

**MINUTES
BOX ELDER COUNTY COMMISSION
OCTOBER 7, 2026**

The Board of County Commissioners of Box Elder County, Utah met in an Administrative/Operational Session at the County Courthouse, 01 South Main Street in Brigham City, Utah at 4:45 p.m. on **October 7, 2026**. The following members were present:

Tyler Vincent	Chairman
Lee Perry	Commissioner
Boyd Bingham	Commissioner
Marla R. Young	Clerk

The following items were discussed:

1. Agenda Review/Supporting Documents
2. Commissioners' Correspondence
3. Staff Reports – Agenda Related
4. Correspondence

The Administrative/Operational Session adjourned at 4:52 p.m.

The regular session was called to order by Chairman Vincent at 5:00 p.m. with the following members present, constituting a quorum:

Tyler Vincent	Chairman
Lee Perry	Commissioner
Boyd Bingham	Commissioner
Marla Young	County Clerk

The prayer was offered by Commissioner Bingham.
The Pledge of Allegiance was led by Clerk Marla Young.

APPROVAL OF MINUTES

THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 16, 2026 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER PERRY, SECONDED BY COMMISSIONER BINGHAM AND UNANIMOUSLY CARRIED.

ATTACHMENT NO. 1 - AGENDA

ADMINISTRATIVE REVIEW/REPORTS/FUTURE AGENDA ITEMS – COMMISSION

CDBG Public Hearing - Commissioner Perry

Commissioner Perry stated they will be holding a CDBG meeting after the next Commission Meeting at 1:00 pm.

Planning and Zoning Special Meeting - Commissioner Perry

Commissioner Perry stated the regular Planning and Zoning meeting will be held on October 15th and there will be a special Planning and Zoning meeting on October 29, 2026 at 6:00 pm.

FORMER AGENDA ITEMS FOLLOW-UP – COMMISSIONERS

There were no Former Agenda Items discussed.

EMERGENCY MANAGEMENT ISSUES

There were no Emergency Management Issues discussed.

ARPA/LATCF

There were no ARPA/LATCF items discussed.

COMMISSIONERS

Lease Agreement #26-55 for Parking Lot Spaces Behind DMV Building-Glen Thurston
5 parking spaces in lot owned by county needs an easement

Chief Deputy Attorney Blair Wardle explained Lease Agreement #26-55 is with Automated Properties LLC to lease five parking spaces from the county in the parking lot the county owns by the DMV.

MOTION: Commissioner Perry made a motion to approve Agreement #26-55 to lease parking spaces directly west of 60 S 100 E in Brigham City. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Vincent voting Yea, Commissioner Bingham voting Yea, and Commissioner Perry voting Yea.

ATTACHMENT NO. 2 - Agreement #26-55

Proclamation Designating Crash Responders Safety Week-Commissioner Perry

Commissioner Perry said annually the Federal Highway Administration hosts a Crash Responders Safety Week. This year it is November 2nd through the 6th. He stated that a few years ago we lost some of our own first responders while being struck. He read the proclamation and expressed his thoughts of the dangers first responders have.

MOTION: Commissioner Perry made a motion to designate November 2-6, 2026 as Crash Responders Safety Week. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Vincent voting Yea, Commissioner Bingham voting Yea, and Commissioner Perry voting Yea.

ATTACHMENT NO. 3 - Proclamation

Requesting Signs, Ribbons and Statistics in Courthouse Yard for Domestic Violence Awareness Month-Megan Talamantez

Megan Talamantez, Executive Director of New Hope Crisis Center, stated October is Domestic Violence Awareness Month. She asked for permission to put yard signs and purple ribbons October 12-16, 2026 on the courthouse lawn.

MOTION: Commissioner Perry made a motion to allow New Hope Crisis Center to put signs on the courthouse lawn for Domestic Violence Awareness Month. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Vincent voting Yea, Commissioner Bingham voting Yea, and Commissioner Perry voting Yea.

Natural Gas Contract #26-56 for Public Safety and Jail Facility-Commissioners

Commissioner Perry stated they met with Summit Energy to lock in a price for natural gas to be used for public safety and the jail facility. They offered a great rate.

MOTION: Commissioner Perry made a motion to approve Contract #26-56 with Summit Energy. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Vincent voting Yea, Commissioner Bingham voting Yea, and Commissioner Perry voting Yea.

ATTACHMENT NO. 4 - Contract #26-56

Amended Predator Control Contract #26-57-Chrisee Bennett

Commission Secretary Chrisee Bennett explained there were corrections made to the original contract due to a type error.

MOTION: Commissioner Perry made a motion to approve Amended Contract #26-57. The motion was seconded by Commissioner Bingham and unanimously carried on a roll call vote of Chairman Vincent voting Yea, Commissioner Bingham voting Yea, and Commissioner Perry voting Yea.

ATTACHMENT NO. 5 - Contract #26-57

COMMUNITY DEVELOPMENT

Ordinance #668 - Section 5-6-060(C) Amendments-Scott Lyons

Community Development Director Scott Lyons explained Ordinance #668 is due to a requested amendment to the land use code that regulates ADU's and IADU's. It currently disallows for short term rentals. The proposal is to allow them to be used as short term rentals and it defines quiet hours. It went before the Planning Commission and a public hearing was held. They received one letter in opposition and heard several comments that were in favor. The Planning Commission recommends approval.

MOTION: Commissioner Bingham made a motion to adopt Ordinance #668. The motion was seconded by Commissioner Perry and unanimously carried on a roll call vote of Chairman Vincent voting Yea, Commissioner Bingham voting Yea, and Commissioner Perry voting Yea.

ATTACHMENT NO. 6 - Ordinance #668

Ordinance #669 - Zoning Map Amendment from A-20 to RR-1-Scott Lyons

Community Development Director Scott Lyons explained Ordinance #669 is a request for a zoning change in the West Corinne area. The applicant has requested to change a portion of the property (7 acres) from an A20 zone to an RR1 zone. This request went before the Planning Commission at the September 17, 2026 meeting and a public hearing was held. Neighbors came to the meeting and spoke positively. The Planning Commission recommended approval.

MOTION: Commissioner Bingham made a motion to adopt Ordinance #669. The motion was seconded by Commissioner Perry and unanimously carried on a roll call vote of Chairman Vincent voting Yea, Commissioner Bingham voting Yea, and Commissioner Perry voting Yea.

ATTACHMENT NO. 7 - Ordinance #669

Ordinance #670 - Setback Amendment for the Unzoned Area-Scott Lyons

Community Development Director Scott Lyons explain Ordinance #670 is a text amendment requested by a landowner seeking a reduction in setbacks in the unzoned area. They were aware the unzoned area is under review. The proposed change would affect the current 30 foot setback by reducing it to 15 feet. There was quite a bit of conversation at the Planning Commission level with questions about sight lines at intersections. A public hearing was held at the Planning Commission meeting with one comment in favor and none opposed. Planning Commission felt it provides the landowner a better use of their property.

MOTION: Commissioner Bingham made a motion to approve Ordinance #670. The motion was seconded by Commissioner Perry and unanimously carried on a roll call vote of Chairman Vincent voting Yea, Commissioner Bingham voting Yea, and Commissioner Perry voting Yea.

ATTACHMENT NO. 8 - Ordinance #670

Ordinance #671 - Updating Chapter 3-4 of the County's Land Use Code and Corresponding Definitions-Scott Lyons

Community Development Director Scott Lyons stated this ordinance is one they have been working on for about two years. It refers to the Commercial and Manufacturing Zones. They have revamped the section and changed anything that was unnecessary. The former code was very specific and they have consolidated the uses that were similar.

MOTION: Commissioner Bingham made a motion to approve Ordinance #671. The motion was seconded by Commissioner Perry and unanimously carried on a roll call vote of Chairman Vincent voting Yea, Commissioner Bingham voting Yea, and Commissioner Perry voting Yea.

ATTACHMENT NO. 9 - Ordinance #671

HUMAN RESOURCES

Retirement Incentive 2027-Jenica Stander

Human Resource Director Jenica Stander presented the retirement incentive for 2027. She stated it is the same as previous years and the county has potential savings of about \$400,000 and may affect approximately 20 employees.

MOTION: Commissioner Bingham made a motion to approve the Retirement Incentive for 2027. The motion was seconded by Commissioner Perry and unanimously carried on a roll call vote of Chairman Vincent voting Yea, Commissioner Bingham voting Yea, and Commissioner Perry voting Yea.

PUBLIC COMMENT (No action will be taken at this time)

Chairman Vincent reviewed the guidelines of public comment period.

DeAnna Hardy of Brigham City stated the Box Elder Committee of Liberty was disappointed in the town hall zoning meetings as there was no discussion from the County Commissioners on the constitutionality of zoning individual's private property. It was reported that the state and Planning Commission are making the zoning decisions. She asked "Where in the Constitution does it give this delegated power to zone a person's property?". She said it was reported that if the county had zoned the Hansel Valley, the data center would not have been permitted. If Box Elder County is the only county that is not entirely zoned, why did the other counties permit 52 data centers? She stated general plans mandated by the Utah State Legislature violate the individual private property owner. All representatives have the duty and responsibility to protect our Republican form of government against all enemies foreign and domestic. Socialism, Marxism, Fascism, and Communism are contrary to a Republic and must not be allowed.

Janene Beal asked how the Commission has been given authority to do what they are doing. The Federal and State Constitution gives you what your duty is by taking your oath of office. Ignoring your oath and doing more than authorized discards our rights and causes you to mistakenly do the very injustices our forefathers declared in the Declaration of Independence. The Commission has responded by ignoring all petitions of grievances since November 2023. The grievances need to be addressed. Protective zoning requires a few to have protection by having a fee tied to it. It is not justice for all. It is no different than having the mafia paying for protection. She said you are supposed to be representing us and they need to know why their rights are being disregarded.

Sydney Meili gave concerns about AI and flock cameras. She said Tremonton and Garland did something to do away with them and none have been added since August. She wanted the Commission to know that young people do care and care what the future will be for their children. AI surveillance is invasive and she doesn't like it.

WARRANT REGISTER – COMMISSIONERS

The Warrant Register was signed and the following claims were approved: Claim numbers 130885 through 130986 in the amount of \$ 1,394,699.33 with voided claim numbers 130438, 126043, 130734, 130475, 130689, 125881, 125184 and 130824 through 130884 in the amount of \$147,202.14.

PERSONNEL ACTIONS/VOLUNTEER ACTION FORMS – COMMISSIONERS

GIBSON, TAMMY	CLERK	COMPENSATION CHANGE	09/20/2026
WESTERGARD, KELLI	BOOKMOBILE	COMPENSATION CHANGE	10/24/2026
GALAVIZ, DANIEL	SHERIFF'S OFFICE	COMPENSATION CHANGE	10/29/2026
ASTLE, EDWARD	SHERIFF'S OFFICE	COMPENSATION CHANGE	09/18/2026
SEVER, BREANNA	SHERIFF'S OFFICE	COMPENSATION CHANGE	09/18/2026
CRANE, CHAUNTELLE	SHERIFF'S OFFICE	COMPENSATION CHANGE	09/18/2026
KING, JOURNEY	SHERIFF'S OFFICE	COMPENSATION CHANGE	09/18/2026
HARRIS, JASON	SHERIFF'S OFFICE	SEPARATION	09/29/2026
BRADFIELD, SAMUEL	SHERIFF'S OFFICE	COMPENSATION CHANGE	10/21/2026
MCCULLAM, PHILLIP	SHERIFF'S OFFICE	COMPENSATION CHANGE	10/29/2026
BALLARD, KAYLYNE	SHERIFF'S OFFICE	COMPENSATION CHANGE	10/01/2026
HANSEN, MITCHEL	ATTORNEY'S OFFICE	TRANSFER	09/20/2026
HALL, JAMES	SHERIFF'S OFFICE	COMPENSATION CHANGE	10/23/2026
KNOTTS, JANESEA	RECORDER	TRANSFER	09/20/2026
KNOTTS, JANESEA	ADMIN SERVICES	COMPENSATION CHANGE	10/22/2026
MARTINEZ, CALEB	SHERIFF'S OFFICE	COMPENSATION CHANGE	10/22/2026
KING, JOURNEY	SHERIFF'S OFFICE	COMPENSATION CHANGE	10/28/2026
COOK, CAMERON	ASSESSOR	COMPENSATION CHANGE	09/15/2026
BAXTER, DALENE	TREASURER	COMPENSATION CHANGE	10/22/2026
SMITH, MCCOY	FIRE MARSHAL	VOLUNTEER	10/07/2026
HILTON, ANNA	ATTORNEY	VOLUNTEER	10/07/2026
CHRISTIANSEN, RYLEN	ATTORNEY	VOLUNTEER	10/07/2026
DALTON, KATELYN	ROADS	VOLUNTEER	10/07/2026
CHRISTENSEN, JAREN	WEEDS	SEPARATION	08/29/2026
MILLER, LYNN	SHERIFF'S OFFICE	TRANSFER	09/20/2026
MEIER, SARA	FIRE	COMPENSATION CHANGE	06/12/2026
BLACK, DIANE	HUMAN RESOURCES	COMPENSATION CHANGE	10/13/2026
MILLER, LYNN	SHERIFF'S OFFICE	COMPENSATION CHANGE	09/18/2026

BUNDERSON, MICHAEL	SHERIFF'S OFFICE	COMPENSATION CHANGE	09/18/2026
LANCASTER, BRANDON	SHERIFF'S OFFICE	COMPENSATION CHANGE	09/18/2026
JAMES, KAREEM	SHERIFF'S OFFICE	COMPENSATION CHANGE	09/18/2026
STEVENSON, TIFFANY	FAIR	SEPARATION	10/07/2026
CHRISTENSEN, BRENDA	FIRE MARSHAL	VOLUNTEER	10/07/2026
CHRISTENSEN, TRACY	FIRE MARSHAL	VOLUNTEER	10/07/2026
MONTGOMERY, TAYTON	FIRE MARSHAL	VOLUNTEER	10/07/2026

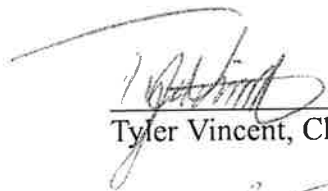
CLOSED SESSION

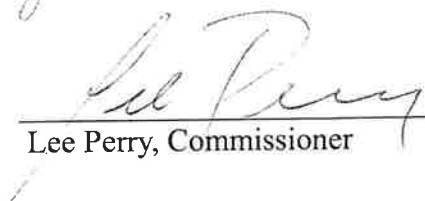
There was not a closed session.

ADJOURNMENT

A motion was made by Commissioner Bingham to adjourn. Commissioner Perry seconded the motion, and the meeting adjourned at 5:38 pm.

ADOPTED AND APPROVED in regular session this 21st day of October 2026.

