirements in a statement of findings of fact.
 - c. Communicate findings with applicant.
 - d. Approve, Approve with conditions, or Deny the application.
- H. **Standards and Requirements.** A temporary use established under the provisions of this Chapter shall conform to the following standards and requirements:
1. **Appropriate for Surroundings.** The nature of the requested use will not have any detrimental effects on adjacent properties and will be in harmony with surrounding uses.
 2. **Liability Insurance.** Applicant must show proof of adequate liability insurance for the temporary use.
 3. **Sanitary Facilities.** Any use requiring sanitary facilities by building, fire, health, or other similar codes shall be located on the same property as a host structure unless independent water and sewer service is provided for the temporary use. Where such codes require sanitary facilities, they may be provided by a host structure provided that there is:
 - a. No preparation of any food on those premises.
 - b. No indoor seating of patrons.
 - c. Written evidence that a host structure will provide permanent sanitary facilities for all employees and that such facilities are conveniently located not more than three hundred feet (300') from the area of use and will be accessible during all periods of operation of the use.
 - d. Written evidence that all food will be prepared and delivered from an approved catering service and that all waste resulting from the operation of the use will be properly disposed.
 4. **Signs.** All signs associated with the temporary use shall be reviewed and approved in accordance with the sign standards of Code 9 herein and shall not be installed more than ten (10) days prior to the event and shall be removed within two (2) days following the event. The number of days signs are displayed for an event shall be included in the total days allowed for a temporary use as provided for in Code 9.
 5. **Parking, Access, Circulation and Other Elements.** Parking, access, circulation, and other significant elements of any other uses or structures existing on the site shall be handled on a case-by-case basis.

Applicant will take steps to mitigate excessive and hazardous parking on adjacent streets. If needed, applicant will be responsible for all costs associated with traffic control.
 6. **Expiration and Vacancy.** Approval for each Temporary Use shall bear an expiration date based upon the nature of the use. In no case shall approval be given for a period exceeding thirty (30) days. If any temporary structure becomes vacant prior to the expiration of the approval, it shall be removed within fifteen (15) days of the vacancy.
 7. **Site Restoration.** The landowner of the parcel shall provide a cash bond for the restoration of the site of said use to its original condition, including cleanup, re-vegetation, replacement of facilities, and removal of any structures as determined by the Staff or Land Use Authority.
 8. **Revocation of Approval.** An approval may be revoked in the event of a violation of any of the provisions of this section or the conditions set forth in the temporary use review.

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9. **Business License Required.** Temporary Use approval is not a business license and the granting of said temporary use shall not relieve the applicant of any other license requirement of the City or any other public agency.
10. **Fees.** A fee will be required to process the Temporary Use Permit, as assessed in the City Schedule of Fees.
- I. **Standards for Decision.** The ~~Staff~~Land Use Administrator shall review the application for temporary use to determine whether the proposal complies with the standards and requirements of this Code and shall issue a statement of findings of fact.
- ~~Staff~~The Land Use Administrator may also indicate whether the issue should be reviewed by the Land Use Authority ~~and/or Legislative Body~~ or if additional comment is needed from the community in a public hearing.
- J. **Appeal of Decision.** See Appeal of Administrative Decisions 03-150.
- K. **Effect of Decision.** Upon finding that the proposal complies with the applicable standards and requirements and can be adequately monitored, and the site can be restored, or structures removed within the time duration specified in the application, the Staff shall approve the temporary use with conditions or deny the application and communicate the decision to the applicant.

08-020: TABLE OF USES

This use table sets forth Allowed Uses (A), Conditional Uses (C), Temporary Uses (T), Low Impact Uses (L), and Prohibited Uses (X) for the following zone districts:

Agriculture (AG-20)

Residential Agriculture (RA-5)

Residential Low-Density (R-1)

Residential Medium-Density (R-2)

Residential High-Density (R-4)

Residential Very High-Density (R-8)

Community Commercial (CC)

Highway Commercial (HC)

Light Industrial (LI)

Uses *Italicized* are defined in Chapter 2.

Table 8-1 - Table of Uses

Permitted Uses	AG	RA	R-1	R-2	R-4	R-8	CC	HC	LI	Additional Reference
<i>Accessory structures and uses</i>	A	A	A	A	A	A	A	A	A	
<i>Agribusiness; restaurant, café (farm to table)</i>	L	L	L	L	X	X	L	L	L	
<i>Agriculture</i>	A	A	A	A	A	A*	A*	A*	A	*Farm animals prohibited in R-8, CC, and HC, Zones
<i>Airport/helipad</i>	X	X	X	X	X	X	X	X	X	
<i>Animal Specialties including, reptiles, arthropods (insects) aviaries (birds), etc.</i>	L	L	L	X	X	X	X	X	L	
<i>Apiaries (Bee Keeping)</i>	A	A	A*	A*	A*	A*	A*	A*	A*	*Or as regulated by City Ordinance
<i>Assisted Living Center</i>	L	L	L	L	L	L	A	A	X	
<i>Automobile dealership</i>	X	X	X	X	X	X	C	C	A	
<i>Automobile fuel service station, lube/oil, tires, and repair</i>	X	X	X	X	X	X	A	A	A	
<i>Bed and Breakfast Inn</i>	C	L	X	X	X	X	C	C	X	

Created: 2025-01-15 08:24:32 [EST]

(Republication)

Building material sales yard	X	X	X	X	X	X	C	C	L	
Bus or Taxi hub/services	X	X	X	X	X	X	X	C	A	
Bus terminal	X	X	X	X	X	X	C	C	A	
Car wash	X	X	X	X	X	X	A	A	A	
Cement mortar, plaster or paving materials mixing plant	X	X	X	X	X	X	X	X	C	
Cemeteries	C	C	X	X	X	X	X	X	A	
<i>Churches, Synagogues, and Temples</i>	A	A	A	A	A	A	A	A	A	
Coal, fuel and wood yards and offices	X	X	X	X	X	X	X	X	C	
Colleges and Schools, public and private	C	C	C	C	C	C	A	A	X	
Commercial buildings smaller than twenty-five thousand (25,000) square feet	X	X	X	X	X	X	L	L	A	
Commercial buildings larger than twenty-five thousand (25,000) square feet	X	X	X	X	X	X	C	C	A	
Commercial campgrounds, RV parks, <u>Glamping facilities</u>	C	C	X	X	X	X	X	C	X C	
<i>Commercial Retail Uses</i>	X	X	X	X	X	X	A	A	A	
Commercial Retail Uses-Internet Home Based Business	L	L	L	L	L	L	A	A	A	Subject to 07-040 Major Home Occupation Standards, except living on the premises.
<i>Commercial Service Uses</i>	X	X	X	X	X	X	A	A	A	
Communications, substations/facilities	C	C	X	X	X	X	C	C	A	
Construction of building to be sold and moved off premises	X	X	X	X	X	X	X	X	C	
Contractor's Yard	C	C	X	X	X	X	X	C	A	

Crematorium	X	X	X	X	X	X	X	X	C	
Distillery/microbrewery; agribusinesses	C	C	C	X	X	X	C	C	A	
Dog boarding, kennels	C	C	X	X	X	X	X	C	C	
Domesticated farm animals	A	A	A	A	A	X	X	X	A	See Code 29-050: Farm Animal Point System
Drive-it yourself agency/"U-Haul"	X	X	X	X	X	X	L	L	A	
Dwellings, accessory	A	A	A	A	A	A	A	A	X	
Dwelling, multi-family attached	X	X	X	X	C	C	C	X	X C*	*Residential Uses allowed under the R-4 Zone District
Dwellings Dwellings, single-family detached	A	A	A	A	A	A	A	A	X	
Dwellings, two (2) family attached	X	X	X	A	A	A	C	X	X	
Equestrian facilities, riding academies, schools, and associated stables	L	L	L	X	X	X	X	L	L	
Farmers Market	L	L	L	L	L	L	L	L	L	Sale of products produced off- premises
Fertilizer and soil conditioner manufacturing and processing and/or sales	C	X	X	X	X	X	X	X	C	
Food Manufacturing, compounding, processing, and treatment	X	X	X	X	X	X	C	C	C	
Foundry, casting lightweight non-ferrous metal	C	X	X	X	X	X	X	X	C	
Freight transportation service	X	X	X	X	X	X	C	C	A	
Freighting, trucking yard or terminal	X	X	X	X	X	X	X	C	A	
Fruit and vegetable stands (sale of products produced on owners' premises)	A	A	A	A	A	A	A	A	X	Business license required