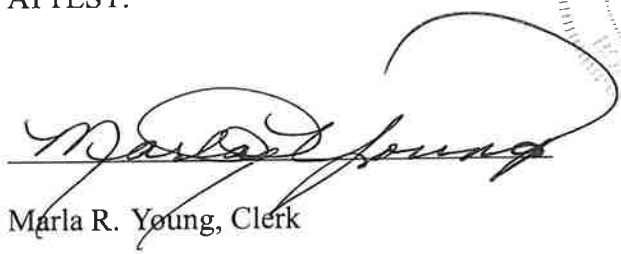


Tyler Vincent, Chairman

Lee Perry, Commissioner

Boyd Bingham, Commissioner

ATTEST:



Marla R. Young, Clerk



COUNTY COMMISSION MEETING

Commission Chambers, 01 South Main Street, Brigham City, Utah 84302

Wednesday, October 07, 2026 at 5:00 PM

AGENDA

NOTICE: *Public notice is hereby given that the Box Elder County Board of County Commissioners will hold an Administrative/Operational Session commencing at 4:45 P.M. and a regular Commission Meeting commencing at 5:00 P.M. on Wednesday October 7, 2026 in the Commission Chambers of the Box Elder County Courthouse, 01 South Main Street, Brigham City, Utah. Please be advised that a member of the Board of Commissioners may not be present at the upcoming meeting in person, but may participate via phone or other electronic means.*

1. ADMINISTRATIVE / OPERATIONAL SESSION

- A. Agenda Review / Supporting Documents
- B. Commissioners' Correspondence
- C. Staff Reports

2. CALL TO ORDER 5:00 P.M.

- A. Invocation Given by: Commissioner Bingham
- B. Pledge of Allegiance Given by: Clerk Marla Young
- C. Approve Minutes from September 16, 2026

3. ADMINISTRATIVE REVIEW / REPORTS / FUTURE AGENDA ITEMS

4. FORMER AGENDA ITEMS

5. EMERGENCY MANAGEMENT ISSUES

6. ARPA/LATCF

7. COMMISSIONERS

- A. 5:08 Lease Agreement #26-55 for Parking Lot Spaces Behind DMV Building-Glen Thurston
- B. 5:10 Proclamation Designating Crash Responders Safety Week-Commissioner Perry
- C. 5:12 Requesting Signs, Ribbons and Statistics in Courthouse Yard for Domestic Violence Awareness Month-Megan Talamantez
- D. 5:17 Natural Gas Contract #26-56 for Public Safety and Jail Facility-Commissioners
- E. 5:19 Amended Predator Control Contract #26-57-Chrisee Bennett

8. COMMUNITY DEVELOPMENT

- A. 5:21 Ordinance #668 - Section 5-6-060(C) Amendments-Scott Lyons
- B. 5:23 Ordinance #669 - Zoning Map Amendment from A-20 to RR-1-Scott Lyons
- C. 5:25 Ordinance #670 - Setback Amendment for the Unzoned Area-Scott Lyons
- D. 5:27 Ordinance #671 - Updating Chapter 3-4 of the County's Land Use Code and Corresponding Definitions-Scott Lyons

9. HUMAN RESOURCES

- A. 5:29 Retirement Incentive 2027-Jenica Stander

10. PUBLIC COMMENT (No action will be taken at this time)

- A. Those wishing to make a public comment shall sign the comment roll and will be responsible for following the rules outlined in the County Commission Rules and Procedures.
- B. Speakers will have one, three (3) minute opportunity to speak regardless of the number of items they wish to address.
- C. Speakers shall address their comments to the County Commission only. This is a time to be heard. There will not be a back and forth dialogue with the Commissioners.
- D. Speakers may file copies of their remarks or supporting information with the County Clerk. The County Clerk will make the information available to the County Commission.

11. WARRANT REGISTER

12. PERSONNEL ACTIONS / VOLUNTEER ACTION FORMS / CELL PHONE ALLOWANCE

13. CLOSED SESSION

14. ADJOURNMENT

Prepared and posted this 2nd day of October, 2026. Mailed to the Box Elder News Journal and the Leader on the 2nd of October, 2026. These assigned times may vary depending on the length of discussion, cancellation of scheduled agenda times and agenda alteration. Therefore, the times are estimates of agenda items to be discussed. If you have any interest in any topic you need to be in attendance at 5:00 p.m.



Marla R. Young - County Clerk

Box Elder County

NOTE: Please turn off or silence cell phones and pagers during public meetings. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made three (3) working days prior to this meeting. Please contact the Commission Secretary's office at (435) 734-3347 or FAX (435) 734-2038 for information or assistance.

PARKING LOT LEASE AGREEMENT

This PARKING LOT LEASE AGREEMENT is entered into by and between AUTOMATED PROPERTIES, LLC, a limited liability currently registered and active in the State of Utah (hereinafter referred to as "Lessee") and BOX ELDER COUNTY, a county and political subdivision of the State of Utah (hereinafter referred to as "Lessor").

RECITALS

WHEREAS, Lessor is the current owner of the parking lot area located immediately to the west of the building located at 60 South 100 East, Brigham City, Utah. and

WHEREAS, Lessee is desirous of renting the parking lot area from Lessor; and

WHEREAS, Lessor is willing to lease the parking lot area to Lessee on the terms and conditions set forth in this Agreement; and

WHEREAS, Lessee is willing to lease the parking lot area from Lessor on the terms and conditions set forth in this Agreement;

NOW THEREFORE, based upon these recitals and the consideration set forth herein, Lessor and Lessee to hereby agree as follows:

1. **Leased Premises.** Lessor shall lease to Lessee the parking lot area (as specifically identified highlighted in blue in Exhibit "A" attached hereto), located on the northernmost part of the real property more particularly described in Exhibit "B" attached hereto. This parking lot area is hereinafter referred to as the "Leased Premises". Lessee accepts the Leased Premises in its "as-is," "where-is" condition with all faults known or unknown and agrees that it has had an opportunity to inspect the Leased Premises and that it accepts and is completely satisfied with its condition.
2. **Term of Lease.** The term of this Lease Agreement shall be from October 7, 2026 through June 30, 2029. Lessee shall have an option to renew this Agreement for an additional term of July 1, 2029 through June 30, 2031 by providing Lessor with notice of its intent to renew this Agreement at least 30 days before the expiration of the term of this Agreement.
3. **Lease Price.** In exchange for its lease of the Leased Premises, Lessee shall pay the sum of \$720 to Lessor per lease year, except that the sum for the first lease year shall be prorated to a sum of \$526.68. A lease year shall be considered to begin on July 1 and continue through June 30 of the following calendar year, except that the first lease year shall be considered to begin on October 7, 2026 and continue through June 30, 2027. Lessee shall pay the sum no later than July 15th of each lease year, except that for the first lease year Lessee shall pay the sum no later than October 31, 2026. Lessee shall be considered to have paid when cash, electronic funds transfer, or a valid negotiable instrument is received at

the Box Elder County Auditor's Office. At the end of the initial term of this Agreement, Lessor may renegotiate and alter the annual lease fee.

4. **Late Fees.** If payment for a lease year is not received by the date described in Section 3, above, Lessor may charge Lessee a late fee in the amount of \$72.
5. **Responsibilities of Lessee.** In the use and maintenance of the Leased Premises, Lessee shall:
 - a. Obey and comply with all federal, state, county, and local laws, regulations, and rules, specifically including but not limited to Brigham City's zoning and business licensing rules and regulations;
 - b. Immediately notify the Brigham City Planning Department upon termination of this Agreement to ensure continuing compliance with Brigham City's zoning rules and regulations;
 - c. Ensure that snow is removed promptly in accordance with Brigham City's rules and regulations;
 - d. Be responsible for striping and other demarcation of the parking spots on the Leased Premises;
 - e. Be responsible for maintaining the Leased Premises in a paved condition unless specifically waived in writing by Lessor;
 - f. Patrol and otherwise enforce any undesired parking at the discretion of the Lessee;
 - g. Maintain the Leased Premises in a good and clean condition;
 - h. Install signage or another indication to the general public that parking spots on the Leased Premises are reserved for the Lessee and its designees. ;
 - i. Ensure each individual parking spot on the Leased Premises is individually accessible;
 - j. Not allow any parking spot on the Leased Premises that is not at least 9 feet by 20 feet;
 - k. Not allow the storage of inoperable vehicles, boats, trailers, motorhomes, RVs, or hazardous materials on the Leased Premises without prior written consent from Lessor;
 - l. Not allow vehicle repairs, loitering, or the setup of temporary structures on the Leased Premises without prior written consent from Lessor;
 - m. Be responsible for and pay any and all personal property taxes, possessory interest taxes, or assessments levied against the Leased Premises or the Lessee's use thereof during the term of this Agreement; and
 - n. Return the Leased Premises to the Lessor in generally the same or better condition upon termination of this Agreement.
6. **Liability Insurance.** Lessee shall at all times maintain a policy of commercial general liability (CGL) insurance with a minimum aggregate policy limit of \$3,000,000 identifying Lessor as an additional insured, which will provide liability coverage to both Lessee and Lessor in the event of any liability which may arise as a result of Lessee's use of the Leased Premises.

7. **Indemnification and Hold Harmless.** Lessee shall indemnify and hold Lessor harmless as follows:
- a. Lessee does hereby acknowledge that the Leased Premises is not a secured facility. Accordingly, Lessee shall be solely responsible for any and all damages or losses to Lessee's property maintained on the Leased Premises.
 - b. Lessee shall indemnify, defend, and hold Lessor harmless of and from any and all losses, liability, injury, or damage whatsoever associated with Lessee's or any of the public's use of the Leased Premises during the term of this Lease Agreement.
 - c. Lessee shall fully defend, indemnify, and hold Lessor, including its affiliates, directors, officers, employees, and agents harmless from and against any and all third-party claims: (i) arising from or alleged to have been caused by Lessee's or its representatives', agents', or assigns' negligence or greater culpability (including willful misconduct) with regard to any of Lessee's use of the Leased Premises and/or (ii) arising from or alleged to have been caused by Lessee's willful misconduct or failure to comply with local, state, or federal statutes, ordinances, or regulations governing the use of the Leased Premises.
 - d. Lessee shall fully defend, indemnify, and hold Lessor, including its affiliates, directors, officers, employees, and agents harmless from and against any and all claims arising from or alleged to have been caused by Lessee's or its representatives', agents', or assigns' use of the Leased Premises with regard to any damage of the Leased Premises.
 - e. Lessor shall: (a) promptly notify Lessee in writing of any claim (provided that a failure to provide such notification shall not be deemed to relieve Lessee of its indemnification obligations hereunder except to the extent Lessee's ability to defend or settle the claim is materially prejudiced thereby); (b) grant the Lessee sole control of the defense and settlement of the claim; and (c) reasonably assist the Lessee in defending the claim, such assistance to be at Lessor's sole cost and expense.
8. **Limitation of Liability.** Neither party to this Agreement will be liable to the other party for lost profits, lost savings, loss of business, loss of data, cost of cover, or any other consequential, incidental, special, indirect, or punitive damages, even if advised of the possibility of such damages, and the parties hereby agree to likewise not hold the other party's directors, officers, employees, or agents ("Party Representatives") liable for any of the same, and to fully release the other party's Party Representatives from any liability hereunder. These limitations apply whether the claim is brought by Lessor or Lessee, and no matter what legal theory underlies the claim (including negligence liability). However, this limitation of liability is understood by the parties not to apply to their respective obligations of indemnification as set forth above.
9. **Termination of Agreement.** This Agreement may be terminated by either Lessee or Lessor for any reason, upon 30 days' written notice of termination, delivered by the terminating party to the non-terminating party.

In the event of a breach of any elective or required provision of this Agreement, the non-breaching party shall provide written notice of the default to the breaching party. The breaching party shall then have a period of time (the "Cure Period") to remedy the default as follows:

- a. **Monetary Default:** For any failure to pay lease fees as outlined in Sections 3 and 4, above, the Lessee shall have 10 days from the receipt of written notice to remit full payment.
- b. **Non-Monetary Default:** For any other breach of the terms of this Agreement (e.g., maintenance, insurance, or signage violations), the breaching party shall have 30 days from the receipt of written notice to cure the breach.
- c. **Extended Cure:** If the nature of the non-monetary default is such that it cannot reasonably be cured within 30 days, the breaching party shall not be in default if they commence the cure within the initial 30-day period and diligently pursue the same to completion.

10. Time is of the Essence. Time is of the essence with respect to the performance of all obligations and the payment of all sums under this Agreement.

11. Assignment and Subleasing Prohibited. Lessee shall not assign this Agreement or sublease any portion of the Leased Premises without the prior written consent of Lessor. Any attempted assignment or sublease without such consent shall be null and void.

12. Right of Entry. Lessor and its agents shall have the right to enter the Leased Premises at all reasonable times for the purpose of inspection, maintenance, or to make repairs to adjoining property or utilities.

13. Governmental Immunity. Nothing in this Agreement shall be construed as a waiver of any rights or protections afforded to Lessor under the Utah Governmental Immunity Act, Utah Code, Title 63G, Chapter 7.

14. Attorneys' Fees. In the event either Lessee or Lessor should default in the performance of their respective obligations under this Agreement, the prevailing party shall be entitled to recover all costs and expenses, including reasonable attorneys' fees and court costs, incurred in connection with the enforcement of the terms of this Agreement.

15. Integration. This Agreement, including any attached Exhibits, constitutes the entire agreement between the Lessor and the Lessee concerning the Leased Premises. It supersedes all prior or contemporaneous communications, representations, or agreements, whether oral or written. No modification or amendment to this Agreement shall be valid unless it is made in writing and signed by authorized representatives of both parties.

16. Severability. If any term, provision, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions shall remain in full force and effect and shall in no way be affected, impaired, or invalidated.

17. **Governing Law and Venue.** The Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Utah. The parties agree that any legal action, suit, or proceeding arising out of or relating to this Agreement shall be instituted exclusively in the First Judicial District Court in and for Box Elder County, State of Utah.

Dated this 21st day of October, 2026.

AUTOMATED PROPERTIES, LLC

By: Chad L. Greer

Its:

STATE OF UTAH)

ss

COUNTY OF Box Elder)

BEFORE ME THE UNDERSIGNED, a Notary Public, within and for said State and County, on this 21 day of October, 2026, personally appeared Chad Greer, the Member/manager of Automated Properties LLC, a limited liability company, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the entity upon behalf of which the person acted, executed the instrument as a free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

Christina Molgard
Notary Public



Dated this 7th day of October 2026.

BOX ELDER COUNTY

Tyler Vincent
Tyler Vincent, Chairman
Box Elder County Commission

ATTEST:

Marla Young
Marla Young, Clerk
Box Elder County



Dated this ____ day of _____, 2026.

AUTOMATED PROPERTIES, LLC

By: Chad L. Greer

Its:

STATE OF UTAH)
)
) ss
COUNTY OF _____)

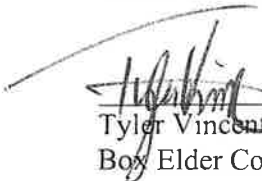
BEFORE ME THE UNDERSIGNED, a Notary Public, within and for said State and County, on this ____ day of _____, 2026, personally appeared _____, the _____ of _____, a limited liability company, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the entity upon behalf of which the person acted, executed the instrument as a free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

Notary Public

Dated this 7th day of October 2026.

BOX ELDER COUNTY


Tyler Vincent, Chairman
Box Elder County Commission

ATTEST:

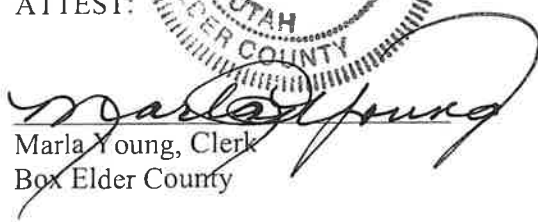

Marla Young, Clerk
Box Elder County



EXHIBIT "A"

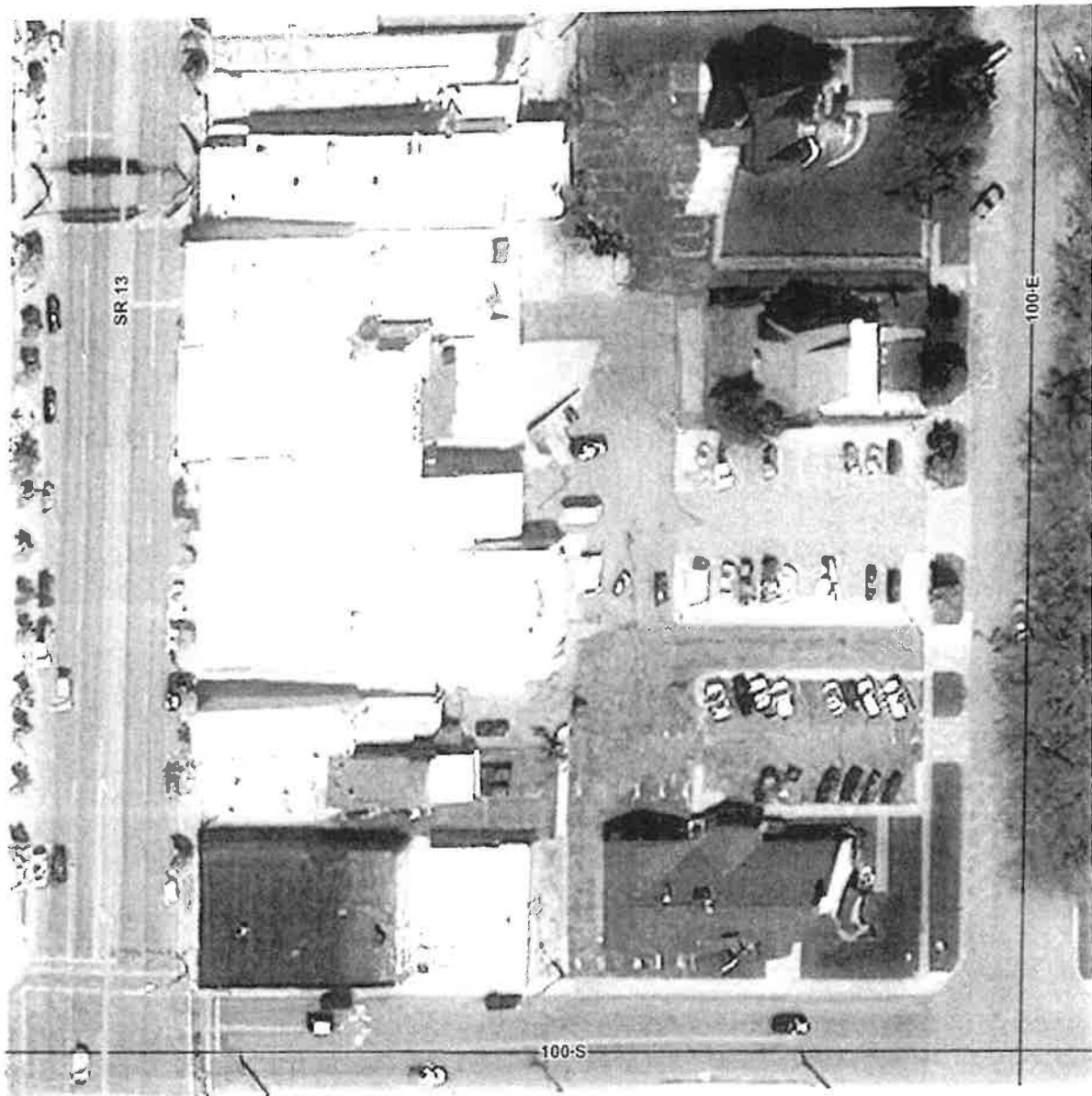


EXHIBIT "B"

BEG AT A PT 73 FT S & 100 FT W OF NE COR OF LOT 11 BLK 13 PLT A BCS, W 18 FT, S 116.19 FT, W 47 FT, S 41.81 FT, E 165 FT, N 98 FT, W 100 FT, N 60 FT TO POB. LESS 03-121-0150 BEG AT PT LOC S00*00'00"W 73 FT FRM THE NE COR OF SD LT 11, S00*00'00"W 61.95 FT TO N FACE OF AN EXISTING CONCRETE CURB PT BEING LOC N00*00'00"E 294.12 FT & N90*00'00"W 49.50 FT FRM THE BCS MON AT THE INTERSEC OF 100 S & 100 E, S89*00'49"W 101.42 FT ALG SD N FACE TO E FACE OF AN EXISTING CONCRETE CURB, N00*14'21"W 63.84 FT ALG SD E FACE, S89*55'18"E (E BY REC) 101.67 FT TO POB CONT .26 AC.

PROCLAMATION DESIGNATING CRASH RESPONDER SAFETY WEEK

WHEREAS, Box Elder County has great law enforcement officers, firefighters, emergency medical personnel, road maintenance crews, public service utility workers, crossing guards, and tow operators that place themselves in danger every time they work within inches of vehicles traveling at highway speeds to conduct valuable, life-saving operations often in adverse weather conditions;

WHEREAS, it is imperative that we recognize the incredible service roadway and crash responders provide our County and communities and promote safer incident scenes through public education and awareness to protect all responders as they courageously work to clear traffic-related incidents;

WHEREAS, Crash Responder Safety Week (CRSW) serves as an opportunity for Box Elder County and all other responders throughout Utah and the United States of America to participate in coordinated efforts to educate the public and bring awareness to first responder safety, and to promote effective Traffic Incident Management strategies and training for first responders;

WHEREAS, the State of Utah reminds drivers of the "Move Over" law (Utah Code § 41-6a-904(2)–(3)) which states,

(2)(a) The operator of a vehicle, upon approaching a stationary authorized emergency vehicle that is displaying alternately flashing red, red and white, or red and blue lights, shall:

(i) reduce the speed of the vehicle;

(ii) provide as much space as practical to the stationary authorized emergency vehicle; and

(iii) if traveling in a lane adjacent to the stationary authorized emergency vehicle and if practical, with due regard to safety and traffic conditions, make a lane change into a lane not adjacent to the authorized emergency vehicle.

(3)(a) The operator of a vehicle, upon approaching a stationary tow truck or highway maintenance vehicle that is displaying flashing amber light, shall:

- (i) reduce the speed of the vehicle;
- (ii) provide as much space as practical to the stationary tow truck or highway maintenance vehicle; and
- (iii) if traveling in a lane adjacent to the stationary tow truck or highway maintenance vehicle, if practical and with due regard to safety and traffic conditions, make a lane change into a lane not adjacent to the tow truck or highway maintenance vehicle.

WHEREAS, according to the National Highway Traffic Safety Administration, less than 30% of Americans are aware of Move Over laws and fail to abide by them;

WHEREAS, Box Elder County along with the State of Utah is committed to increasing safety and improving quality of life with effective traffic incident response and management through collaboration and training, which reduces the duration and impacts of traffic incidents and improves the safety of motorists, crash victims, and emergency responders; and

WHEREAS, recent struck-by incidents in Utah—including a trooper struck on Interstate 215 on February 19, 2026, an IMT worker struck on Interstate 15 in Davis County on June 1, 2026, and a trooper and deputy struck on Interstate 15 near Beaver on August 11, 2026, a crossing guard struck at 4300 W. 5500 S. in Roy early in September—all demonstrate the ongoing dangers responders face while serving the public along Utah's highways;

WHEREAS, these incidents highlight the importance of Crash Responder Safety Week and reinforce the need for motorists to slow down, move over, and provide space for responders working on or near the roadway;

WHEREAS, during Crash Responder Safety Week, Box Elder County remembers and honors those 36 national first responders who lost their lives while working on roadway incidents in 2025;

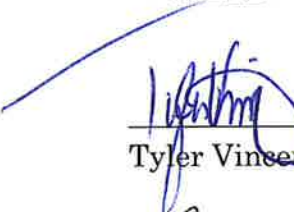
NOW, THEREFORE, BE IT RESOLVED, that the County Legislative of Body of Box Elder County does hereby proclaim November 2–6, 2026, as:

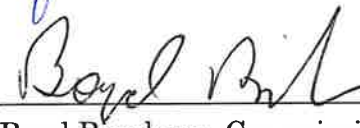
“CRASH RESPONDER SAFETY WEEK”

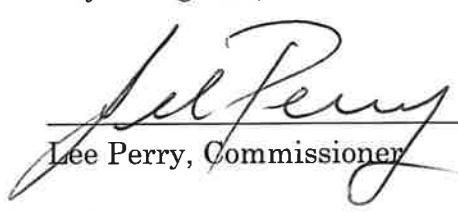
in Box Elder County, and urges all residents to join in this special observance by educating themselves on the Move Over Law and being mindful of crash responders they see as they drive their vehicles.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the Seal of Box Elder County to be affixed this 7th day of October, 2026.

BOX ELDER COUNTY COMMISSION

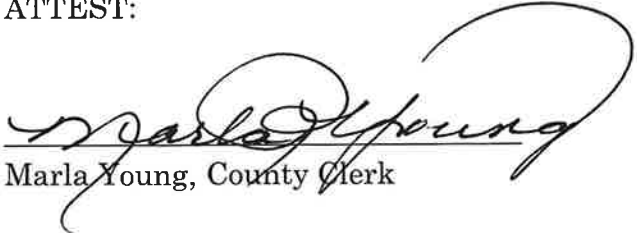

Tyler Vincent, Commissioner / Chair


Boyd Bingham, Commissioner


Lee Perry, Commissioner



ATTEST:


Marla Young, County Clerk



UTAH DEPARTMENT OF AGRICULTURE AND FOOD
STATE OF UTAH GRANT AGREEMENT

Contract # _____

Vendor # VC0000128922

This Agreement is between the Utah Department of Agriculture and Food (UDAF) and the following entity Grantee:

Box Elder County
1 S Main Street
Brigham City, Utah 84302

1. GENERAL PURPOSE OF AGREEMENT: Provide Predation Management as outlined in Attachment A, Box Elder County Predation Management Plan.
2. AGREEMENT PERIOD: Effective Date: **7/1/26**; Termination Date: **6/30/27**; unless terminated early or extended in accordance with the terms and conditions of this Agreement.
3. AGREEMENT COSTS: The total Agreement amount due is **\$22,800**. This Agreement authorizes UDAF to reimburse 50% of the total costs up to \$11,400.
4. AGREEMENT DUE DATE: This Agreement, signed by Grantee, and all PDCF funds must be received at the UDAF main office no later than **October 31, 2026**.
5. The following attached documents are hereby incorporated by reference into this Agreement:
ATTACHMENT A: County Predation Management Plan
ATTACHMENT B: UDAF Program Participation Letter
ATTACHMENT C: Producer County Match Form
ATTACHMENT D: Standard Terms and Conditions for Goods and/or Services (both parties' government entities)
6. Any conflicts between Attachment D and other Attachments shall be resolved in favor of Attachment D.
7. ADDITIONAL PROVISIONS:
 - a. This Agreement is subject to the laws of the State of Utah, and to all other federal, state and local laws, regulations, or actions applicable to the services authorized by this Agreement.
 - b. Each signatory below represents that he or she has the requisite authority to enter into this Agreement.
 - c. This Agreement is not fully executed until all approving authorities listed below have signed this Agreement.

By signing below, the parties hereby execute this Agreement:

GRANTEE

Grantee's Signature

Date

Grantee's Name and Title

UDAF/STATE

Grantor's Signature

Date

UDAF Admin Services

Date

Division of Finance

Date

Grantor Contact Person: Annie Thackeray

Phone Number: (385) 395-1919

Email: athackeray1@utah.gov

Box Elder County Predation Management Plan -2027

Thank you for the contract allowing the Department of Agriculture and Food to match up to 50% of the County's contracted amount for predation management in Box Elder County.

The work plan is as follows:

Box Elder County will participate in the Predator Damage Control Fund (PDCF) program at the rate of 22,800 annually. UDAF will reimburse the county for 50% of the request, not to exceed the total annual contract portion of \$11,400. The funds provided by the County and producers will be deposited into the PDCF account, by the Utah Wool Growers Association (UWGA). These funds will be allocated and used within Box Elder County and will be administered by UDAF for aerial predator management.

Please make checks payable to:

PDCF

and mail to:

**Utah Department of Agriculture and Food
P.O. Box 146500 Salt Lake City, Utah 84114-6500**

Included with this paperwork is a Predator County Match Form to log County and producer's contributions to this program. Please return this form with payment to better provide accountability to the program participants.



State of Utah

SPENCER J. COX
GovernorDEIDRE M. HENDERSON
Lieutenant Governor

Department of Agriculture and Food

KELLY PEHRSON
CommissionerTROY FORREST
Deputy CommissionerPHIL CROWTHER
Deputy Director, Predator ControlCOLE SELMAN
Predator Control Program Manager

To: Predator Damage Control Fund (PDCF) participants

Subject: October 31, 2026 Deadline to receive matching funds for predator damage management

Each year the Utah Department of Agriculture and Food (UDAF) and the Division of Wildlife Resources (DWR) fund a program in which producers can contribute funds toward a predator damage management program, PDCF, and have their funds matched through the Counties. The program is administered by UDAF in cooperation with DWR. To maximize the allotted funds and to provide the best possible service we can, we are asking that all PDCF funds from the Counties be sent in and received at the UDAF main office no later than October 31, 2026. If we do not receive your funds and signed contract by this date, your potential matching funds will become available to other counties for use, and your county may NOT be able to participate in the matching fund program.

**Please make checks payable to
PDCF
and mail to
Utah Department of Agriculture and Food
P.O. Box 146500
Salt Lake City, Utah 84114-6500**

Each year there are funds “left on the table” that could be used to benefit livestock producers within the Counties. This is due to Counties signing the contracts for a specific amount of money, and then not fully funding or not providing the funds for them at all. Any unpaid contract funds will be available for other counties to use after the deadline of January 1, 2027; these funds will be available until exhausted. Any funds distributed after the deadline will be allocated as decided by the Wool Grower’s Presidency.

Also, you will be receiving a tracking form with the contract. This form will help us track which producer’s put money towards the program and thus, we can make sure that we provide the amount of service they paid for. This form is required to be with the payment when submitted.

Thank you in advance for your cooperation, I think this will enable us to provide more services to you and will maximize the funds set aside for predator management.

If you have any questions, please feel free to contact me at the number listed below.

Cole Selman
Predator Control Program Manager
(385) 222-6790

Predator County Match Form

County: _____

Producer Name	Phone Number	Amount Collected
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____
8. _____	_____	_____
9. _____	_____	_____
10. _____	_____	_____
11. _____	_____	_____
12. _____	_____	_____
13. _____	_____	_____
14. _____	_____	_____
15. _____	_____	_____

ORDINANCE NO. 668

AN ORDINANCE OF BOX ELDER COUNTY AMENDING THE TEXT TO SECTION 5-6-060(C), IN THE BOX ELDER COUNTY LAND USE MANAGEMENT & DEVELOPMENT CODE.

WHEREAS, a proposal has been made to amend the text of section 5-6-060(C), of the Box Elder County Land Use Management & Development Code; and

WHEREAS, the Box Elder County Planning Commission scheduled a public hearing on the proposal to amend the text of the Box Elder County Land Use Management & Development code and provided a Class B notice in accordance with Section 2-2-050(B) of the Box Elder County Land Use Management and Development Code and Section 63G-30-102 of the Utah Code; and

WHEREAS, the Box Elder County Planning Commission, after appropriate notice, held a public hearing on September 17, 2026 to allow the general public to comment on this proposed text amendment; and

WHEREAS, after providing for public comment from the general public, the Box Elder County Planning Commission has found and determined that the proposed text amendment is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve property are adequate, and will provide for the health, safety, and general welfare of the public and protect the environment; and

WHEREAS, based upon these findings, the Box Elder County Planning Commission has recommended that the Box Elder County Commission amend the text as has been requested; and

WHEREAS, the Box Elder County Commission, after appropriate notice, held a public meeting on October 7, 2026, to review and discuss this proposed amendment; and

WHEREAS, after reviewing and discussing, the Board of County Commissioners of Box Elder County, Utah finds that the amendment to the text as set forth in Exhibit B is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve property are adequate, and that it will be in the best interest of and promote the health, safety and general welfare of the residents of Box Elder County;

NOW THEREFORE, the County legislative body of Box Elder County ordains as follows:

SECTION 1: Ordinance Text Amendment. The text of section 5-6-060(C) of the Box Elder County Land Use Management & Development Code is hereby amended to read as set forth in Exhibit A.

SECTION 2: Effective Date. This ordinance shall become effective fifteen (15) days after its passage.

PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED this 7th day of October, 2026, by the Board of County Commissioners of Box Elder County, Utah,



Attest:

Marla Young
Marla Young
Box Elder County Clerk

Commissioner Bingham
Commissioner Perry
Commissioner Vincent

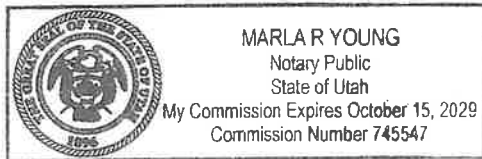
Voting Aye
Voting Aye
Voting Aye

Tyler Vincent
Box Elder County Commission Chair

State of Utah)
 .ss)
County of Box Elder)

On this 7th day of October, 2026, personally appeared before me, the undersigned notary public, Tyler Vincent, whose identity is personally known to me (or proved on the basis of satisfactory evidence) and who by me duly sworn (or affirm), did say he is the **Commission Chairman for Box Elder County** and said document was signed by him in behalf of said Corporation and acknowledged to me that said Corporation executed the same.