<i>Home Occupations, Minor</i>	A	A	A	A	A	A	A	A	X	See Code 07-050
<i>Home Occupations, Major</i>	L	L	L	L	L	L	L	L	X	See Code 07-060
<i>Hotel; Motel</i>	X	X	X	X	X	X	A	A	X	
<i>Household Pets (maximum 4 pets of the same species)</i>	A	A	A	A	A	A	A	A	X	Not counting puppies or kittens up to 4 months old
Junk yard/salvage yard	X	X	X	X	X	X	X	X	C	
Liquor retail store	X	X	X	X	X	X	C	C	C	
Marijuana (Cannabis) dispensary	X	X	X	X	X	X	X	X	X	
Marijuana (Cannabis) farming	C	X	X	X	X	X	X	X	X	Must be legally permitted and authorized by the State of Utah
Mortuary; funeral home	C	C	X	X	X	X	C	C	C	
<i>Nursery/Greenhouse</i>	A	A	A	A*	A*	A*	A	A	A	*Non-Commercial in R-2, R-4, and R-8 Zones
<i>Nursing Home</i>	L	L	L	L	L	L	A	A	X	
Onsite manager, caretaker or workers dwelling	L	L	L	L	L	L	L	L	L	
Outdoor gun, archery, or other weaponry activities	C	C	X	X	X	X	X	X	C	
Park and ride facilities	C	C	C	C	X	X	A	A	A	
<i>Parking lot, incidental to a use conducted on premises</i>	T	T	T	T	T	T	T	T	T	
Pest extermination chemical storage	X	X	X	X	X	X	C	C	C	
Processing and Manufacturing	X	X	X	X	X	X	X	X	C	
<i>Professional Service Uses</i>	L	L	L	L	L	L	A	A	A	
Public Parks	L	L	L	L	L	L	L	L	L	
<i>Public or Quasi-Public Uses</i>	L	L	L	L	L	L	L	L	L	

Public utility installations	X	X	X	X	X	X	X	X	A	
Radio and television station	X	X	X	X	X	X	A	A	A	
Radio/television transmitting towers	C	C	C	X	X	X	X	X	A	
<i>Recreational Facilities or Uses</i>	C	C	C	C	C	C	C	C	C	
Rental equipment	X	X	X	X	X	X	C	C	A	
Residential care facilities for elderly or handicapped persons	A	A	A	A	A	A	A	A	A	Subject to the conditions found in Utah Code Annotated, as amended
<i>Restaurant, caf&eacute;te</i>	X	X	X	X	X	X	C	C	C	
RV and boat storage	X	X	X	X	X	X	X	X	A	
<i>Sexually oriented business</i>	X	X	X	X	X	X	X	X	C	
Shopping center	X	X	X	X	X	X	C	C	C	
Single or multiple family dwellings located in the same structure as the principal commercial use	X	X	X	X	X	X	L	L	X	
Social club, billiards, pool hall, bars	X	X	X	X	X	X	C	C	X	
Storage facilities	X	X	X	X	X	X	C*	C*	L	*Not permitted in the historic district
Temporary buildings incidental to construction work	A	A	A	A	A	A	A	A	A	
Theater, indoor	X	X	X	X	X	X	C	C	C	
Towing service	X	X	X	X	X	X	X	L	A	
Trails and <i>open space</i>	A	A	A	A	A	A	A	A	A	
Transitional or protective housing facility	X	C	C	C	C	C	C	C	C	
Truck stops and service facilities	X	X	X	X	X	X	X	C	A	
Veterinary Clinics	L	L	X	X	X	X	A	A	A	
Warehouse	X	X	X	X	X	X	X	C	A	

27-050: PERMITTED SIGNS

The following types of signs are allowed:

- Freestanding Signs.
- Monuments Signs.
- Building Signs.
- Subdivision, Multi-Family Dwellings, and Residential Complex Signs.
- Highway Commercial (HC) Zone Sign Exceptions.
- Off-Premises Signs.
- Temporary Signs.

- A. **Freestanding Signs.** Each nonresidential use may erect an on-premises freestanding sign. All freestanding signs shall comply with the following standards:
1. **Number of Signs.** One (1) freestanding sign shall be permitted for the primary vehicular access to the parcel. The primary vehicular access is that access located adjacent to the primary parking area.
 2. **Location/Setbacks.** Freestanding signs shall be located adjacent to the primary vehicular access to the parcel. In no case shall a freestanding sign encroach into a road right-of-way, nor shall any sign be situated near an intersection in such a manner to interfere with vehicular sight distance. The sign, including supports, base, and sign face, shall be setback at least three feet (3') from the edge of the right-of-way.
 3. **Display Area Size.** The display area of all freestanding signs for a single use shall not exceed seventy-five (75) square feet in size. The display area of all freestanding, on-premises signs for a parcel containing Multiple Uses shall not exceed one hundred (100) square feet. The display area of a sign, which may be double sided, shall include all copy and architectural embellishments that are an integral part of the sign message and appearance.
 4. **Freestanding Sign Height.** In no case shall the highest point of a freestanding sign be more than twenty feet (20') above the grade elevation at the base of the sign.
 5. **Materials.** Freestanding signs shall be constructed of wood or other natural or natural appearing materials, excluding supports. Plastic, Lexan or similar materials are allowed for individual letters and internally illuminated sign cabinets only.
 6. **Illumination.** Signs may be illuminated provided that only indirect or internal lighting is utilized and that the light source is not visible. Backlit full sign face illuminated signs are prohibited. Backlighting through individual letters/copy on a dark translucent or opaque material that comprises the letters/copy of the sign face is permitted if the light source is not visible.
 7. **Landscaped Area.** Where feasible, all freestanding signs shall be located within a landscaped area. Landscaping, including shrubs, perennials, trees, lawn other appropriate vegetative materials, and landscape boulders where appropriate, shall be designed in a manner that softens the visual impact of the sign and maintains pedestrian and vehicular sight distances. Designs shall integrate the sign into the landform where possible.
- B. **Monument Signs.** Each nonresidential use may erect an on-premises monument sign. All monument signs shall comply with the following standards:

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1. **Number of Signs.** One (1) monument sign shall be permitted for each separate primary vehicular access to the parcel, up to a maximum of two (2) signs. The primary vehicular access is that access located adjacent to the primary parking area.
 2. **Location/Setbacks.** Monument signs shall be located adjacent to the primary vehicular access to the parcel. In no case shall a monument sign encroach into a road right-of-way, nor shall any sign be situated near an intersection in such a manner to interfere with vehicular sight distance. The sign, including base and sign face, shall be set back at least three feet (3') from the edge of the right-of-way.
 3. **Monument Sign Base.** All monument signs shall be constructed with a base of stone, stone veneer, textured concrete or weather resistant wood.
 4. **Display Area Size.** The display area of all monument signs shall not exceed thirty-two (32) square feet in size. The display area of a sign, which may be double sided, shall include all copy and architectural embellishments that are an integral part of the sign message and appearance.
 5. **Monument Sign Height.** In no case shall the highest point of a monument sign be more than eight feet (8') above the grade elevation at the base of the sign.
 6. **Materials.** Monument signs shall be constructed of wood, stone or other natural or natural appearing materials. Plastic, Lexan or similar materials are allowed for individual letters and internally illuminated sign cabinets only.
 7. **Illumination.** Signs may be illuminated provided that only indirect or internal lighting is utilized and that the light source is not visible. Backlit full sign face illuminated signs are prohibited. Backlighting through individual letters/copy on a dark translucent or opaque material that comprises the letters/copy of the sign face is permitted if the light source is not visible.
 8. **Landscaped Area.** All monument signs shall be located within a landscaped area. Landscaping, including shrubs, perennials, trees, other appropriate vegetative materials, and landscape boulders where appropriate, shall be designed in a manner that softens the visual impact of the sign and maintains pedestrian and vehicular sight distances. Designs shall integrate the sign into the landform where possible.
- C. **Building Signs.** Primary and Secondary Wall Signs, Projecting Sign, Suspended Sign, Awning Sign. Each nonresidential use may choose to utilize three (3) out of the five (5) types of signs, as described below. In no case shall two (2) or more same types of signs be used per use.
1. **Wall Signs.** Wall signs are those signs that are attached to or painted on the wall of a building, the display surface of the sign being parallel to the wall of the building on which the sign is placed. Wall signs shall not project out more than six inches (6") from the wall on which they are mounted.
 - a. **Display Area.** The area of all wall signs shall be the extreme limits of the display surface. The display surface includes any architectural embellishments or background materials that are an integral part of the display used to differentiate the sign from the wall of which it is mounted.
 - b. **Materials.** Wall signs shall be wood, metal, other natural or natural appearing materials, or painted on the side of the building. Plastic, Lexan, or similar materials are allowed for individual letters or internally illuminated sign cabinets only.
 2. **Primary Wall Sign.** A wall sign that is located on the facade of the building that contains the primary access to the particular use. A primary wall sign shall not exceed one (1) square foot of

sign area for each one (1) linear foot of building facade frontage, up to a maximum of fifty (50) square feet.

In the case of multiple users in one (1) building, the frontage shall include the length of the individual suite that is exposed to the exterior of the building where the primary access to the use is located.

In cases where a use does not contain exterior exposure to a building for the purposes of measuring sign area, that use may have a twenty-four (24) square foot sign.

3. **Secondary Wall Sign.** A sign that is located on a building facade that is separate from the facade on which the primary wall sign is located. A secondary wall sign shall not exceed a maximum of $\frac{1}{2}$ the size of the permitted primary wall sign.
4. **Projecting Signs.** Projecting signs are supported by a building or other structure and project out from the building or structure over sidewalks or similar area in a manner that the display area is generally perpendicular to the face of the building or structure.
 - a. **Size.** Projecting signs shall not exceed thirty (30) square feet.
 - b. **Display Area.** The area of a projecting sign shall be the extreme limits of the display surface. The display surface also includes any architectural embellishments or background materials that are an integral part of the display and used to differentiate the sign from its surroundings.
 - c. **Height.** Signs which project over a pedestrian walkway shall allow at least 7.5 feet of clearance between the bottom of the sign and the sidewalk or ground.
 - d. **Lighting.** Projecting signs may be illuminated; provided that only indirect or internal lighting is utilized and that the light source is not visible.
 - e. **Materials.** Projecting signs shall be constructed of wood, metal or similar natural or natural appearing materials. Plastic, Lexan or similar materials are allowed for individual letters or internally illuminated sign cabinets only.
5. **Suspended Signs.** A sign that is suspended parallel or perpendicular from a building roof, facade, porch, overhang or other structural element by brackets, hooks, cables or chains.
 - a. **Size.** Suspended signs shall not exceed fifteen (15) square feet.
 - b. **Display Area.** The area of a suspended sign shall be the extreme limits of the display surface. The display surface also includes any architectural embellishments or background materials that are an integral part of the display and used to differentiate the sign from its surroundings.
 - c. **Height.** Suspended signs shall allow at least 7.5 feet of clearance between the bottom of the sign and the sidewalk or ground.
 - d. **Lighting.** Suspended signs may be illuminated; provided that only indirect or internal lighting is utilized, and that the light source is not visible.
 - e. **Materials.** Suspended signs shall be constructed of wood, metal, or similar natural or natural appearing materials. Plastic, Lexan or similar materials are allowed for individual letters or internally illuminated sign cabinets only.
6. **Awning Signs.** Awning signs are comprised of letters and logos that are attached to the valance of an awning.

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- a. **Size.** The words and logos on any awning sign shall not exceed eight inches (8") in height. Sign copy shall not exceed a maximum of fifteen percent (15%) of each side or face of the awning.
 - b. **Lighting.** Backlighting awnings are permitted provided that the light source is not visible.
 - c. **Number of Signs.** Up to three (3) sides of the awning may be used for a total of three (3) signs. Only one (1) sign is allowed on each side of the awning.
7. **Gas Station Canopy Signs.** Canopy signs are comprised of letters, numbers and logos that are attached to the sides of a canopy.
- a. **Size.** The words, numbers and logos on any canopy sign shall not exceed twenty-four inches (24") in height. Sign copy shall not exceed a maximum of twenty-five percent (25%) of each side or face of the canopy.
 - b. **Lighting.** Backlighting canopies are permitted provided that the light source is not visible.
 - c. **Number of Signs.** Up to three (3) sides of the canopy may be used for a total of three (3) signs. Only one (1) sign is allowed on each side of the canopy.
8. **Luminous Tube (Neon) Signs.** Luminous tubes (Neon) signs used to draw attention or advertise a business in any manner shall comply with the following standards:
- a. **Size.** All luminous-tube signs are limited to fifteen (15) square feet or less in size.
 - b. **Height Limit.** Luminous-tube signs shall be limited to the ground-floor elevation.
 - c. **Number of Signs.** Two (2) luminous-tube sign is allowed for every twenty-five feet (25') of building façade width. One (1) luminous-tube sign of less than two (2) square feet in size is allowed per building or commercial tenant space without a permit.
 - d. **Setback and Orientation.** Luminous-tube signs may be attached to the exterior of the building as a wall sign, installed as projecting sign or suspended sign.
 - e. **Zoning Restrictions.** Luminous-tube signs are permitted in the Historic District of the Commercial (CC) Zone. Luminous-tube signs are prohibited in all other zoning districts.
 - f. **Design.** Luminous-tube signs may not flash, move, alternate, or show animation. The outlining of a building's architectural features is prohibited.
 - g. **Illumination.** No additional illumination other than the sign itself is permitted.
- D. **Subdivision, Multi-Family Dwellings, and Residential Complex Signs.** These signs are intended to identify and state the name of a subdivision, multi-family development, or residential townhome or condominium complex.
1. **Monument Signs.** One (1) monument sign shall be permitted for each separate primary vehicular access to a subdivision, multi-family dwelling development, or residential townhome or condominium complex. All monument signs shall comply with the following standards:
- a. **Monument Base.** All monument signs shall be constructed with a base of stone, stone veneer, textured concrete or weather resistant wood. The monument sign base structure is not subject to the sign display area size requirement.
 - b. **Size.** The sign display area shall not exceed thirty (30) square feet in size. The display area of a sign, which may be double sided, shall include all copy and architectural embellishments that are an integral part of the sign message and appearance.