My Commission Expires: Oct 15, 2029



Marla Young
Notary Public

EXHIBIT A

5-6-060(C):

C: ADUs or IADUs may be used as short term rentals with quiet hours from 10 pm to 6 am.

EXHIBIT B

5-6-060(C):

C: ADUs or IADUs ~~shall not~~ may be rented on a transient basis (periods less than 30 days) used as short term rentals with quiet hours from 10 pm to 6 am.

ORDINANCE NO. 669

AN ORDINANCE OF BOX ELDER COUNTY AMENDING THE BOX ELDER COUNTY ZONING MAP BY REZONING APPROXIMATELY 7 ACRES LOCATED IN THE WEST CORINNE AREA FROM A-20 (AGRICULTURE 20 ACRES) TO RR-1 (RURAL RESIDENTIAL 1 ACRE).

WHEREAS, the applicant is requesting that the property described herein be zoned from A-20 (Agriculture - 20 acres min.) to RR-1 (Rural Residential - 1 acre. min.); and

WHEREAS, the Box Elder County Planning Commission scheduled a public hearing on the proposal to amend the text of the Box Elder County Land Use Management & Development code and provided a Class B notice in accordance with Section 2-2-050(B) of the Box Elder County Land Use Management and Development Code and Section 63G-30-102 of the Utah Code; and

WHEREAS, the Box Elder County Planning Commission, after appropriate notice, held a public hearing on September 17, 2026 to allow the general public to comment on this proposed text amendment; and

WHEREAS, after providing for public comment from the general public, the Box Elder County Planning Commission has found and determined that the proposed text amendment is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve property are adequate, and will provide for the health, safety, and general welfare of the public and protect the environment; and

WHEREAS, based upon these findings, the Box Elder County Planning Commission has recommended that the Box Elder County Commission amend the text as has been requested; and

WHEREAS, the Box Elder County Commission, after appropriate notice, held a public meeting on October 7, 2026, to review and discuss this proposed amendment; and

WHEREAS, after reviewing and discussing, the Board of County Commissioners of Box Elder County, Utah finds that the amendment to the text as set forth in Exhibit B is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve property are adequate, and that it will be in the best interest of and promote the health, safety and general welfare of the residents of Box Elder County;

NOW THEREFORE, the County legislative body of Box Elder County ordains as follows:

SECTION 1: Zoning Map Amendment. The Zoning Map of Unincorporated Box Elder County is hereby amended by classifying part of the following described parcel in unincorporated Box Elder County from A-20 (Agriculture - 20 acres min.) to RR-1 (Rural Residential - 1 acre. min.):

Part of parcel 04-070-0003:

A PART OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE SALT LAKE BASE AND MERIDIAN.

Entry No. 504282
10/08/2026 12:08:40 PM
ORDINANCE For: BOX ELDER COUNTY
Chad Montgomery Box Elder County Utah Recorder
B: 1672 P: 0994
FEE \$0.00
Pages: 2

BEGINNING AT A POINT LOCATED 1752.66 FEET SOUTH 00°16'58" WEST ALONG THE WEST LINE OF SAID SECTION FROM THE NORTHWEST CORNER OF SAID SECTION 26;

RUNNING THENCE SOUTH 89°43'02" EAST 54.46 FEET; THENCE NORTH 88°51'32" EAST 865.39 FEET ALONG AN EXISTING FENCE LINE IN PART; THENCE SOUTH 00°34'09" WEST 310.19 FEET; THENCE SOUTH 89°54'50" WEST 917.94 FEET TO THE WEST LINE OF SAID SECTION; THENCE NORTH 00°16'58" EAST 294.59 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

SECTION 2: Effective Date. This ordinance shall become effective fifteen (15) days after its passage.

PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED this 7th day of October, 2026, by the Board of County Commissioners of Box Elder County, Utah,



Attest:

Marla Young
Marla Young
Box Elder County Clerk

Commissioner Bingham
Commissioner Perry
Commissioner Vincent

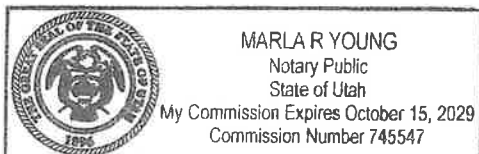
Voting Ass
Voting Ass
Voting Ass

[Signature]
Box Elder County Commission Chair

State of Utah)
.ss)
County of Box Elder)

On this 7th day of October, 2026, personally appeared before me, the undersigned notary public, Tyler Vincent, whose identity is personally known to me (or proved on the basis of satisfactory evidence) and who by me duly sworn (or affirm), did say he is the **Commission Chairman for Box Elder County** and said document was signed by him in behalf of said Corporation and acknowledged to me that said Corporation executed the same.

My Commission Expires: Oct. 15, 2029



[Signature]
Notary Public

ORDINANCE NO. 670

AN ORDINANCE OF BOX ELDER COUNTY AMENDING THE TEXT TO SECTION 5-1-070 OF THE CODE (LOT STANDARDS AND STREET FRONTAGE), IN THE BOX ELDER COUNTY LAND USE MANAGEMENT & DEVELOPMENT CODE.

WHEREAS, a proposal has been made to amend the text of section 5-1-070 of the Box Elder County Land Use Management & Development Code; and

WHEREAS, the Box Elder County Planning Commission scheduled a public hearing on the proposal to amend the text of the Box Elder County Land Use Management & Development code and provided a Class B notice in accordance with Section 2-2-050(B) of the Box Elder County Land Use Management and Development Code and Section 63G-30-102 of the Utah Code; and

WHEREAS, the Box Elder County Planning Commission, after appropriate notice, held a public hearing on September 17, 2026 to allow the general public to comment on this proposed text amendment; and

WHEREAS, after providing for public comment from the general public, the Box Elder County Planning Commission has found and determined that the proposed text amendment is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve property are adequate, and will provide for the health, safety, and general welfare of the public and protect the environment; and

WHEREAS, based upon these findings, the Box Elder County Planning Commission has recommended that the Box Elder County Commission amend the text as has been requested; and

WHEREAS, the Box Elder County Commission, after appropriate notice, held a public meeting on October 7, 2026, to review and discuss this proposed amendment; and

WHEREAS, after reviewing and discussing, the Board of County Commissioners of Box Elder County, Utah finds that the amendment to the text as set forth in Exhibit B is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve property are adequate, and that it will be in the best interest of and promote the health, safety and general welfare of the residents of Box Elder County;

NOW THEREFORE, the County legislative body of Box Elder County ordains as follows:

SECTION 1: Ordinance Text Amendment. The text of section 5-1-070 of the Box Elder County Land Use Management & Development Code is hereby amended to read as set forth in Exhibit A.

SECTION 2: Effective Date. This ordinance shall become effective fifteen (15) days after its passage.

PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED this 7th day of October, 2026, by the Board of County Commissioners of Box Elder County, Utah,



Commissioner Bingham
Commissioner Perry
Commissioner Vincent

Voting Agree
Voting Agree
Voting Agree

[Signature]
Box Elder County Commission Chair

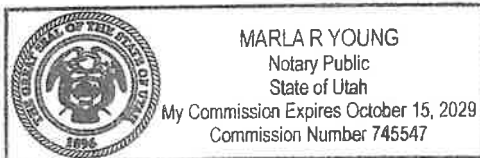
Attest:

[Signature]
Marla Young
Box Elder County Clerk

State of Utah)
.ss)
County of Box Elder)

On this 7th day of October, 2026, personally appeared before me, the undersigned notary public, Tyler Vincent, whose identity is personally known to me (or proved on the basis of satisfactory evidence) and who by me duly sworn (or affirm), did say he is the **Commission Chairman for Box Elder County** and said document was signed by him in behalf of said Corporation and acknowledged to me that said Corporation executed the same.

My Commission Expires: Oct 15, 2029



[Signature]
Notary Public

EXHIBIT A

5-1-070. Lot Standards and Street Frontage.

FRONT YARD REGULATIONS	
The minimum depth in feet for the front yard for main buildings and accessory buildings intended for human occupancy shall be	30 feet
Where the existing minimum right-of-way on which the lot front is less than 66 feet, the setback shall be measured from the center line and in feet shall be no less than	63 feet
Where the proposed minimum right-of-way is more than 66 feet	the setback in feet shall be $\frac{1}{2}$ proposed right-of-way, plus 30 feet
The minimum depth in feet for the front yard for detached accessory buildings not intended for human occupancy, including but not limited to storage sheds, equipment buildings, workshops, ag storage buildings, hay sheds and similar accessory structures shall be	15 feet

EXHIBIT B

5-1-070. Lot Standards and Street Frontage.

FRONT YARD REGULATIONS	
The minimum depth in feet for the front yard for main buildings and accessory buildings <u>intended for human occupancy</u> shall be	30 feet
Where the existing minimum right-of-way on which the lot front is less than 66 feet, the setback shall be measured from the center line and in feet shall be no less than	63 feet
Where the proposed minimum right-of-way is more than 66 feet	the setback in feet shall be $\frac{1}{2}$ proposed right-of-way, plus 30 feet
<u>The minimum depth in feet for the front yard for detached accessory buildings not intended for human occupancy, including but not limited to storage sheds, equipment buildings, workshops, ag storage buildings, hay sheds and similar accessory structures shall be</u>	<u>15 feet</u>

ORDINANCE NO. 671

AN ORDINANCE OF BOX ELDER COUNTY AMENDING THE TEXT TO CHAPTER 3-4 OF THE CODE (COMMERCIAL & MANUFACTURING ZONE), IN THE BOX ELDER COUNTY LAND USE MANAGEMENT & DEVELOPMENT CODE.

WHEREAS, a proposal has been made to amend the text of Chapter 3-4 (Commercial & Manufacturing Zone) of the Box Elder County Land Use Management & Development Code; and

WHEREAS, the Box Elder County Planning Commission scheduled a public hearing on the proposal to amend the text of the Box Elder County Land Use Management & Development code and provided a Class B notice in accordance with Section 2-2-050(B) of the Box Elder County Land Use Management and Development Code and Section 63G-30-102 of the Utah Code; and

WHEREAS, the Box Elder County Planning Commission, after appropriate notice, held a public hearing on September 17, 2026 to allow the general public to comment on this proposed text amendment; and

WHEREAS, after providing for public comment from the general public, the Box Elder County Planning Commission has found and determined that the proposed text amendment is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve property are adequate, and will provide for the health, safety, and general welfare of the public and protect the environment; and

WHEREAS, based upon these findings, the Box Elder County Planning Commission has recommended that the Box Elder County Commission amend the text as has been requested; and

WHEREAS, the Box Elder County Commission, after appropriate notice, held a public meeting on October 7, 2026, to review and discuss this proposed amendment; and

WHEREAS, after reviewing and discussing, the Board of County Commissioners of Box Elder County, Utah finds that the amendment to the text as set forth in Exhibit B is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve property are adequate, and that it will be in the best interest of and promote the health, safety and general welfare of the residents of Box Elder County;

NOW THEREFORE, the County legislative body of Box Elder County ordains as follows:

SECTION 1: Ordinance Text Amendment. The text to Chapter 3-4 (Commercial & Manufacturing Zone) of the Box Elder County Land Use Management & Development Code is hereby amended to read as set forth in Exhibit A.

SECTION 2: Effective Date. This ordinance shall become effective fifteen (15) days after its passage.

October, 2026, by the Board of County Commissioners of Box Elder County, Utah, PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED this 7th day of



Commissioner Bingham
Commissioner Perry
Commissioner Vincent

Voting Aye
Voting Aye
Voting Aye

[Signature]
Box Elder County Commission Chair

Attest:

[Signature]
Marla Young
Box Elder County Clerk

State of Utah)
) ss
County of Box Elder)

On this 7th day of October, 2026, personally appeared before me, the undersigned notary public, Tyler Vincent whose identity is personally known to me (or proved on the basis of satisfactory evidence) and who by me duly sworn (or affirm), did say he is the **Commission Chairman for Box Elder County** and said document was signed by him in behalf of said Corporation and acknowledged to me that said Corporation executed the same.

My Commission Expires: Oct 15, 2029



[Signature]
Notary Public

EXHIBIT A

Chapter 3-4 – Commercial & Manufacturing

Sections.

- 3-4-010. Purpose. (Ordinance 301)
- 3-4-020. Scope.
- 3-4-030. Definitions.
- 3-4-040. Uses Allowed.
- 3-4-050. Use Regulations.
- 3-4-060. Regulations of General Applicability.
- 3-4-070. Regulations for Specific Uses. (Ordinance 301, 337, & 366)
- 3-4-080. Regulations for Uses. (Ordinance 354, 406)

3-4-010. Purpose.

- A. Neighborhood Commercial District (C-N).** To provide areas in appropriate locations where convenience buying outlets may be established to serve surrounding residential neighborhoods. The regulations of this district are designed to promote a combination of retail and service facilities which in character and scale are necessary to meet day-to-day needs of area residents.
- B. Highway Commercial District (C-H).** To provide areas in appropriate locations adjacent to highways or major streets where activities dependent upon or catering to thoroughfare traffic and the traveling public may be established, maintained, and protected. The regulations of this district are designed to encourage harmony between traffic needs and centers for retail commercial, entertainment, automotive facilities, and other appropriate highway-related activities.
- C. General Commercial District (C-G).** To provide areas in appropriate locations where a combination of business, retail commerce, entertainment, and related activities may be established, maintained and protected. Regulations of this district are designed to provide a suitable environment for those commercial and service uses which are vital to economic life, but some of which would be intrusive and disruptive in a shopping center type of commercial development.
- D. Commercial Enterprise District (C-E).** To provide areas for more intense commercial and light industrial uses than those listed above in areas that are buffered from more heavily populated residential areas by a major highway or other less intense commercial zones. (Ordinance 301)
- E. General Industrial District (M-G).** To provide for areas in appropriate locations where heavy industrial processes necessary to the economy may be conducted. The regulations of this district are designed to protect environmental quality of the district and adjacent areas.

3-4-020. Scope.

The provisions of this Chapter shall apply to any real property located in commercial and industrial zones as shown on the Official Zoning Map.

3-4-030. Definitions.

Certain words and phrases in this Chapter, including uses, are defined in Chapter 1-3 of this Code.

3-4-040. Uses Allowed.

- A. Allowed, Permitted and Conditional Uses.** Allowed, permitted and conditional uses allowed in commercial zones shall be as set forth pursuant to Section 3-4-070 in this Chapter. Allowed uses (any land use not requiring approval by a land use authority) are indicated by an "A" in the appropriate column. Uses that may be permitted by a permitted use review issued by the zoning administrator are indicated by a "P" in the appropriate column. Uses that may be permitted by a conditional use permit are indicated by a "C" in the appropriate column. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash "-."
- B. Accessory Uses.** Allowed, permitted and conditional uses set forth pursuant to Section 3-4-070 in this chapter shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.
1. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this Code.
 2. No accessory use, building, or structure shall be allowed on a lot or parcel unless a permitted or conditional use has been and is currently established.

3-4-050. Use Regulations.

No building, structure or real property shall be used and no building or structure shall hereafter be erected, structurally or substantially altered, or enlarged except as set forth in this Chapter. Such requirements shall not be construed to prohibit or limit other applicable provisions of this Code or other laws.

3-4-060. Regulations of General Applicability.

The use and development of real property in commercial zones shall conform to regulations of general applicability as set forth in the following chapters of this Code.

- A. Regulations Applicable to All Zones. See Chapter 5-1 of this Code.
- B. Off-Street Parking and Loading. See Chapter 5-2 of this Code.
- C. Signs. See Chapter 5-3 of this Code.
- D. Sensitive Lands. See Chapter 4-2 of this Code.

3-4-070. Regulations for Specific Uses.

To the extent that use and development of real property includes any matter encompassed by a regulation for a specific use as set forth in this Code, such regulation shall apply in addition to the requirements of this Chapter and shall prevail over any conflicting provision of this Chapter.