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- c. **Height.** In no case shall the highest point of the sign be more than six feet (6') above the grade elevation at the base of the sign.
 - d. **Materials.** All monument signs shall be constructed of wood, stone or other natural or natural appearing materials. Plastic, Lexan or similar materials are allowed for individual letters and internally illuminated sign cabinets only.
 - e. **Landscaped Area.** All monument signs shall be located within a landscaped area. Landscaping, including shrubs, perennials, trees, other appropriate vegetative materials, and landscape boulders where appropriate, shall be designed in a manner that softens the visual impact of the sign and maintains pedestrian and vehicular sight distances. Designs shall integrate the sign into the landform where possible.
 - f. **Location/Setbacks.** In no case shall a monument sign encroach into a road right-of-way, nor shall the sign be situated near an intersection in such a manner to interfere with vehicular sight distance. Monument signs shall be set back at least three feet (3') from the edge of the right-of-way or property line.
- E. **Highway Commercial (HC) Zone Sign Exceptions.** In addition to the sign standard provisions described in this chapter, the following sign exceptions are allowed in the Highway Commercial (HC) Zone District:
- 1. **Freestanding Sign Height.** The highest point of a freestanding sign located in the HC Zone shall not exceed eighty feet (80') above the grade elevation at the base of the sign.
 - 2. **Freestanding Sign Display Area Size.** The display area of freestanding signs for a single use in the Highway Commercial (HC) Zone shall not exceed three hundred (300) square feet. The display area of all freestanding signs for a parcel containing multiple uses shall not exceed one thousand (1,000) square feet and shall be combined in one (1) sign.
 - 3. **Primary Wall Sign.** A wall sign that is located on the facade of the building that contains the primary access to the particular use shall not exceed one (1) square foot of sign area for each one (1) linear foot of building facade frontage, up to a maximum of one hundred (100) square feet.

In the case of multiple uses in one (1) building, the frontage shall include the length of the individual suite that is exposed to the exterior of the building where the primary access to the use is located.

In cases where a use does not contain exterior exposure to a building for the purposes of measuring sign area, that use may have a fifty (50) square foot sign.
 - 4. **Secondary Wall Sign.** A sign that is located on a building facade that is separate from the facade on which the primary wall sign is located shall not exceed a maximum of ½ the size of the permitted primary wall sign.
 - 5. **Gas Pump Signs.** Signs located on or above gas pumps are exempt up to a maximum of two (2) signs for each side of the pump for a total sixteen (16) square feet of sign area.
 - 6. **Changeable Copy Signs.** Changeable copy signs are permitted in the Highway Commercial (HC) Zone and shall comply with the following standards:
 - a. **Electronic Message Signs.** Electronic message signs shall not cause glare or rapid blinking, nor be intensely lighted that may create a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties. These signs shall have a minimum of two-second intervals between screen changes. Any time an electronic message sign is operating

between sunset and sunrise, said signs shall be set at not more than forty percent (40%) of the maximum capable light output.

- b. **Number of Signs.** The maximum number of changeable copy signs for a commercial or non-profit business is two (2) signs.
 - c. **Design.** The sign materials and design shall be compatible with the color, materials, and architecture design of the building. The sign shall be colorfast and resistant to ultraviolet radiation. The individual letters shall be uniform in size and color.
 - d. **Illumination.** Illumination of changeable copy signs shall be limited to a case with a dark translucent or opaque background face which encloses the sign letters.
- F. **Off-Premises Signs.** Off-premises signs are intended to identify a business, commodity, service, or industry, which is not located within and readily visible from the entry corridors of the City. Off-premises signs shall be limited to provide direction to a business or use located in the City and shall be constructed in accordance with the following:
1. **Size.** Off-premises signs shall not exceed fifty (50) square feet.
 2. **Sign Copy.** Off-premises signs shall contain the business name and directional information only.
 3. **Number of Signs.** There shall be no more than one (1) sign face per direction of facing for each business or use.
 4. **Location.** An off-premises sign shall not be located within a 300-foot radius of any other off-premises sign intended to be read from the same right-of-way. The sign shall not be within a 100-foot radius of any other off-premises sign intended to be read from a different right-of-way. All spacing measurements in this subsection shall refer to a measurement made along the edge of the right-of-way and shall apply only to structures located on the same side of the roadway. These spacing provisions do not apply to signs separated by buildings or other obstructions in such a manner that only one sign located within the above spacing distance and is visible from the road right-of-way at any one time.
 5. **Lighting.** Off-premises signs shall not be illuminated nor shall blinking or flashing lights be used.
 6. **Height.** In no case shall the highest point of the sign be more than twenty feet (20') above the grade elevation at the base of the sign.
 7. **Setback.** In no case shall an off-premises sign encroach into a road right-of-way, nor shall the sign be situated near an intersection in such a manner to interfere with vehicular sight distance. Off-premises signs shall be set back at least ten feet (10') from the edge of the right-of-way.
 8. **Written Permission.** Off-premises signs shall only be located on property for which the permit applicant has written permission from the landowner or person lawfully in control of the property to erect and maintain an off-premises sign.
- G. **Temporary Signs.** "Temporary sign" means any sign or advertising display constructed of cloth, wood, canvas, light fabric, paper, vinyl, or other materials with or without frames intended to be displayed for a limited time period and not permanently affixed to a building or the ground.
1. **General Provisions for All Temporary Signs.** The following standards shall apply to all temporary signs:
 - a. **Permit Required.** A sign permit is required for a temporary sign prior to Installation, unless otherwise exempted in Section 27-070.

- b. **Location.** Signs shall be located on the parcel on which the entity requesting the sign is located and may not encroach into the public right-of-way, nor impede pedestrian traffic. Signs shall not be attached to utility poles, fences, trees, or other similar objects.
- c. **Illumination.** Illumination of temporary signs is prohibited.
- d. **Size.** Signs may not exceed the maximum size of twenty (20) square feet.
- e. **Display.** All temporary signs must be subordinate to and be positioned in such a way that any permanent signage display on the same property remains completely visible.
- f. **Maintenance.** Temporary signs must always be properly maintained. Any faded, torn, ripped, detached, defaced, sagging or otherwise damaged sign must be promptly repaired, replaced, repositioned or removed.
- g. **Timeframe.** Temporary signs may be displayed up to sixty (60) days per calendar year.
- h. **Height.** Freestanding temporary signs may not exceed eight feet (8') in height, measured from the top of the sign to the grade directly below. Signs attached to a building may not exceed fifteen feet (15') in height, measured from the top of the sign to the grade directly below.
- i. **Number of Signs.** Only one (1) temporary sign is allowed for each use.

27-060: PROHIBITED SIGNS

The following signs are prohibited in Coalville City:

- A. **Electronic Message Signs.** A sign where message content is changed in a fixed cabinet composed of electrically illuminated or mechanically driven changeable components. Changeable Copy Signs may be allowed in the Highway Commercial (HC) Zone as exempted in Section 27-050(E).
- B. **Flashing Signs.** Any illuminated sign on which the light is not stationary or constant in intensity and color.
- C. **Roof Mounted Signs.** A sign that is mounted on the roof of a structure, or signs that project above a roof edge or eave.
- D. **Moving Signs.** Any sign or part of a sign that changes physical position by any movement or rotation or that gives the visual impression of movement. Such signs also include strings of pennants, banners, ribbons, streamers, balloons, spinners, or other similar moving or fluttering or inflated devices.
- E. **Signs Imitating Official Traffic Signs.** Signs imitating official traffic signs in any manner which are visible from public areas.
- F. **Portable Signs.** Portable signs not permanently affixed to the ground, **except** as otherwise allowed as an off-premises temporary sign in Section 27-050 Subsection (G), or a short-term temporary sign in Section 27-070 (U).
- G. **Mobile Signs.** Signs attached to stationary vehicles, equipment, trailers, and related devices, when used in a manner to augment approved signage for a business as opposed to normal operation or parking of the vehicle or device.
- H. **Obstructing Signs.** Signs which, by reason of size, location, content, coloring or manner of illumination, obstruct the vision of motorists or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on any road or street, as determined by the City.