BOX ELDER COUNTY ZONING RESTRICTIONS						
CODE SECTION	"P" = Permitted Uses "C" = Conditional Uses "A" = Allowed Uses "-" = Not permitted	CURRENT ESTABLISHED COMMERCIAL ZONING DISTRICTS				
		C-N	C-H	C-G	M-G	C-E
3-4-070-1	AGRICULTURAL					
3-4-070-1.1	Agricultural Industry	-	-	-	C	-
3-4-070-1.2	Agriculture	A	A	A	A	A
3-4-070-1.3	Cannabis Production Establishment (must be state licensed and permitted)	-	-	-	P	-
3-4-070-1.4	Produce Stand	-	P	P	-	P
3-4-070-2	COMMERCIAL RESIDENTIAL					
3-4-070-2.1	Assisted Living Facility	C	C	C	-	C
3-4-070-2.2	Bed & Breakfast	C	C	C	-	C
		C-N	C-H	C-G	M-G	C-E

3-4-070-2.3	Dwelling Unit for On-Site Manager for Storage Units with Stipulations: A. The Manager/Caretaker must reside in the residence; B. The site must be maintained so as to minimize the impact on neighboring properties; C. The establishment shall conform to all applicable fire, building, and health codes; D. The dwelling unit shall be attached to the main structure and be compatible with the main structure through architectural use of building forms, construction materials, and colors used; E. The dwelling unit shall have the same address as the main structure; F. The dwelling unit shall not be sold separately from the main structure; G. Two parking spaces shall be provided for the dwelling unit. No off-site parking will be accepted for this requirement.	-	-	-	-	P
3-4-070-2.4	Residential Facility for Persons with a Disability	P	P	P	P	P
3-4-070-3	COMMUNICATION					
3-4-070-3.1	Communication Facility	-	C	C	P	P
3-4-070-4	COMMERCIAL SERVICES/RETAIL TRADE					
3-4-070-4.1	Agricultural Sales & Service	-	C	C	P	P
3-4-070-4.2	Automotive Service	-	C	C	P	P
3-4-070-4.3	Body Art Facility	C	C	C	P	P
3-4-070-4.4	Child Care Center	C	-	-	-	-
3-4-070-4.5	Commercial Kennel	-	C	C	P	C
3-4-070-4.6	Construction Sales & Service	-	C	C	P	P
3-4-070-4.7	General Retail	C	P	P	-	P
		C-N	C-H	C-G	M-G	C-E
3-4-070-4.8	Funeral Home/Mortuary	-	C	C	-	P

3-4-070-4.9	Impound/Security Lot	-	-	-	P	P
3-4-070-4.10	Personal Care Service	C	P	P	-	-
3-4-070-4.11	Personal Instruction Service	C	P	P	-	-
3-4-070-4.12	Professional Service	C	P	P	-	P
3-4-070-4.13	Small Butcher Shop	C	P	P	-	P
3-4-070-4.14	Small Taxidermy	C	P	P	-	P
3-4-070-4.15	Specialty Food Sales	C	P	P	-	-
3-4-070-4.16	Temporary Merchant	P	P	P	P	P
3-4-070-4.17	Truck Wash	-	C	C	P	C
3-4-070-5	ENTERTAINMENT					
3-4-070-5.1	Cultural Service	C	P	P	-	P
3-4-070-5.2	Indoor Entertainment & Recreation	-	C	P	-	P
3-4-070-5.3	Outdoor Entertainment & Recreation	-	C	P	-	P
3-4-070-5.4	Race Track	-	-	-	C	C
3-4-070-5.5	Reception Center	C	C	-	-	-
3-4-070-6	HEALTH SERVICES					
3-4-070-6.1	Hospital	-	C	C	-	C
3-4-070-7	LIGHT INDUSTRIAL					
3-4-070-7.1	General Construction Service	-	-	C	P	C
		C-N	C-H	C-G	M-G	C-E
3-4-070-7.2	Outdoor Storage Facility	-	-	-	P	C
3-4-070-7.3	Personal Storage Facility	-	-	C	P	C
3-4-070-7.4	Small Warehouse Facility	-	-	-	P	C
3-4-070-8	HEAVY INDUSTRIAL					
3-4-070-8.1	Automotive Salvage Yard	-	-	-	C	-

3-4-070-8.2	Chemical & Plastics Manufacturing	-	-	-	C	-
3-4-070-8.3	Food Products Manufacturing	-	-	-	C	-
3-4-070-8.4	Furniture Products Manufacturing	-	-	-	C	-
3-4-070-8.5	Junk Yard	-	-	-	C	-
3-4-070-8.6	Machine Products Manufacturing	-	-	-	C	-
3-4-070-8.7	Metallic Products Manufacturing	-	-	-	C	-
3-4-070-8.8	Non-Metallic Products Manufacturing	-	-	-	C	-
3-4-070-8.9	Petroleum Products Manufacturing	-	-	-	C	-
3-4-070-8.10	Precision Instruments & Jewelry Manufacturing	-	-	-	C	-
3-4-070-8.11	Textile Products Manufacturing	-	-	-	C	-
3-4-070-8.12	Wholesale Trade & Warehousing	-	-	-	C	-
3-4-070-8.13	Wood & Paper Manufacturing	-	-	-	C	-
3-4-070-9	PUBLIC & QUASI PUBLIC					
3-4-070-9.1	Educational Service	C	C	C	-	C
3-4-070-9.2	Government Service	C	P	P	P	P
3-4-070-9.3	Essential Facility	C	C	C	P	P
3-4-070-10	RELIGIOUS & WELFARE SERVICES					
3-4-070-10.1	Church or Place of Worship	C	C	C	-	C
3-4-070-11	TRANSPORTATION					
3-4-070-11.1	Parking Facility	-	C	C	C	C
3-4-070-11.2	Transportation Facility	C	C	P	P	P
3-4-070-11.3	Transportation Service	-	C	-	P	C
3-4-070-12	MINING (Ordinance 337)					
		C-N	C-H	C-G	M-G	C-E
3-4-070-12.1	Test Wells For Geothermal Exploration	-	-	-	P	-
3-4-070-12.2	Development of geothermal resources through production and reinjection wells	-	-	-	C	-

3-4-080. Regulations for Uses.

		C-N	C-H	C-G	M-G	C-E
3-4-080-1	HEIGHT REGULATIONS					

3-4-080-1.1	The Maximum Height for all buildings & Structures in districts regulated by this Chapter shall Be:					
	In Feet	35	35	35	75	35
	In Number of Stories	2 ½	3	3	7	3
3-4-080-1.2	In Structures with more than 2 ½ stories Fire Protection Design, Evacuation Facilities, and Automatic Fire Sprinkling Systems will be Required to mitigate the additional potential Of Loss of Life and/or Property.					
3-4-080-2	AREA, WIDTH, FRONTAGE, YARD & COVERAGE REGULATIONS					
3-4-080-2.1	The Minimum depth and/or length for yards in the Districts regulated by this Chapter shall Be:					
Ordinance 354	Front yard for Manufacturing Distribution Structures	25	25	25	25	25
	Front Yard	25	25	25	25	25
	Side Yard	10	10	10	10	10
	Side Yard on a corner lot (must comply with Section 5-1-180)	25	25	25	10	25
	Rear Yard	20	20	20	20	20
	Internal Setbacks on parcels under same ownership	-	-	-	0	-

Chapter 1-3: Definitions

Agricultural Industry (Agricultural Business): An industry or business involving agricultural products in packaging, treatment, sales, intensive feeding, or storage. Typical uses include animal feed yards, fur farms, commercial milk production, food-packaging or processing plants, commercial poultry or egg production, wholesale greenhouses, etc.

Agricultural Sales and Service: An establishment primarily engaged in the sale or rental of farm tools and implements, feed and grain, tack, animal care products, agricultural fertilizers, farm supplies, garden supplies, retail nurseries, etc., and including accessory food sales and farm machinery repair services.

Agriculture: The production of food through the tilling of the soil, the raising of crops, gardening and horticulture for personal use or sale, breeding and raising of domestic animals and fowl (excluding household pets), and not including any agricultural industry.

Airport: The Brigham City Municipal Airport or any area of land designated and used for the landing and taking off of aircraft.

Animal Clinic: A structure used for veterinary care of sick or injured animals. Also includes structures used for animal grooming. The boarding of animals is limited to short-term care; and is accessory to the principal use. This definition does not include commercial or home-based kennels.

Automatic Car Wash: A place for the cleaning or detailing of light duty motor vehicles (e.g. passenger cars, vans, and trucks).

Automotive Service: An establishment engaged in the sales, maintenance, or repair of new or used motor vehicles, mobile homes, recreational coaches, marine craft or recreational vehicles, or parts thereof. Repair can include services such as basic engine servicing, minor and major engine repair, auto body repair, tire replacement, etc. Examples may include uses such as dealerships, automobile service stations, parts stores, tire shops, mechanic shops, automatic car washes, etc. Excludes automotive salvage yards or the commercial sales of inoperable vehicles.

Bed & Breakfast: A building, or any portion thereof, where, for compensation, meals and lodging are provided to the occupants; but excluding a dwelling unit with family occupancy.

Body Art Facility: A facility where an individual practices or instructs any of the following as defined by Utah state code: body piercing; branding; permanent cosmetics; scarification; or tattooing.

Chemical & Plastics Manufacturing: A facility that develops chemical and/or plastics products. Typical uses include agricultural chemicals, pharmaceutical products, miscellaneous plastic or resin products, paint, lacquer, or varnish products, soaps, detergents, or other cleaning chemicals, injection/blow molding facilities, etc.

Commercial Business: Any commerce endeavor to engage in the purchase, sale, lease or exchange of goods, and/or the provision of services. This includes the following specific uses:

1. General Retail: An establishment that provides products or services directly to a consumer, and where such products are available for immediate purchase and removal from the premises by the purchaser.
2. Professional Services: An administrative, professional, research, laboratory, or personal service.

Communication Facility: Fixed equipment or structures used to transmit, receive, or relay electronic signals, data, voice, and images. Typical uses include cell towers, radio masts, satellite dishes, antenna arrays, and associated electronic equipment housing.

Construction Sales and Service: An establishment engaged in the retail or wholesale sale of materials and services used in the construction of buildings or other structures, as well as the outdoor storage of construction equipment or materials on a lot or parcel other than a construction site. Typical uses include lumber yards, home improvement centers, lawn and garden supply stores, construction equipment sales and rental, electrical, painting, plumbing, air conditioning and heating supply stores or services, swimming pool sales, construction and trade contractors' offices, etc.

Cultural Service: A library, museum, art gallery, nature exhibition, or similar public or registered nonprofit organizational use displaying, preserving, and exhibiting objects of community and cultural interest in one (1) or more of the arts and sciences.

Educational Service: Any school district's building, any state approved building teaching any of grades K-12 (public or private), colleges and universities, trade schools, charter schools, etc.

Equestrian Facility: A place designed for housing, training, or competing with horses. Typical uses include horse boarding, riding academies, private or public stables, roping and riding arenas, etc.

Essential Facility: Those facilities which are common to the community and essential for servicing the residents and businesses. Examples include utilities, utility maintenance shed, public utility substation, health and public safety facilities provided by a public utility or governmental agency for overhead, surface or underground services, but excluding any building, electrical sub-station, or transmission line of 50 kv or greater capacity.

Financial Service: An organization involved in deposit banking, finance, investment, mortgages, trusts, credit reporting, etc. Typical uses include commercial banks, credit unions, finance companies, savings institutions, etc.

Food Products Manufacturing: A facility that develops food products for wholesale distribution. Typical uses include baking products, beverages, canned goods (soups, vegetables, meats, etc.), confectionary products, dairy products, grain products, meat products, etc.

Funeral Home/Mortuary: An establishment engaged in preparing human deceased for burial and conducting funerals.

Furniture Products Manufacturing: A facility that manufactures furniture products for wholesale distribution. Typical uses include the manufacture of furniture, shelving units, lockers, office and store fixtures, containers, etc.

General Construction Service: Any commercial service or installation within the construction industry but excluding the production of materials for construction purposes. These uses typically include, but are not limited to concrete, masonry, or stonework installation, roofing and sheet metal services and installation, water and well drilling services, the storing/staging of construction equipment, etc.

General Retail: An establishment that provides products or services directly to a consumer, and where such products are available for immediate purchase and removal from the premises by the purchaser. These uses typically include, but are not limited to apparel stores, antique shops, art and hobby supply stores, bicycle shops, bookstores, clothing rental stores, department stores, discount stores, drugstores, electronic appliance stores, florists, food stores, furniture and appliance stores, gift and novelty shops, glass and mirror shops, hardware stores, jewelry stores, medical supply stores, music stores, optical retail sales, paint stores, pet and pet supply stores,

photocopying and blueprinting shops, photography supply stores, record, sporting goods stores, toy stores and variety stores.

Government Service (Public Building): Any building or facility used, owned or operated by a government entity which provides services for the public, excluding utilities and recreational services. Typical uses include administrative offices of government agencies, utility billing offices, federal postal services, etc.

Indoor Entertainment & Recreation: The use of an enclosed building or structure for entertainment, leisure, amusement, or social activities that are conducted primarily indoors and are open to the public or members. Typical uses include restaurants, theaters, private clubs, gyms and athletic clubs, bars, etc. This use does not include reception centers or adult/sexually oriented facilities and businesses.

Machine Products Manufacturing: A facility that manufactures machinery or equipment for wholesale distribution. Typical uses include electrical machinery and equipment or supplies, laboratory or research instruments and associated equipment, measuring instruments, transportation equipment, etc.

Medical Service: An establishment providing therapeutic, preventive, or corrective personal treatment services on an outpatient basis by physicians, dentists, and other practitioners of the medical or healing arts, as well as the provision of medical testing and analysis services. Typical uses include medical and dental offices and clinics, blood banks and medical or dental laboratories, funeral and crematory services. The establishment may include a dental and/or medical laboratory and pharmacy, but it shall not include in-patient care or operating rooms for major surgery.

Metallic Products Manufacturing: A facility that involves fabricating, forming, shaping, and assembling ferrous and nonferrous metal materials into intermediate or finished products. Typical uses include blast furnaces, steel works, iron and steel foundries and manufacturing, nonferrous foundries, smelters and refineries of nonferrous metals, etc.

Non-Metallic Products Manufacturing: A facility that processes quarried or mined raw materials—such as sand, gravel, stone, and clay—into intermediate or finished products. Typical uses include abrasives, non-metallic mineral products, cements, concrete gypsum and plaster products, glass and glassware, structural clay products, etc.

Outdoor Entertainment & Recreation: The use of land for entertainment, leisure, amusement, or social activities that are conducted primarily outdoors and are open to the public or members. Typical uses include sport fields and facilities, parks (leisure and ornamental), public outdoor swimming pools, commercial campgrounds, etc. Accessory uses/buildings customarily incidental to the primary outdoor entertainment or recreational activity—such as food and beverage service, ticket sales, retail merchandise, restrooms, etc.—are permitted provided they are incidental to the primary use.

Outdoor Storage Facility: Third party storage of items such as boats, automobiles, recreational vehicles, trailers, and other similar items outside of a completely enclosed building. The area must be kept clean, organized, and weed free. The surface must be asphalt or treated road base to eliminate dust. The site must be surrounded by screening no less than six feet in height. Does not include automotive salvage yard use.

Personal Care Service: An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barber shops, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning and nail salons, and weight loss centers.

Personal Storage Facility: Third party storage of items such as household goods, furniture, business inventory, vehicles, etc. within an enclosed building facility or unit that allows renters to access at their convenience.

Petroleum Products Manufacturing: A facility that processes crude petroleum and coal into usable products. Typical uses include paving and roofing materials, tires and inner tubes, gasoline, diesel, lubricants, rubber foot ware, etc.

Precision Instruments & Jewelry Manufacturing: A facility that manufactures small, precision instruments and devices. Typical uses include jewelry, novelties, buttons, silverware, musical instruments, ophthalmic goods, optical instruments and lenses, pens, pencils, photographic equipment, surgical, medical and/or dental instruments and supplies, toys, sporting/athletic goods, watches, clocks, etc.

Professional Service: An administrative, professional, research, laboratory, or personal service. These uses typically include, but are not limited to accounting services, administrative buildings, animal clinics, architectural firms, business equipment services and supplies, educational administrative buildings, employment services, engineering firms, financial services, law firms, medical services, real estate and development services, etc. Merchandise or merchandising services must not be sold on the premises except such as incidental or accessory to the principal use.

Race Track: An outdoor track or course for motor vehicle competition, with spectators. Accessory uses/buildings customarily incidental to the primary use—such as food and beverage service, ticket sales, retail merchandise, restrooms, etc.—are permitted provided they are incidental to the primary use

Residential Facility for Persons with a Disability: A residence in which more than one person with a disability resides and which is licensed or certified by the Department of Health and Human Services under:

- A. Title 26B, Chapter 2, Part 1, Human Services Programs and Facilities; or
- B. Title 26B, Chapter 2, Part 2, Health Care Facility Licensing and Inspection.

Retail Nursery: An establishment or premises where nursery products such as flower, shrubs, and trees, intended for ornamental or landscaping purposes are sold at retail to the general public from covered or open air areas on a temporary or seasonal basis.

Small Warehouse Facility: A facility for the storage and distribution of wholesale products and goods with a building footprint of less than 50,000 square feet.

Specialty Food Sales: An establishment providing the sales of premade and packaged food goods. Typical uses include bakeries, candy, nuts, and/or confectionary stores, ice cream eateries, specialty soda franchises, etc. This does not include uses where food is consumed on premises (i.e. restaurants, etc.).

Sportsman's Ranch: A property primarily designed for and offering outdoor recreational activities, mainly fishing and hunting.

Structure: Any building, shelter, sign, wall, fence, pole or other improvement with a fixed location on the ground above grade constructed or installed by man and permanently attached to the ground.

Temporary Merchant: A non-fixed building/structure for seasonal services not to exceed one (1) year. Typical uses include coffee shops, snow cone shacks, ice cream vendors, etc. The following requirements shall be met:

1. Submission and approval of a business license through the Box Elder County Clerk's Office.
2. Submission of an owner authorization form from the property owner where the temporary structure will be located allowing (1) the temporary use of property for the proposed service (including any utilities, etc.) and (2) allowing restroom use of the main, commercial building for any employee(s) of the seasonal service.
3. A basic site plan shall be submitted showing the proposed location of the seasonal service as well as traffic accommodations.
4. The applicant must submit yearly for an administrative conditional use permit for the seasonal service.

Textile Products Manufacturing: A facility that manufactures textile products and goods. Typical uses include woven fabrics, textile dyeing and finishing, clothing, knit goods, yarns, threads, etc.

Transportation Facility: A public building or site used for the transportation of people. Typical uses include bus terminals, train stations and depots, multi-modal transit hubs, shared mobility hubs, etc.

Transportation Service: A private building or hub for the purpose of moving people, goods or for other transportation services. Typical uses include taxicab service, Transportation Network Companies ("ridesharing"), ambulance service, trucking operation, parcel delivery service, third-party delivery service, etc.

Truck Wash: A facility for the washing or cleaning of heavy duty trucks exceeding 1-2 tons capacity (e.g. semis, buses, etc.).

Utilities: Includes culinary waterlines, pressure and gravity irrigation lines, sanitary and storm sewer lines, subdrains, electric power, natural gas, cable television and telephone transmission lines, conduits and junction boxes, whether above ground or underground.

Wholesale Trade & Warehousing: A facility for the storage and distribution of wholesale products and goods with a minimum building footprint of 50,000 square feet or larger.

Wood & Paper Manufacturing: A facility that processes raw wood, wood pulp, fiber, or recycled materials into intermediate or finished products. Typical uses include the production of paper and/or cardboard products (books, newspapers, boxes, etc.), millwork, veneers, plywood, prefabricated structural wood products, etc.

EXHIBIT B

~~Chapter 3-4 Commercial & Manufacturing~~

~~Sections:~~

- ~~3-4-010. Purpose. (Ordinance 301)~~
- ~~3-4-020. Scope:~~
- ~~3-4-030. Definitions:~~
- ~~3-4-040. Uses Allowed:~~
- ~~3-4-050. Use Regulations:~~
- ~~3-4-060. Regulations of General Applicability:~~
- ~~3-4-070. Regulations for Specific Uses. (Ordinance 301, 337, & 366)~~
- ~~3-4-080. Regulations for Uses. (Ordinance 354, 406)~~

~~3-4-010. Purpose:~~

- ~~A. Neighborhood Commercial District (C-N). To provide areas in appropriate locations where convenience buying outlets may be established to serve surrounding residential neighborhoods. The regulations of this district are designed to promote a combination of retail and service facilities which in character and scale are necessary to meet day-to-day needs of area residents:~~
- ~~B. Commercial Shopping District (C-S). To provide areas in appropriate locations where a combination of businesses, retail commerce, entertainment, and related activities may be established, maintained and protected. The regulations of this district are designed to promote and encourage the development of comparison shopping centers:~~
- ~~C. Highway Commercial District (C-H). To provide areas in appropriate locations adjacent to highways or major streets where activities dependent upon or catering to thoroughfare traffic and the traveling public may be established, maintained, and protected. The regulations of this district are designed to encourage harmony between traffic needs and centers for retail commercial, entertainment, automotive facilities, and other appropriate highway-related activities:~~
- ~~D. General Commercial District (C-G). To provide areas in appropriate locations where a combination of business, retail commerce, entertainment, and related activities may be established, maintained and protected. Regulations of this district are designed to provide a suitable environment for those commercial and service uses which are vital to economic life, but some of which would be intrusive and disruptive in a shopping center type of commercial development:~~
- ~~E. Commercial Enterprise District (C-E). To provide areas for more intense commercial and light industrial uses than those listed above in areas that are buffered from more~~

heavily populated residential areas by a major highway or other less intense commercial zones. (~~Ordinance 301~~)

~~F. Manufacturing—Food Products District (M-FP).~~ To provide areas in appropriate locations where manufacturing and warehousing not producing objectionable effects may be established, maintained, and protected. The regulations of this district are designed to protect environmental quality of the district and adjacent areas.

~~G. General Industrial District (M-G).~~ To provide for areas in appropriate locations where heavy industrial processes necessary to the economy may be conducted. The regulations of this district are designed to protect environmental quality of the district and adjacent areas.

~~3-4-020. Scope.~~

The provisions of this Chapter shall apply to any real property located in commercial and industrial zones as shown on the Official Zoning Map.

~~3-4-030. Definitions.~~

Certain words and phrases in this Chapter, including uses, are defined in Chapter 1-3 of this Code.

~~3-4-040. Uses Allowed.~~

~~A. Permitted and Conditional Uses.~~ Permitted and conditional uses allowed in agricultural zones shall be as set forth on the Table of Uses Allowed in this Chapter. Permitted and conditional uses are indicated by "P" or "C," respectively. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash, "-." If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet required, or by the letter "A." If the regulation does not apply, it is indicated in the appropriate column by a dash, "-."

~~B. Accessory Uses.~~ Permitted and conditional uses set forth in on the Table of Uses Allowed shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.

- ~~1. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this Code.~~
- ~~2. No accessory use, building, or structure shall be allowed on a lot or parcel unless a permitted or conditional use has been and is currently established.~~

~~3-4-050. Use Regulations.~~

~~No building, structure or real property shall be used and no building or structure shall hereafter be erected, structurally or substantially altered, or enlarged except as set forth in this Chapter. Such requirements shall not be construed to prohibit or limit other applicable provisions of this Code or other laws.~~

~~3-4-060. Regulations of General Applicability.~~

~~The use and development of real property in agricultural, mixed-use, or rural residential zones shall conform to regulations of general applicability as set forth in the following chapters of this Code:~~

- ~~A. Regulations Applicable to All Zones. See Chapter 5-1 of this Code.~~
- ~~B. Off-Street Parking and Loading. See Chapter 5-2 of this Code.~~
- ~~C. Signs. See Chapter 5-3 of this Code.~~
- ~~D. Sensitive Lands. See Chapter 4-2 of this Code.~~

~~3-4-070. Regulations for Specific Uses.~~

~~To the extent that use and development of real property includes any matter encompassed by a regulation for a specific use as set forth in this Code, such regulation shall apply in addition to the requirements of this Chapter and shall prevail over any conflicting provision of this Chapter.~~

BOX ELDER COUNTY ZONING RESTRICTIONS								
CODE SECTION	"P" — Permitted Uses "C" — Conditional Uses "A" — Applies "—" — Not permitted	CURRENT ESTABLISHED RESIDENTIAL ZONING DISTRICTS						
		C-N	C-S	C-H	C-G	M-PP	M-G	C-E
3-4-070-1	AGRICULTURAL							
3-4-070-1.1	Agricultural Industries	-	-	-	-	-	C	-
3-4-070-1.2	The Tilling of the Soil, Raising of Crops, Horticulture & Gardening	P	P	P	P	P	P	P
3-4-070-1.3	Cannabis Production Establishment (must be state licensed and permitted)	-	-	-	-	-	P	-
3-4-070-2	COMMERCIAL							
3-4-070-3	RESIDENTIAL							
3-4-070-3.1	Hotels, Tourist Courts & Motels	-	C	C	C	-	-	C
3-4-070-3.2	Recreation Coach Parks	-	C	C	C	-	-	C
3-4-070-3.3	Rooming and Boarding Houses	-	C	-	C	-	-	C
3-4-070-3.4	Dwelling Unit for On-Site Manager for Storage Units with Stipulations: A. The Manager/Caretaker must reside in the residence; B. The site must be maintained so as to minimize the impact on neighboring properties; C. The establishment shall conform to all applicable fire, building, and health codes; D. The dwelling unit shall be attached to the main structure and be compatible with the main structure through architectural use of building forms, construction materials, and colors used; E. The dwelling unit shall have the same address as the main structure; F. The dwelling unit shall not be sold separately from the main structure; G. Two parking spaces shall be provided for the dwelling unit. No off-site parking will be accepted for this requirement.	-	-	-	-	-	-	P
3-4-070-4	INDUSTRIAL							

3-4-070-4.1	Commercial Contract Printing	-	-	-	P	-	-	€
3-4-070-5	TRANSPORTATION							
3-4-070-5.1	Bus Terminals, Stations, etc.	€	€	P	P	-	P	P
3-4-070-5.2	Hard Surface Parking, Commercial	-	€	€	€	-	€	€
3-4-070-5.3	Private Garage	€	€	€	€	-	€	€
3-4-070-5.4	Structure Parking	-	€	€	€	-	€	€
3-4-070-6	COMMUNICATION							
3-4-070-6.1	Radio & Television Communication Facilities	-	€	€	P	-	-	P
3-4-070-7	RETAIL TRADE							
3-4-070-7.1	Antiques & Used Merchandise	-	P	P	P	-	-	P
3-4-070-7.2	Bakeries	-	P	-	P	-	-	P
3-4-070-7.3	Books & Stationery	-	P	-	P	-	-	P
3-4-070-7.4	Candy, Nuts & Confectionery	-	P	-	P	-	-	P
3-4-070-7.5	Children's & Infant Wear	-	P	-	P	-	-	P
		€-N	€-S	€-H	€-G	M-FP	M-G	€-E
3-4-070-7.6	Custom Tailoring	-	P	-	P	-	-	P
3-4-070-7.7	Dairy Products	P	P	P	P	-	-	P
3-4-070-7.8	Department Stores	-	P	-	P	-	-	P
3-4-070-7.9	Direct Selling Organization	-	P	-	P	-	-	P
3-4-070-7.10	Drinking Places (alcoholic beverages)	-	€	-	€	-	-	€
3-4-070-7.11	Drive-In Restaurants	€	€	€	€	-	-	€
3-4-070-7.12	Drug & Proprietary	€	€	-	P	-	-	P
3-4-070-7.13	Eating Places (food consumed on Premises)	€	P	P	P	-	-	P
3-4-070-7.14	Electrical Goods	-	P	-	P	-	-	P
3-4-070-7.15	Family Clothing	€	P	-	P	-	-	P
3-4-070-7.16	Farm & Garden Supplies & Equipment	€	P	-	P	-	-	P
3-4-070-7.17	Fruits & Vegetables	-	P	P	P	-	-	P

3-4-070-7.18	Furniture, Home Furnishings & Equipment, Food Products (no animal products)	-	P	-	P	P	-	P
3-4-070-7.19	Furriers and Fur Apparel	-	P	-	P	P	-	P
3-4-070-7.20	Gasoline Service Stations	€	€	P	€	-	P	P
3-4-070-7.21	Groceries (with or without meat)	P	P	P	P	-	-	P
3-4-070-7.22	Hardware & Farm Equipment	-	P	-	P	-	-	P
3-4-070-7.23	Heating & Plumbing Equipment	-	-	-	P	-	-	P
3-4-070-7.24	Household Appliances	-	P	-	P	-	-	P
3-4-070-7.25	Ice Cream Establishments	€	P	P	€	-	-	P
3-4-070-7.26	Jewelry	-	P	-	P	-	-	P
3-4-070-7.27	Limited Prices Variety Stores	-	P	-	P	-	-	P
3-4-070-7.28	Liquor Package	-	€	-	€	-	-	€
3-4-070-7.29	Lumber & other Building Materials	-	P	-	P	-	-	P
3-4-070-7.30	Mail Order House	P	P	-	P	-	-	P
		€-N	€-S	€-H	€-G	M-EP	M-G	€-E
3-4-070-7.31	Men's & Boys' Clothing & Furnishings	-	P	-	P	-	-	P
3-4-070-7.32	Merchandise Vending Machine Operators	P	P	P	P	P	-	P
3-4-070-7.33	Motor Vehicles	-	P	P	P	-	P	P
3-4-070-7.34	Pets & Pet Supplies	-	P	-	P	-	-	P
3-4-070-7.35	Paint, Glass & Wallpaper	-	P	-	P	-	-	P
3-4-070-7.36	Radios, Televisions & Music Supplies	-	P	-	P	-	-	P
3-4-070-7.37	Shoes	-	P	-	P	-	-	P
3-4-070-7.38	Sporting Goods & Bicycles	-	P	-	P	-	-	P
3-4-070-7.39	Tires, Batteries & Accessories	-	P	P	P	-	P	P
3-4-070-7.40	Women's Accessories & Specialties	-	P	-	P	-	-	P
3-4-070-7.41	Women's Ready-to-wear	-	P	-	P	-	-	P
3-4-070-7.42	Other Retail Trades - Apparel & Accessories	-	€	-	€	-	-	€
3-4-070-7.43	Other Retail Trades - i.e., Automotive, Marine Craft, Aircraft and accessories	-	€	-	-	-	-	€

3-4-070-7.44	Other comparable Retail Activities	€	€	€	€	-	-	€
3-4-070-7.45	Shopping Complexes for Retail Trade	€	€	€	€	-	-	€
3-4-070-7.46	Warehouse in conjunction with other permitted and conditional uses: (Ordinance 366-4-17-13)							€
3-4-070-8	SERVICES							
3-4-070-8.1	Administration Office Services	-	P	-	P	-	-	P
3-4-070-8.2	Advertising Services	-	€	-	P	-	-	P
3-4-070-8.3	Animal Clinics	-	P	-	P	-	-	P
3-4-070-8.4	Apparel Repair, Alteration & Cleaning Pick-up Services, Shoe Repair Services	P	P	-	P	-	P	P
3-4-070-8.5	Automatic Car Wash, Truck Wash	€	€	P	P	-	P	P

		€-N	€-S	€-H	€-G	M-FP	M-G	€-E
3-4-070-8.6	Automobile Repair & Services	€	€	P	P	-	P	P
3-4-070-8.7	Banking & Bank-related Functions	-	P	-	P	-	-	P
3-4-070-8.8	Beauty & Barber Shops	P	P	-	P	-	-	P
3-4-070-8.9	Beauty & Barber Shops tied to Motels	P	P	P	P	-	-	P
3-4-070-8.10	Carpeting & other Floor Coverings	-	€	-	-	-	-	€
3-4-070-8.11	Comprehensive Health Care Facilities (centers)	-	€	-	-	-	-	€
3-4-070-8.12	Consumer & Mercantile Credit Reporting	-	€	-	P	-	-	P
3-4-070-8.13	Credit Services (other than banks)	-	€	-	P	-	-	P
3-4-070-8.14	Dental Laboratory Services	-	P	-	P	-	P	P
3-4-070-8.15	Duplicating, Mailing & Stenographic Services	-	-	-	P	-	P	P
3-4-070-8.16	Dwelling & other Building Maintenance Services	-	€	€	P	-	-	P
3-4-070-8.17	Electrical Services	-	€	-	P	-	-	P
3-4-070-8.18	Employment Services	-	€	-	P	-	P	P