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- I. **Hazardous Signs.** Any sign or sign structure which constitutes a hazard to public health or safety, as determined by the City.
 - J. **Signs on Public Property.** Signs on trees, utility poles, and on other public property, other than public information signs.
 - K. **Off-Premises Signs.** Off-premises signs are prohibited except as provided for in Section 27-050(F) herein.
 - L. **Signs in Disrepair.** Any sign in disrepair or which the sign message face has been removed or destroyed, leaving only the supporting frame or other components, and said condition exists for more than ninety (90) days is prohibited and shall be removed.

27-070: EXEMPTED SIGNS

The following signs are exempt from obtaining a sign permit with the following requirements:

- A. **Informational Signs.** Signs which are not more than six (6) square feet in size and not more than four feet (4') in height and which are used to direct vehicular and pedestrian traffic or to direct parking and traffic circulation on private property. Informational signs shall not contain advertising material or message. These signs shall not be permitted in a public right-of-way.
- B. **Public Signs.** Legal notices, identification, informational, cultural, promotional, historic or directional signs erected by Coalville City or other governmental entities authorized by the City for public purposes. These signs may be in the public right-of-way.
- C. **Public Regulatory Signs.** All public regulatory signs located in the City which meet all the state requirements.
- D. **Interior Signs.** Signs located on the interior of any building, or within an enclosed lobby of any building or group of buildings and which cannot readily be seen from the exterior of the building, and the signs are located to be viewed exclusively by the patrons of such use or uses.
- E. **Utility Signs.** Signs of public utility or cable television companies which show the locations of underground facilities.
- F. **Street Address and Identification Signs.** A sign with content including only the name or professional Code of the occupant and address of the premises. Such signs shall not exceed two (2) square feet in size. The sign shall be limited to flush mounted or window type signs with only one (1) sign per premises. These signs shall not be permitted in the public right-of-way.
- G. **Customer Information Signs.** Customer information signs located on or near the building and outside of required setback areas may display such items as "credit cards accepted", prices and menus. Signs shall not exceed two (2) square feet in size.
- H. **Flags.** Single or multiple-use developments may have no more than three (3) freestanding flagpoles at any time. Flagpoles are restricted to only flying one (1) flag per pole. The maximum size of any one (1) flag shall be sixty (60) square feet. Flagpoles may not exceed twenty-eight feet (28') in height, measured from the top of the pole to the grade directly below. Up lighting of all flags, except the flag of the United States of America, is prohibited. The painting of flags on an exterior building surface is also allowed in compliance with these requirements.
- I. **Window Signs.** Window signs shall not exceed fifty percent (50%) of the area of a single window in which it is placed. A single window is any window, or section of windows, that is separated from

- another window by twelve inches (12") or more. Any door with windows is considered a separate window. Window signs may not be combined in order to gain a larger sign for one particular window.
- J. **Neon Signs.** Two (2) neon signs are allowed for each nonresidential use. The sign may be located on the inside of any window. These signs may not exceed two (2) square feet in size and may not flash or be animated in any manner. Neon signs are considered window signs and may not exceed fifty percent (50%) of the area of the window in which they are placed.
- K. **Light Pole Banners.** Banner signs on light poles are allowed in all developments. Banner signs may not exceed twelve (12) square feet in size.
- L. **No Trespassing or No Dumping Signs.** No trespassing or no dumping signs may not exceed sixteen (16) square feet in area for a single sign or are limited to four (4) signs at four (4) square feet for each lot or parcel unless the land use administrator, or other authorized officer, finds more signs are required to prevent violation.
- M. **Plaques.** Plaques or nameplate signs not more than two (2) square feet which are fastened directly to the building.
- N. **Symbols or Insignia.** Religious symbols, commemorative plaques of recognized historical agencies, or identification emblems of religious orders or historical agencies, provided that no such sign shall exceed eight (8) square feet in area and provided further that all such signs be placed flat against the building.
- O. **On-Premises Real Estate Signs.**
1. Signs advertising the sale, rent, or lease of property shall be limited to one (1) real estate sign on each lot. Each sign shall not exceed six (6) square feet in size and six feet (6') in height.
 2. One real estate sign per street frontage is allowed for any multiuse residential or professional office building or lot intended for such and may not exceed twenty-four (24) square feet in area or eight feet (8') in height. If the parcel is over two (2) acres in size, the sign may not exceed thirty-two (32) square feet.
 3. Model home signs shall not exceed sixteen (16) square feet in area, nor exceed six feet (6') in height and shall be placed entirely upon the premises of the model home.
- P. **Temporary Open House Real Estate Signs.** Open house signs not to exceed six (6) square feet in area and four feet (4') in height, advertising real estate open houses may be placed on private property in the vicinity of the property open for inspection. They shall not be attached to trees, poles, street signs, etc. Signs may be displayed in the City right-of-way if they are not disruptive to the regular flow of traffic or pedestrians. Open house signs shall be displayed only during those hour(s)/day(s) which the property is open for actual inspection.
- Q. **On-Premises Signs for Home Occupation in Residential Zones.** Home occupations may have one (1) non-illuminated flat wall sign or monument yard sign two feet (2') by three feet (3') for a total of six (6) square feet in size which identifies the name of the business. This exemption applies to uses operated out of a single-family home.
- R. **Political or Campaign Signs.** In addition to signage otherwise authorized by this chapter, political or campaign signs on behalf of candidates for public office or measures on election ballots are allowed as follows:
1. Signs for all candidates, regardless of participation in a primary election, may not be erected earlier than sixty (60) days prior to a primary election and shall be removed by the Monday following a general election. Candidates who lose a primary election shall remove signs by the

Monday following the primary election. Signs relating to elections on special issues may be installed and must be removed on the same basis.

2. Any one (1) sign shall not exceed twenty-four (24) square feet in size and shall not exceed six feet (6') in height. Such sign shall not be erected in a manner as to constitute a roof sign. No more than two (2) signs of the same candidate or issue shall be posted on the same property. Signs may not be placed on public property or in a public street right of way in which the sign location would impede traffic visibility or safety. Signs along roadways which do not contain improvements of curb, gutter, and/or sidewalks may not be placed closer than ten feet (10') to the edge of the paved surface.
 3. Campaign signs shall not be placed closer than one hundred fifty feet (150') to a building where any official voting station is located.
- S. **Properties Under Development or Construction.** Properties which have an approved subdivision plat, site plan, or other type of development permit upon which construction or development is occurring are exempt subject to the following sign standards:
1. **Size.** Signs may not exceed a maximum of twenty (20) square feet in size.
 2. **Materials.** Signs may only be freestanding and must be made of a rigid material. Banners or other similar signs applied to cloth, paper, flexible plastic, vinyl, or fabric of any kind are not permitted.
 3. **Height.** Signs may not exceed six feet (6') in height, measured from the top of the sign to the grade directly below.
 4. **Number of Signs.** Only one (1) sign is allowed per street frontage.
 5. **Location.** The sign must be located on the parcel that is subject to the approved development permit and may not encroach into the right of way, nor impede pedestrian traffic.
 6. **Timeframe.** The sign(s) are allowed for the duration of the construction of the development, and shall be removed upon completion of the project.
- T. **Non-commercial Opinion Signs.** Noncommercial opinion signs are subject to all requirements and provisions of the Utah State Code annotated and other laws as may be applicable. There are no time frames for noncommercial opinion signs. Such signs are regulated as follows:
1. **Residential Properties.** Residential properties are permitted to have nine (9) square feet of a sign area, not to exceed three feet (3') in height. The sign square footage may be split between two (2) or more signs, but the total square footage may not exceed nine (9) square feet.
 2. **Non-residential Properties.** Nonresidential properties are permitted six (6) square feet of sign area, not to exceed three feet (3') in height. The sign square footage may be split between two (2) or more signs, but the total square footage may not exceed six (6) square feet.
- U. **Temporary Signs – Short Term.** Signs that are intended for short-term use during business hours up to a maximum of 3 consecutive days for advertising special events, sales, promotions, or other offerings on a temporary basis and are not permanently affixed to the ground. Such signs are regulated as follows:
1. **Use.** Only 1 sign is allowed per use.
 2. **Size.** Signs may not exceed six (6) square feet in size.
 3. **Height.** Signs may not exceed eight (8) feet in height.