3-4-070-8.19	Funeral & Crematory Services	-	P	-	P	-	-	P
3-4-070-8.20	General Contract Construction Services	-	€	-	P	-	-	P
3-4-070-8.21	Holding & Investment Services	-	-	-	P	-	P	P
3-4-070-8.22	Insurance Carriers, Agents, Brokers & Services	-	P	-	P	-	-	P
3-4-070-8.23	Laundering, Dry-Cleaning & Dyeing Services	-	P	-	P	-	-	P
3-4-070-8.24	Medical Cleanings-Out-Patient Services	€	P	€	P	-	P	P
3-4-070-8.25	Medical Laboratory Services	-	P	-	P	-	-	P

		€-N	€-S	€-H	€-G	M-FP	M-G	€-E
3-4-070-8.26	News Syndicate Services	-	-	-	P	-	P	P
3-4-070-8.27	Painting, Wall-Covering & Decorating Services	-	-	-	P	-	-	P
3-4-070-8.28	Photographic Services	€	P	-	P	-	€	P
3-4-070-8.29	Plumbing, Heating & Air-Conditions Services	€	€	-	P	-	-	P
3-4-070-8.30	Private Clubs	€	€	-	P	-	-	P
3-4-070-8.31	Professional Health-Care Offices & Clinics	€	€	-	P	-	-	P
3-4-070-8.32	Medical/Dental Offices	€	€	-	€	-	-	P
3-4-070-8.33	Real Estate Agents, Brokers & Management Services	-	P	-	P	-	P	P
3-4-070-8.34	Real Estate Operative Construction Builders	-	-	-	P	-	P	P
3-4-070-8.35	Real Estate Subdividing & Land Developing Services	-	€	-	P	-	P	P
3-4-070-8.36	Roofing & Sheet Metal Services	-	€	-	P	-	P	P
3-4-070-8.37	Security Services & Commodity Brokers, Dealers, Exchanges & Services	-	-	-	P	-	-	P
3-4-070-8.38	Schools (commercial)	€	€	-	P	-	-	P
3-4-070-8.39	Other Personal Services	€	€	-	€	-	-	-
3-4-070-8.39.5	Personal Storage Facilities							€
3-4-070-8.40	Reception Center	€	-	-	-	-	-	-

[illegible]

[illegible]

[illegible]

3-4-070-21.1	Blast-Furnaces, Steel Works & the Rolling-Finishing of Ferrous Metals	-	-	-	-	-	€	-
3-4-070-21.2	Iron & Steel Foundries & Manufacturing	-	-	-	-	-	€	-
3-4-070-21.3	Nonferrous Foundries	-	-	-	-	-	€	-
3-4-070-21.4	Primary Smelting & Refining of Nonferrous Metals	-	-	-	-	-	€	-
		C-N	C-S	C-H	C-G	M-FP	M-G	C-E
3-4-070-21.5	Rolling, Drawing & Extruding of Nonferrous Metals	-	-	-	-	-	€	-
3-4-070-21.6	Secondary Smelting & Refining of Nonferrous Metals and Alloys	-	-	-	-	-	€	-
3-4-070-22	MACHINES PRODUCTS MANUFACTURING (Ordinance 301)							
3-4-070-22.1	Electrical Machinery, Equip. & Supplies	-	-	-	-	-	€	-
3-4-070-22.2	Engineering, Laboratory & Scientific & Research Instrument & Assoc. Equipment	-	-	-	-	-	€	-
3-4-070-22.3	Instruments for Measuring, Controlling & Indicating Physical Characteristics	-	-	-	-	-	€	-
3-4-070-22.4	Machinery (except electrical)	-	-	-	-	-	€	-
3-4-070-22.5	Ordinance & Accessories	-	-	-	-	-	€	-
3-4-070-22.6	Transportation Equipment	-	-	-	-	-	€	-
3-4-070-23	TRANSPORTATION (Ordinance 301)							
3-4-070-23.1	Staging for Trucking, local and long-Distance (terminals)	-	-	-	-	-	€	-
3-4-070-24	WHOLESALE TRADE & WAREHOUSING (Ordinance 301)							
3-4-070-24.1	Drugs, Chemicals & Allied Products	-	-	-	-	-	€	-
3-4-070-24.2	Dry Goods & Apparel	-	-	-	-	-	€	-
3-4-070-24.3	Electrical Goods	-	-	-	-	-	€	-
3-4-070-24.4	Farm Products & Equipment	-	-	-	-	-	€	-
3-4-070-24.5	Groceries & Related Products	-	-	-	-	-	€	-
3-4-070-24.6	Hardware, Plumbing, Heating Equipment & Supplies	-	-	-	-	-	€	-
3-4-070-24.7	Machinery, Equipment & Supplies	-	-	-	-	-	€	-

3-4-070-24.8	Motor Vehicles & Automotive Equipment	-	-	-	-	-	€	-
3-4-070-24.9	Non-animal Food Products	-	-	-	-	€	-	-
3-4-070-24.10	Petroleum Products Distribution Warehouses & Bulk Plants	-	-	-	-	-	€	-
3-4-070-24.11	Research & Development	-	-	-	-	-	€	-
		€-N	€-S	€-H	€-G	M-FP	M-G	€-E
3-4-070-24.12	Warehousing & Storage Services	-	-	-	-	€	€	-
3-4-070-24.13	Storage Services	-	-	-	-	-	-	€
3-4-070-25	INDUSTRIAL SERVICES (Ordinance 301)							
3-4-070-25.1	Concrete Service & Batching Plants	-	-	-	-	-	€	-
3-4-070-25.2	General Contract Construction Services	-	-	-	-	-	€	-
3-4-070-25.3	Masonry, Stonework, Tile-Setting & Plastering Services	-	-	-	-	-	€	-
3-4-070-25.4	Roofing & Sheet Metal Services	-	-	-	-	-	€	-
3-4-070-25.5	Water & Well Drilling Services	-	-	-	-	-	€	-
3-4-070-26	MINING (Ordinance 337)							
3-4-070-26.1	Test Wells For Geothermal Exploration	-	-	-	-	-	P	-
3-4-070-26.2	Development of geothermal resources through production and reinjection wells	-	-	-	-	-	€	-
3-4-070-27	OUTDOOR STORAGE (Ordinance 301)							
3-4-070-27.1	Auto Wrecking Yards	-	-	-	-	-	€	-
3-4-070-27.2	Other Outdoor Storage (clean)	-	-	-	-	-	€	€
3-4-070-27.3	Petroleum Products Bulk Plants	-	-	-	-	-	€	-
3-4-070-28	INSTITUTIONAL							
3-4-070-29	RESIDENTIAL (Ordinance 301)							
3-4-070-29.1	Religious Quarters	€	€	€	€	-	€	€
3-4-070-29.2	Retirement Homes & Orphanages	€	€	€	€	-	-	€
3-4-070-30	HEALTH SERVICES (Ordinance 301)							
3-4-070-30.1	Hospital Services	-	-	€	€	-	-	€
		€-N	€-S	€-H	€-G	M-FP	M-G	€-E

3-4-070-30.2	Executive, Legislative & Judicial Functions	€	€	€	€	-	€	€
3-4-070-30.3	Postal Services	€	€	€	€	-	€	€
3-4-070-31.4	Protective Functions & Their Related Activities	€	€	€	€	-	€	€
3-4-070-32	EDUCATION SERVICES — (Ordinance 301)							
3-4-070-32.1	Special Training & Schooling	€	€	€	€	-	€	€
3-4-070-33	RELIGIOUS & WELFARE SERVICES — (Ordinance 301)							
3-4-070-33.	Churches, Synagogues & Temples, Welfare & Charitable Services	€	€	€	€	-	€	€
3-4-070-34	PUBLIC & QUASI-PUBLIC — (Ordinance 301)							
3-4-070-34.1	Art Galleries	-	P	P	€	-	-	€
3-4-070-34.2	Fairgrounds	-	-	-	-	-	-	-
3-4-070-34.3	Libraries	P	P	P	€	-	€	P
3-4-070-34.4	Museums	-	-	P	€	-	-	P
3-4-070-34.5	Nature Exhibitions	-	-	€	€	-	-	P
3-4-070-34.6	Public Assemblies, Miscellaneous purposes	-	-	-	-	-	-	-
3-4-070-34.7	Public Information Centers	-	P	P	P	-	-	P
3-4-070-35	ENTERTAINMENT, RECREATION & OPEN SPACE GROUP OR ORGANIZED CAMPS — (Ordinance 301)							
3-4-070-35.1	Gymnasiums & Athletic Clubs	€	€	€	€	-	-	P
3-4-070-35.2	Parks-General Recreation	P	P	P	€	-	-	P
3-4-070-35.3	Parks—Leisure & Ornamental p	P	P	P	P	-	€	P
3-4-070-35.4	Playgrounds	€	€	€	€	-	-	P
3-4-070-35.5	Play Lots & Tot Lots	€	€	€	€	-	-	P
3-4-070-35.6	Racetracks	-	-	-	-	-	€	-
3-4-070-35.7	Recreation Centers (general)	€	€	-	€	-	-	€
3-4-070-35.8	Swimming Pools	€	€	€	€	-	€	€
3-4-070-36	STREETS & OTHER CIRCULATION ELEMENTS — (Ordinance 301)							
		€-N	€-S	€-H	€-G	M-FP	M-G	€-E
3-4-070-36.1	Alleys	€	€	€	€	€	€	€

3-4-080-1.1	The Maximum Height for all buildings & Structures in districts regulated by this Chapter shall Be:							
	In Feet	35	35	35	35	75	75	35
	In Number of Stories	2 ½	3	3	3	7	7	3
3-4-080-1.2	In Structures with more than 2 ½ stories Fire Protection Design, Evacuation Facilities, and Automatic Fire Sprinkling Systems will be Required to mitigate the additional potential Of Loss of Life and/or Property.							
3-4-080-2	AREA, WIDTH, FRONTAGE, YARD & COVERAGE REGULATIONS							
3-4-080-2.1	The Minimum depth and/or length for yards in the Districts regulated by this Chapter shall Be:							
Ordinance 354	Front yard for Manufacturing Distribution Structures	25	25	25	25	150	25	25
	Front Yard	25	25	25	25	25	25	25
	Side Yard	10	10	10	10	10	10	10
	Side Yard on a corner lot (must comply with Section 5-1-180)	25	25	25	25	25	10	25
	Rear Yard	20	20	20	20	20	20	20
	Internal Setbacks on parcels under same ownership	-	-	-	-	-	0	-
		C-N	C-S	C-H	C-G	M-FP	M-G	C-E
3-4-080-2.2	Minimum Setback Distance Between Structures and:							
	Surface Water that is Down Gradient From Proposed Structure Site	-	-	-	-	800	-	-
	Any Other Surface Water	-	-	-	-	500	-	-
	Residential Zoning Districts	-	-	-	-	150	-	-
3-4-080-3	IMPROVEMENTS REQUIRED TO BE COMPLETED OR IN PROGRESS BEFORE A BUILDING PERMIT MAY BE ISSUED.							
	(Improvements are to be in compliance with the standards adopted by Box Elder County. Improvement prefaced with an [*] are applicable only to subdivisions or planned unit developments.)							
3-4-080-3.1	Street Grading	A	A	A	A	A	A	A
3-4-080-3.2	Street Base	A	A	A	A	A	A	A
3-4-080-3.3	Street Paving	A	A	A	A	A	A	A
3-4-080-3.4	Curb & Gutter	A	A	A	A	A	A	A
3-4-080-3.5	Sidewalk	A	A	A	A	A	A	A
3-4-080-3.6	Fire Fighting Facilities	A	A	A	A	A	A	A
3-4-080-3.7	Street Name & Traffic Signs	A	A	A	A	A	A	A

3-4-080-3.8	Street Monuments	A	A	A	A	A	A	A
3-4-080-3.9	Survey Monument Boxes	A	A	A	A	A	A	A
3-4-080-3.10	Street Lights	A	A	A	A	A	A	A
3-4-080-3.11	Address Numbers	A	A	A	A	A	A	A
3-4-080-3.12	Public Utilities – Power, Gas, Telephone, Cable TV, etc.	A	A	A	A	A	A	A
3-4-080-3.13	Landscaping that Adequately Screens Non-Agricultural or Non-Residential Structures When Placed Within 500 Feet of a Public Road or a Residential Zoning District	-	-	-	-	A	-	-

Chapter 3-4 – Commercial & Manufacturing

Sections.

- 3-4-010. Purpose. (Ordinance 301)
- 3-4-020. Scope.
- 3-4-030. Definitions.
- 3-4-040. Uses Allowed.
- 3-4-050. Use Regulations.
- 3-4-060. Regulations of General Applicability.
- 3-4-070. Regulations for Specific Uses. (Ordinance 301, 337, & 366)
- 3-4-080. Regulations for Uses. (Ordinance 354, 406)

3-4-010. Purpose.

- A. Neighborhood Commercial District (C-N).** To provide areas in appropriate locations where convenience buying outlets may be established to serve surrounding residential neighborhoods. The regulations of this district are designed to promote a combination of retail and service facilities which in character and scale are necessary to meet day-to-day needs of area residents.
- B. Highway Commercial District (C-H).** To provide areas in appropriate locations adjacent to highways or major streets where activities dependent upon or catering to thoroughfare traffic and the traveling public may be established, maintained, and protected. The regulations of this district are designed to encourage harmony between traffic needs and centers for retail commercial, entertainment, automotive facilities, and other appropriate highway-related activities.

- C. **General Commercial District (C-G).** To provide areas in appropriate locations where a combination of business, retail commerce, entertainment, and related activities may be established, maintained and protected. Regulations of this district are designed to provide a suitable environment for those commercial and service uses which are vital to economic life, but some of which would be intrusive and disruptive in a shopping center type of commercial development.
- D. **Commercial Enterprise District (C-E).** To provide areas for more intense commercial and light industrial uses than those listed above in areas that are buffered from more heavily populated residential areas by a major highway or other less intense commercial zones. (Ordinance 301)
- E. **General Industrial District (M-G).** To provide for areas in appropriate locations where heavy industrial processes necessary to the economy may be conducted. The regulations of this district are designed to protect environmental quality of the district and adjacent areas.

3-4-020. Scope.

The provisions of this Chapter shall apply to any real property located in commercial and industrial zones as shown on the Official Zoning Map.

3-4-030. Definitions.

Certain words and phrases in this Chapter, including uses, are defined in Chapter 1-3 of this Code.

3-4-040. Uses Allowed.

- A. **Allowed, Permitted and Conditional Uses.** Allowed, permitted and conditional uses allowed in commercial zones shall be as set forth pursuant to Section 3-4-070 in this Chapter. Allowed uses (any land use not requiring approval by a land use authority) are indicated by an "A" in the appropriate column. Uses that may be permitted by a permitted use review issued by the zoning administrator are indicated by a "P" in the appropriate column. Uses that may be permitted by a conditional use permit are indicated by a "C" in the appropriate column. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash "-."
- B. **Accessory Uses.** Allowed, permitted and conditional uses set forth pursuant to Section 3-4-070 in this chapter shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.

1. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this Code.
2. No accessory use, building, or structure shall be allowed on a lot or parcel unless a permitted or conditional use has been and is currently established.

3-4-050. Use Regulations.

No building, structure or real property shall be used and no building or structure shall hereafter be erected, structurally or substantially altered, or enlarged except as set forth in this Chapter. Such requirements shall not be construed to prohibit or limit other applicable provisions of this Code or other laws.

3-4-060. Regulations of General Applicability.

The use and development of real property in commercial zones shall conform to regulations of general applicability as set forth in the following chapters of this Code.