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4. **Materials.** Signs may be cloth, wood, canvas, light fabric, paper, vinyl, or other materials with or without frames,
 5. **Location.** Signs shall be located on the parcel on which the business is located. The signs may not encroach into the public street, nor impede pedestrian traffic if placed on a sidewalk or within a landscape strip. Signs shall not be attached to utility poles, fences, trees, or other similar objects.
 6. **Illumination.** Illumination of short-term temporary signs is prohibited.
 7. **Timeframe.** Short-term temporary signs may be displayed up to 3 consecutive days during business hours, not to exceed 9 days per month.
 8. **Notice Required.** The business owner shall provide written notice to the city prior to displaying a short-term temporary sign on when the sign will be displayed and the number of days it will be displayed.

154. Municipality. Coalville City, Utah.
155. Neighborhood Park and Recreation Improvement Fund. A special fund that may be established by the City Council to retain monies contributed by developers in accordance with the "money in lieu of land" provisions of these regulations to develop land within reasonable proximity of the property to be subdivided so as to be of local use to the future residents of the subdivision(s).
156. Nightly Rental (Short-Term Rental). The rental of a room, apartment, house, or lockout unit for a short-term period of less than thirty (30) days. Nightly rentals require a business license and are subject to all applicable off-street parking requirements, noise disturbance regulations, transient room tax, and other requirements.
157. Non-conforming Use. As used in this Code, a nonconforming use is the use of land that:
- Legally existed before its current land use designation; and
 - Has been maintained continuously since the time the land use ordinance regulation governing the land changed; and
 - Because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.
158. Non-complying Structure. As used in this Code, a non-complying structure is a structure that:
- Legally existed before its current land use designation; and
 - Because of one or more subsequent land use ordinance changes, does not conform to setback, height restrictions, or other regulations, excluding those regulations that govern the use of land.
159. Non-Residential Subdivision. A subdivision whose intended use is other than residential, such as agricultural, commercial, or industrial. Such subdivision shall comply with the applicable provisions of the City General Plan and the requirements of this Development Code.
160. North Summit Fire District: (NSFD). The local fire district with responsibility of ensuring subdivisions, commercial structures, individual single-family dwellings, and other structures meet the requirements of the International Fire Code as amended.
161. Nude or Semi-Nude Entertainment Business. A business, including an Adult Theater, where employees/entertainers perform or appear in the presence of patrons of the business in a state of nudity or semi-nudity. A business shall also be presumed to be a Nude or Semi-Nude Entertainment Business if the business holds itself out as such a business.

constructed at the time of road construction, unless the Planning Commission determines otherwise, in which case a cash deposit or surety bond shall be required pursuant to Chapter 31 for the trail improvements.

X. Driveway Access Standards.

1. All individual driveway access locations shall be designed to function well with existing site conditions and layout of each residential building. Care shall be taken in locating driveways to allow for the least amount of site and vegetation disturbance. Where possible, driveways shall parallel the slope to lessen site impact.
2. The maximum grade of any driveway shall not exceed ten percent (10%), except that twelve percent (12%) grades may be allowed for short distances not to exceed two hundred fifty feet (250') when approved by the North Summit Fire District (NSFD).
3. A driveway may provide access to one or more dwelling units, but not more than five (5) dwellings. The minimum width of any driveway serving up to three (3) dwellings shall be twelve feet (12') in width and shall have a minimum right-of-way width of twenty-four feet (24'). Driveways serving four (4) or five (5) dwellings must be a minimum of twenty feet (20') in width and shall have a minimum right-of-way width of thirty-two feet (32').
4. Retaining walls shall be used with cuts more than ten feet (10'). Cut slopes shall be as specified by a qualified engineer to achieve a stable embankment. Fill areas shall be contoured to three feet (3') horizontal to one foot (1') vertical slopes or flatter. If the disturbed areas fail to match existing grade within ten (10) vertical feet, a retaining wall shall be used.
5. All driveways must provide a NSFD approved turnaround for emergency vehicles where the driveway meets the building pad, and every two hundred feet (200') when longer driveways occur as required by NSFD.
6. Driveways more than two hundred feet (200') and less than twenty feet (20') wide must be provided with turnouts. Driveway turnouts must be an all-weather road surface, ten feet (10') wide and thirty feet (30') long. Driveway turnouts to be located as required by NSFD.
7. Driveway access for all lots within a subdivision may not be from any street or road other than interior roads within the subdivision, unless approved by the City based on site specific conditions and development characteristics.
8. Driveways with distances under fifty feet (50') must have a hard surface (concrete or Asphalt).
9. Driveways over fifty feet (50') must have a paved approach to the public street, with concrete or asphalt, for a distance of fifty feet (50') measured from the pavement edge of the public street.

Approval from the Summit County Health Department and NSFD shall be a pre-condition to issuance of a building permit.

- D. Existing Systems. Where a public water main is accessible, as determined by the City Engineer, the developer shall connect and install adequate water facilities (including fire hydrants) subject to the specifications of the City, State and NSFD. Water main extensions and water facility improvements shall be approved by the City Engineer, City Public Works Director, and City Council.
- E. Guarantees. The location of all fire hydrants and all water storage and supply improvements shall be shown in the Final Construction Drawings. A qualified construction cost estimate for the design and construction costs, including both on and off-site improvements, shall be included in the performance guarantee to be furnished by the developer. All guarantees shall be in an acceptable form described herein.
- F. Ownership of Facilities. Prior to approval of the final subdivision plat, development site plan or conditional use permit, a determination shall be made by the City Council regarding the location and extent of facilities to be maintained by the City. Private facilities will be required to be so noted on the final subdivision plat or development plans and will be the responsibility of the developer or owners of the development.
- G. Fire Hydrants. Fire hydrants shall be required in all developments. Fire hydrants shall be located no more than five hundred (500) feet apart and shall be approved by the NSFD, and City Engineer. ~~In some instances, the City and NSFD may determine that due to wild land fire potential, hydrants will be required to be located no more than three hundred (300) feet apart.~~ To eliminate future street openings, all underground utilities for fire hydrants, together with the fire hydrants themselves and all other water supply improvements shall be installed before any final paving of streets. All fire hydrants shall include clean-outs. Fire hydrants located on cul-de-sacs shall be installed as approved by NSFD, at the direction of the City Engineer and NSFD.
- H. Source Protection. New residential, commercial, or industrial development shall not be approved within existing well and spring protection zones, identified as sensitive lands in this Code, which are used for domestic consumption purposes, without a contained sewage collection and disposal system. The impact on water source protection zones shall be determined from a study prepared by qualified geotechnical engineer based on distance, soil conditions, slope, and drainage patterns, or in compliance with state law.
- I. Easements, Rights-of-Way. Easements or rights-of-way required for currently proposed or anticipated future water service by the City shall be provided by all developments prior to final subdivision plat or final site plan approval.
- J. Water Service Prohibited Outside Coalville City Limits. Water service extensions or connections outside the City limits are prohibited and will not be

03-060: - NOTICING

A. **Purpose.** Notice, as applicable, to "affected entities" of hearings before the designated Land Use Authority and Legislative Body concerning amendments to the General Plan, Zoning Map, and this Development Code, preliminary and final subdivision plat approvals, conditional use approvals, master planned development approvals, temporary use permits, certificates of appropriateness for design or demolition, appeals, variances and other requests or actions of the Appeal Authority shall be provided in accordance with this section. The provisions of Utah SB 201 shall apply and are incorporated in addition to the "Application Notice Matrix" with respect to public notices in the City.

B. **Notice Period.** See Table 3-2.

1. Notice of amendments to the General Plan, Development Code and Zoning Map shall be given at least ten (10) calendar days before the date set for the hearing.
2. Notice of amendments or vacation of subdivision plats, or city streets, shall be given in accordance with State law.
3. All other notice required herein shall be given at least ten (10) calendar days before the hearing.
4. All notice required under this section shall be given as noted in Table 3-2.

C. **Posted Notice.** See Table 3-2. The City Staff or Land Use Authority Chair shall post or cause to be posted, notice in three (3) public places within the City. Notice shall state: Date, Time, Place, and Content/Reason for Hearing, or Meeting.

1. Internet Postings on the Official City Website and Utah Public Notice Website may each be counted as one (1) public place.
2. Posting notice on the Property may be required at the discretion of the Land Use Authority. The notice shall be in a prominent, visible location on the property so as to inform passersby.
 - a. Posting on property shall not be required to stay posted for the duration of proceedings regarding said property.

D. **Published Notice.** See Table 3-2. Published notice, at the applicants' expense, shall be given by posting on the City Website and the Utah Public Notice Website. The notice shall state: Date, Time, Place, and Content/Reason for Hearing or Meeting.

E. **Mailed/E-mailed Notice.** The applicant shall provide the City with:

1. Mailing List of each owner of record of each parcel located entirely, or partly, within three hundred feet (300') from any boundary of the property or project site subject to the application.
2. Mailing list for said adjoining owners shall include the addresses shown on the most recently available Summit County tax assessment rolls.
3. This courtesy notice shall state: Date, Time, Place, and Content/Reason for Hearing or Meeting.
4. Courtesy notice is not a legal requirement, and any defect in courtesy notice shall not affect or invalidate any hearing or action by the Land Use Authority, Legislative Body, or Appeal Authority.

F. Proof of Notice. Proof that notice was given pursuant to either Section 03-060(C) or 03-060(D) above is prima facie evidence that notice was properly given. If notice given under authority of this section is not challenged within thirty (30) days from the date of the hearing for which the challenged notice was given, as provided for under State law, the notice is considered adequate and proper.

G. Notice to Applicant and Possible Waiver of Requirements.

1. For each land use application, the municipality shall:
 - a. Notify the applicant of the date, time, and place of each public hearing and public meeting to consider the application.
 - b. Provide the applicant a copy of each staff report regarding the pending application at least three (3) days before the public hearing or public meeting.
 - c. Notify the applicant of any final action on a pending application.

If a municipality fails to comply with these requirements, an applicant may waive the failure so that the application may stay on the public hearing or public meeting agenda and be considered as if the requirements had been met.

Table 3-2 - Coalville City Application Notice Matrix

Land Use Decision	Time	Notice Type
Preparation, Adoption or Amendments of General Plan	A. Upon inception of the initial process to generally plan or the process for any	A. Notice mailed or emailed to "affected entities." B. Posted in 3 public places

Land Use Decision	Time	Notice Type
	comprehensive Plan amendment B. 10 days prior to first public hearing C. 24-hour notice of each public meeting	or on websites. C. Posted in 3 public places or on websites.
Adoption or Amendments of Land Use Ordinance	A. 10 days prior to first public hearing: B. 24-hour notice of each public meeting	A. Posted in 3 public places or on websites and Notice mailed or emailed to: "affected entities". B. Posted in 3 public places or on websites.
Annexation Policy Plan	A. 14 days prior to first public meeting B. 14 days prior to first public hearing C. 30 days after adoption	A. Notice mailed or emailed to: "affected entities" B. Notice mailed or emailed to: 1. "Affected entities" 2. Posted in 3 public places or on websites. C. Copy to County
Appeal of Permit Decision	Ten (10) day minimum.	Notice must be given to applicant.
Appeals to Administrative Law Judge (ALJ), City Council	Ten (10) days prior to first hearing.	Published in paper and posted in 3 public places or on websites and Notice mailed or emailed to "affected entities".

Land Use Decision	Time	Notice Type
Acquisition/Disposition of Public Property	Fourteen (14) days prior to first public hearing	Notice mailed or emailed to "affected entities" and posted in 3 public places or on websites.
Nonconforming Uses/Non-Complying Structures	See Variance, Special Exemptions	
Preliminary and Final Plats or Site Plans, Conditional Uses, Master Planned Developments	Ten (10) days prior to public meeting	Notice, as applicable , mailed or emailed to "affected entities" and posted in 3 public places or on websites.
Subdivision Plat Approval or Amendment	Ten (10) days prior to public meeting	Notice, as applicable , mailed or emailed to "affected entities" and posted in 3 public places or websites.
Vacating a Subdivision Plat	Ten (10) days prior to public meeting.	Notice mailed or emailed to "affected entities" and posted in 3 public places or on websites.
Vacating some or all of a public street, right of way or easement	Ten (10) days prior to public hearing.	A. Mailed to the record owner of each parcel that is accessed by the public street, right-of-way, or easement; mailed to each affected entity. B. Published in a newspaper

Land Use Decision	Time	Notice Type
		of general circulation in the municipality in which the land subject to the petition is located. C. Notice may be posted on or near the street, right-of-way, or easement in a manner that is calculated to alert the public.
Variance, Special Exemption (Modifications and Hardship Relief Petitions) requests to Administrative Law Judge (ALJ)	24-hour notice of each ALJ hearing.	Posted in 3 public places or on websites.

01-190: PLANNING COMMISSION

There is hereby created the Coalville City Planning Commission (Land Use Authority) consisting of five (5) members recommended by the Mayor and approved by a majority vote of the City Council at a regularly scheduled City Council meeting. Reappointments of existing planning commission members may be made by the City Council. The Coalville City Planning Commission, hereinafter referred to as the Planning Commission or Commission shall be organized and have the duties and responsibilities as indicated below.

- A. **Terms, Eligibility and Compensation of Members.** Each member of the Planning Commission shall serve a term of three (3) years. Members shall be appointed in December of the year upon the expiration of a current member. The terms shall be staggered so that no more than two (2) members are appointed at the same time. Terms expire on the last day of the year, but members on the Planning Commission shall continue to serve until their successors are appointed. The Mayor, with the consent of the City Council, shall appoint a new Planning Commission member to fill vacancies that might arise, and such appointments shall be to the end of the vacated term. No member shall serve more than three (3) consecutive terms, including portions of unexpired terms.

Members of the Planning Commission shall be residents of Coalville City and have resided within the City for at least ninety (90) days prior to being appointed. Members are deemed to have resigned when they move their residences outside the City limits.

Members may be compensated per diem, based upon meetings attended as determined by the City Council.

- B. **Absence Deemed Resignation or Grounds for Removal.** Any Planning Commission member who is absent from two (2) consecutive regularly scheduled meetings, or a total of four (4) regularly scheduled meetings in a calendar year, uses public funds for political purposes, violates a provision of the Municipal Officers and Employees Ethics Act, or acts with the intent to influence a land use decision or an appeal of a pending land use application in a manner that creates actual or an unacceptable risk of impermissible bias, ~~year~~ may be called before the City Council and asked to resign or be removed with cause by the Council. All members of the planning commission shall serve at the pleasure of the City Council and may be removed by a majority vote of the City Council. A Planning Commission member may not be removed solely for deliberating on a specific land use application in a Planning Commission meeting with municipal staff, an elected official, or a land use applicant.

- C. **Duties and Responsibilities.** The Coalville Planning Commission, referred to as Planning Commission, Commission, or Administrative Land Use Authority, organized in accordance to § 10-9-201 et seq. of the Utah Code 1996, as amended, shall have the following duties and responsibilities:

1. To prepare a General Plan, any maps required by the plan, and amendments to the General Plan and recommend the plan or amendments to the plan to the City Council.
2. To prepare a Development Code including zoning and subdivision regulations, any maps or exhibits required by the Code, and amendments to the Development Code and recommend the code or amendments to the code to the City Council.
3. Administer provisions of the Development Code as provided in the Code and approved by the City Council.
4. To review and make recommendations to the City Council regarding amendments to the City Zone District Map.
5. To initiate a subpoena to compel documents and testimony required in the normal processing and review of matters pertaining to the Planning Commission.

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6. To hear, review, approve or deny, or recommend approval or denial of all applications for conditional uses, temporary uses, minor and major subdivision of property, master planned developments, major development review, development agreements, or other procedures or applications identified in the Development Code in accordance with the rules and regulations established by the City Council.
 7. Recommend approval or denial of annexation petitions in accordance with the Development Code or other ordinances of the City.
 8. Advise the City Council on matters as the Council directs and hear or decide any matters that the Council designates.
 9. To enter upon any land, under consideration for development approval or which has been granted a Conditional Use Approval, at reasonable times, to examine and evaluate the conditions of the project development.
- D. **Planning Commission Chair.** At the first meeting held in March, after the appointment of any new members, the members of the Planning Commission shall elect one (1) of its members as chair and one (1) member as vice chair. In the absence of the chair, the vice chair shall act as chair and shall have all powers of the chair. The chair shall serve an initial term of one (1) year and no member shall serve as chair for more than two (2) consecutive one-year terms. In the event the chair or vice chair resigns or is no longer eligible to serve on the commission, the members of the Planning Commission shall elect a replacement chair or vice chair at the next regularly scheduled meeting.
- The chair, or in the chair's absence the vice chair, shall oversee all proceedings before the Planning Commission, and shall take such action as shall be necessary to preserve order and the integrity of all proceedings before the Planning Commission. The Chair may participate in any discussions, be counted for the purpose of forming a quorum, and shall be a voting member of the Planning Commission.
- Planning Commission meetings are open to the public and will conform to the Utah Open Meetings Act. Notice will be provided for as per Section 03-060 herein, and an annual meeting schedule will be posted and published at least once a year in a newspaper of general circulation.
- E. **Quorum and Necessary Vote.** No meeting of the Planning Commission may be called to order without a quorum consisting of at least three (3) members of the Commission being present. No business shall be transacted without at least a majority of all members being present. All actions shall require the concurring vote of a majority of the members present. The chair shall be considered for purposes of establishing a quorum and shall act as a voting member. In the event of a tie vote, the agenda item will automatically be continued until the next meeting where a full quorum is present for a vote. If the agenda item cannot be brought to a majority vote due to a member abstaining it shall be equivalent to a majority nay vote.
- F. **Meetings, Hearings and Procedures.**
1. The Planning Commission shall establish a regular meeting schedule. Special meetings, work sessions and field trips for any purpose, may be held at the call of the City Council, the Planning Commission or the CDD or designated planning staff member.
 2. If a matter is postponed due to lack of quorum, the matter shall be rescheduled to either the next regular meeting or special meeting. The CDD or designated planning staff member shall notify all members and interested parties of the date of the rescheduled matter.
 3. A Planning Commission member shall abstain from discussion and voting on any matter in which the member has a direct or indirect financial interest, a personal interest that would reasonably appear to impair impartial judgment, or any other compelling reason that creates an actual or perceived conflict of interest.

When such a conflict exists, the member shall publicly disclose the nature of the conflict prior to consideration of the item, recuse themselves from deliberation and voting, and leave the Commission table during discussion of the matter. The disclosure and recusal shall be recorded in the meeting minutes.

Nothing in this section shall prevent a member from participating in general policy discussions or training unrelated to a specific application or property interest.

G. Joint Planning Meetings.

1. At the discretion of the City Council at least one (1) joint planning meeting shall be held annually to provide for discussion and coordination among planning commission members, City council members, City staff and members of the public regarding issues of city-wide concern.
2. The purpose of joint planning meetings is to provide for discussion among Planning Commission and City Council members, City staff, other public officials, developers, and the public on various issues related to matters in question. Notice of such joint planning sessions shall be for the purpose of discussion and information and are not intended to result in any formal action being taken during the joint planning sessions, although information presented at such sessions may be made part of the record of subsequent proceedings of either Planning Commission or City Council.

H. Planning Commission Staff. City employees, committees or agents of the City may assist the Planning Commission with its duties. The City Staff shall assist the Commission with technical matters and attend Commission meetings to assist and advise the Commission.

The City Council may appoint a secretary to keep minutes and post agendas of meetings and hearings. The secretary may be paid for services rendered as agreed upon by the City Council. The secretary shall keep minutes of all proceedings of the Planning Commission, which minutes shall be a summary of all proceedings before the Commission, attested to by a majority of the members of the Planning Commission voting. In addition, the recording secretary shall maintain all records of Planning Commission meetings, hearings and proceedings, and the correspondence of the Planning Commission.

I. Planning Commission Project Review. The Planning Commission will review each project application for compliance with all requirements and regulations of this Code, including, but not limited to the following:

1. **City Comprehensive Planning and Zoning Review.** The Planning Commission shall have the primary responsibility to initiate long-range planning for the City, including streets, parks, trails, and recreation facilities, long-range zoning objectives, and periodic review of existing plans to keep them current. The Commission shall review proposed annexations to the City and recommend action and zoning on land to be annexed. The Commission shall initiate, hear or recommend zone changes and review development standards within zoning districts.
2. **Subdivision Approval.** The Planning Commission shall review all applications for subdivisions and commercial projects for compliance with the provisions of all applicable regulations of this Code. Following such review, the Commission will forward a recommendation for approval or denial of all subdivision plat, or site plan applications to the City Council.
3. **Master Planned Developments (MPD) Approval.** All proposals for Master Planned Development approval shall be reviewed by the Planning Commission. Following such review, the Commission shall forward a recommendation for approval or denial of all applications to the City Council.
4. **Conditional Use Approval.** The Planning Commission shall review all applications for conditional use approval for compliance with the provisions of all applicable regulations of this Code.

Following such review, the Commission shall ~~approve or deny forward a recommendation for approval or denial of all conditional use applications to the City Council.~~

- J. **Consent Agenda.** Applications for approval of uncontested items may be placed on the consent agenda of the Planning Commission. All items on the consent agenda shall be passed or denied by a single motion at the Commission meeting, unless the Commission believes discussion of an item is necessary. When an item is removed from the consent agenda, it shall be acted on at the same meeting at which the removal occurs, unless the applicant requests the item to be tabled in order to provide additional information.
- K. **Review of Staff Actions.** At any time, an interested party may request that staff actions on a project application be reviewed by the Planning Commission. The scope of review by the Planning Commission shall be the same as the scope of review at the staff review level on the matters at issue.
- L. **Sensitive Lands Review.** Any project containing sensitive lands may be subject to additional requirements and regulations as outlined in the Sensitive Lands Regulations of Chapter 18 of the Code. The Planning Commission shall review required sensitive lands analysis with project applications as prescribed in Section 18-050 herein.
- M. **Right to Farm Review.** Any project falling within the scope of Chapter 26 of the Code may be subject to additional requirements and regulations as outlined in the Right to Farm Provisions. The Planning Commission shall review an agriculture impact analysis with project applications as prescribed in Section 26-020.

(Ord. No. 2024-2, 10-15-2024)