- A. Regulations Applicable to All Zones. See Chapter 5-1 of this Code.
- B. Off-Street Parking and Loading. See Chapter 5-2 of this Code.
- C. Signs. See Chapter 5-3 of this Code.
- D. Sensitive Lands. See Chapter 4-2 of this Code.

3-4-070. Regulations for Specific Uses.

To the extent that use and development of real property includes any matter encompassed by a regulation for a specific use as set forth in this Code, such regulation shall apply in addition to the requirements of this Chapter and shall prevail over any conflicting provision of this Chapter.

BOX ELDER COUNTY ZONING RESTRICTIONS						
CODE SECTION	<u>"P" = Permitted Uses</u> <u>"C" = Conditional Uses</u> <u>"A" = Allowed Uses</u> <u>"-" = Not permitted</u>	CURRENT ESTABLISHED COMMERCIAL ZONING DISTRICTS				
		C-N	C-H	C-G	M-G	C-E
<u>3-4-070-1</u>	<u>AGRICULTURAL</u>					
<u>3-4-070-1.1</u>	<u>Agricultural Industry</u>	=	=	=	<u>C</u>	=
<u>3-4-070-1.2</u>	<u>Agriculture</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>3-4-070-1.3</u>	<u>Cannabis Production Establishment (must be state licensed and permitted)</u>	=	=	=	<u>P</u>	=
<u>3-4-070-1.4</u>	<u>Produce Stand</u>	-	<u>P</u>	<u>P</u>	-	<u>P</u>

<u>3-4-070-2</u>	<u>COMMERCIAL RESIDENTIAL</u>					
<u>3-4-070-2.1</u>	<u>Assisted Living Facility</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>:</u>	<u>C</u>
<u>3-4-070-2.2</u>	<u>Bed & Breakfast</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>:</u>	<u>C</u>
		<u>C-N</u>	<u>C-H</u>	<u>C-G</u>	<u>M-G</u>	<u>C-E</u>
<u>3-4-070-2.3</u>	<u>Dwelling Unit for On-Site Manager for Storage Units with Stipulations:</u> A. <u>The Manager/Caretaker must reside in the residence;</u> B. <u>The site must be maintained so as to minimize the impact on neighboring properties;</u> C. <u>The establishment shall conform to all applicable fire, building, and health codes;</u> D. <u>The dwelling unit shall be attached to the main structure and be compatible with the main structure through architectural use of building forms, construction materials, and colors used;</u> E. <u>The dwelling unit shall have the same address as the main structure;</u> F. <u>The dwelling unit shall not be sold separately from the main structure;</u> G. <u>Two parking spaces shall be provided for the dwelling unit. No off-site parking will be accepted for this requirement.</u>	<u>:</u>	<u>:</u>	<u>:</u>	<u>:</u>	<u>P</u>
<u>3-4-070-2.4</u>	<u>Residential Facility for Persons with a Disability</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>3-4-070-3</u>	<u>COMMUNICATION</u>					
<u>3-4-070-3.1</u>	<u>Communication Facility</u>	<u>:</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>
<u>3-4-070-4</u>	<u>COMMERCIAL SERVICES/RETAIL TRADE</u>					
<u>3-4-070-4.1</u>	<u>Agricultural Sales & Service</u>	<u>:</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>
<u>3-4-070-4.2</u>	<u>Automotive Service</u>	<u>:</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>
<u>3-4-070-4.3</u>	<u>Body Art Facility</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>
<u>3-4-070-4.4</u>	<u>Child Care Center</u>	<u>C</u>	<u>:</u>	<u>:</u>	<u>:</u>	<u>:</u>
<u>3-4-070-4.5</u>	<u>Commercial Kennel</u>	<u>:</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>C</u>
<u>3-4-070-4.6</u>	<u>Construction Sales & Service</u>	<u>:</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>
<u>3-4-070-4.7</u>	<u>General Retail</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>:</u>	<u>P</u>

		<u>C-N</u>	<u>C-H</u>	<u>C-G</u>	<u>M-G</u>	<u>C-E</u>
<u>3-4-070-4.8</u>	<u>Funeral Home/Mortuary</u>	=	<u>C</u>	<u>C</u>	=	<u>P</u>
<u>3-4-070-4.9</u>	<u>Impound/Security Lot</u>	=	=	=	<u>P</u>	<u>P</u>
<u>3-4-070-4.10</u>	<u>Personal Care Service</u>	<u>C</u>	<u>P</u>	<u>P</u>	=	=
<u>3-4-070-4.11</u>	<u>Personal Instruction Service</u>	<u>C</u>	<u>P</u>	<u>P</u>	=	=
<u>3-4-070-4.12</u>	<u>Professional Service</u>	<u>C</u>	<u>P</u>	<u>P</u>	=	<u>P</u>
<u>3-4-070-4.13</u>	<u>Small Butcher Shop</u>	<u>C</u>	<u>P</u>	<u>P</u>	=	<u>P</u>
<u>3-4-070-4.14</u>	<u>Small Taxidermy</u>	<u>C</u>	<u>P</u>	<u>P</u>	=	<u>P</u>
<u>3-4-070-4.15</u>	<u>Specialty Food Sales</u>	<u>C</u>	<u>P</u>	<u>P</u>	=	=
<u>3-4-070-4.16</u>	<u>Temporary Merchant</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>3-4-070-4.17</u>	<u>Truck Wash</u>	=	<u>C</u>	<u>C</u>	<u>P</u>	<u>C</u>
<u>3-4-070-5</u>	<u>ENTERTAINMENT</u>					
<u>3-4-070-5.1</u>	<u>Cultural Service</u>	<u>C</u>	<u>P</u>	<u>P</u>	=	<u>P</u>
<u>3-4-070-5.2</u>	<u>Indoor Entertainment & Recreation</u>	=	<u>C</u>	<u>P</u>	=	<u>P</u>
<u>3-4-070-5.3</u>	<u>Outdoor Entertainment & Recreation</u>	=	<u>C</u>	<u>P</u>	=	<u>P</u>
<u>3-4-070-5.4</u>	<u>Race Track</u>	=	=	=	<u>C</u>	<u>C</u>
<u>3-4-070-5.5</u>	<u>Reception Center</u>	<u>C</u>	<u>C</u>	=	=	=
<u>3-4-070-6</u>	<u>HEALTH SERVICES</u>					
<u>3-4-070-6.1</u>	<u>Hospital</u>	=	<u>C</u>	<u>C</u>	=	<u>C</u>
<u>3-4-070-7</u>	<u>LIGHT INDUSTRIAL</u>					
<u>3-4-070-7.1</u>	<u>General Construction Service</u>	=	=	<u>C</u>	<u>P</u>	<u>C</u>
		<u>C-N</u>	<u>C-H</u>	<u>C-G</u>	<u>M-G</u>	<u>C-E</u>
<u>3-4-070-7.2</u>	<u>Outdoor Storage Facility</u>	=	=	=	<u>P</u>	<u>C</u>
<u>3-4-070-7.3</u>	<u>Personal Storage Facility</u>	=	=	<u>C</u>	<u>P</u>	<u>C</u>

<u>3-4-070-7.4</u>	<u>Small Warehouse Facility</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>P</u>	<u>C</u>
<u>3-4-070-8</u>	<u>HEAVY INDUSTRIAL</u>					
<u>3-4-070-8.1</u>	<u>Automotive Salvage Yard</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C</u>	<u>=</u>
<u>3-4-070-8.2</u>	<u>Chemical & Plastics Manufacturing</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C</u>	<u>=</u>
<u>3-4-070-8.3</u>	<u>Food Products Manufacturing</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C</u>	<u>=</u>
<u>3-4-070-8.4</u>	<u>Furniture Products Manufacturing</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C</u>	<u>=</u>
<u>3-4-070-8.5</u>	<u>Junk Yard</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C</u>	<u>=</u>
<u>3-4-070-8.6</u>	<u>Machine Products Manufacturing</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C</u>	<u>=</u>
<u>3-4-070-8.7</u>	<u>Metallic Products Manufacturing</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C</u>	<u>=</u>
<u>3-4-070-8.8</u>	<u>Non-Metallic Products Manufacturing</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C</u>	<u>=</u>
<u>3-4-070-8.9</u>	<u>Petroleum Products Manufacturing</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C</u>	<u>=</u>
<u>3-4-070-8.10</u>	<u>Precision Instruments & Jewelry Manufacturing</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C</u>	<u>=</u>
<u>3-4-070-8.11</u>	<u>Textile Products Manufacturing</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C</u>	<u>=</u>
<u>3-4-070-8.12</u>	<u>Wholesale Trade & Warehousing</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C</u>	<u>=</u>
<u>3-4-070-8.13</u>	<u>Wood & Paper Manufacturing</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C</u>	<u>=</u>
<u>3-4-070-9</u>	<u>PUBLIC & QUASI PUBLIC</u>					
<u>3-4-070-9.1</u>	<u>Educational Service</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>=</u>	<u>C</u>
<u>3-4-070-9.2</u>	<u>Government Service</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>3-4-070-9.3</u>	<u>Essential Facility</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>
<u>3-4-070-10</u>	<u>RELIGIOUS & WELFARE SERVICES</u>					
<u>3-4-070-10.1</u>	<u>Church or Place of Worship</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>=</u>	<u>C</u>
<u>3-4-070-11</u>	<u>TRANSPORTATION</u>					
<u>3-4-070-11.1</u>	<u>Parking Facility</u>	<u>=</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>3-4-070-11.2</u>	<u>Transportation Facility</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>3-4-070-11.3</u>	<u>Transportation Service</u>	<u>=</u>	<u>C</u>	<u>=</u>	<u>P</u>	<u>C</u>
<u>3-4-070-12</u>	<u>MINING (Ordinance 337)</u>					
		<u>C-N</u>	<u>C-H</u>	<u>C-G</u>	<u>M-G</u>	<u>C-E</u>
<u>3-4-070-12.1</u>	<u>Test Wells For Geothermal Exploration</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>P</u>	<u>=</u>
<u>3-4-070-12.2</u>	<u>Development of geothermal resources through production and reinjection wells</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>C</u>	<u>=</u>

3-4-080. Regulations for Uses.

		<u>C-N</u>	<u>C-H</u>	<u>C-G</u>	<u>M-G</u>	<u>C-E</u>
<u>3-4-080-1</u>	<u>HEIGHT REGULATIONS</u>					
<u>3-4-080-1.1</u>	<u>The Maximum Height for all buildings & Structures in districts regulated by this Chapter shall Be:</u>					
	<u>In Feet</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>75</u>	<u>35</u>
	<u>In Number of Stories</u>	<u>2 ½</u>	<u>3</u>	<u>3</u>	<u>7</u>	<u>3</u>
<u>3-4-080-1.2</u>	<u>In Structures with more than 2 ½ stories Fire Protection Design, Evacuation Facilities, and Automatic Fire Sprinkling Systems will be Required to mitigate the additional potential Of Loss of Life and/or Property.</u>					
<u>3-4-080-2</u>	<u>AREA, WIDTH, FRONTAGE, YARD & COVERAGE REGULATIONS</u>					
<u>3-4-080-2.1</u>	<u>The Minimum depth and/or length for yards in the Districts regulated by this Chapter shall Be:</u>					
<u>Ordinance 354</u>	<u>Front yard for Manufacturing Distribution Structures</u>	<u>25</u>	<u>25</u>	<u>25</u>	<u>25</u>	<u>25</u>
	<u>Front Yard</u>	<u>25</u>	<u>25</u>	<u>25</u>	<u>25</u>	<u>25</u>
	<u>Side Yard</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>
	<u>Side Yard on a corner lot (must comply with Section 5-1-180)</u>	<u>25</u>	<u>25</u>	<u>25</u>	<u>10</u>	<u>25</u>
	<u>Rear Yard</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>
	<u>Internal Setbacks on parcels under same ownership</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>0</u>	<u>-</u>

Chapter 1-3: Definitions

Agricultural Industry (Agricultural Business): An industry or business involving agricultural products in packaging, treatment, sales, intensive feeding, or storage. Typical uses include animal feed yards, fur farms, commercial milk production, food-packaging or processing plants, and commercial poultry or egg production, commercial wholesale greenhouses, etc. and similar uses as determined by the Planning Commission.

Agricultural Processing: Initial processing of agricultural products by packaging, treating and/or intensive feeding that is reasonably required to take place in close proximity to the site where they are produced. Agricultural industry includes, but is not limited to, animal feed yards, the raising of furbearing animals, food packaging and/or processing plants, commercial poultry or egg production, commercial greenhouses, and similar uses as determined by the Planning Commission.

Agricultural Sales and Service: An establishment primarily engaged in the sale or rental of farm tools and implements, feed and grain, tack, animal care products, agricultural fertilizers ~~anhydrous ammonia~~, farm supplies, garden supplies, retail nurseries, and the like etc., and including accessory food sales and farm machinery repair services.

Agriculture: The production of food through the tilling of the soil, the raising of crops, gardening and horticulture for personal use or sale, breeding and raising of domestic animals and fowl; (excluding except household pets), and not including any agricultural industry ~~or business~~

Airport: ~~All airport definitions and regulations will be found in the Airport Ordinance adopted by Box Elder County, except as airports are governed under the general use regulations of this Code.~~ The Brigham City Municipal Airport or any area of land designated and used for the landing and taking off of aircraft.

Animal Clinic/Veterinary Hospital: A structure used for veterinary care of sick or injured animals. Also includes structures used for animal grooming. The boarding of animals is limited to short-term care; and is accessory to the principal use. This definition does not include commercial or home-based kennels. ~~(Ordinance #361)~~

~~**Animal Specialties:** The production of small animals and associated products. Typical uses include chicken and turkey raising, egg production, apiaries, and aviaries.~~

~~**Automatic Car Wash:** A facility for automatic or self-service washing and cleaning of automobiles and small trucks not exceeding 1-2 tons capacity.~~

Automatic Car Wash: A place for the cleaning or detailing of light duty motor vehicles (e.g. passenger cars, vans, and trucks); ~~whether self-service, automatic or by hand.~~

~~**Automatic Truck Wash:** A facility for automatic self-service washing or cleaning of trucks exceeding 1-2 tons capacity.~~

~~**Automobile Paint Shop:** A facility for painting of automobiles, trucks, trailers, boats, or other travel or recreation vehicles or units.~~

~~**Automobile Self Service Station:** A place where gasoline or any other motor fuel for operating motor vehicles is offered for sale and is dispensed to the vehicle by the purchaser; the self service station may be independent or in conjunction with a retail store.~~

~~**Automotive Body and Fender Shop:** A facility from major automobile, truck, mobile home, recreational coach or recreation vehicle repairs to body, frame, or fenders, and including rebuilding.~~

~~**Automotive Sales Area:** An open area used for display, sale, or rental of new or used motor vehicles, mobile homes, recreational coaches, or recreation vehicles in operable condition.~~

Automotive Service: An establishment engaged in the sales, maintenance, or repair of new or used motor vehicles, mobile homes, recreational coaches, marine craft or recreational vehicles.

or parts thereof. Repair can include services such as basic engine servicing, minor and major engine repair, auto body repair, tire replacement, etc. Examples may include uses such as dealerships, automobile service stations, parts stores, tire shops, mechanic shops, automatic car washes, etc. Excludes automotive salvage yards or the commercial sales of inoperable vehicles.

~~Automobile Wrecking Yard: Any lot, parcel, or land area used for the storage, keeping, dismantling or salvaging of two or more unlicensed automobiles or parts thereof.~~

~~Bank or Financial Institution: An organization involved in deposit banking, finance, investment, mortgages, trusts, and the like. Typical uses include commercial banks, credit unions, finance companies, and savings institutions.~~

Bed & Breakfast~~Boarding House~~: A building, or any portion thereof, where, for compensation, meals and lodging are provided to the occupants; but excluding a dwelling unit with family occupancy.

Body Art Facility: A facility where an individual practices or instructs any of the following as defined by Utah state code: body piercing; branding; permanent cosmetics; scarification; or tattooing.

~~Charter School includes:~~

- ~~1. an operating charter school;~~
- ~~2. a charter school applicant that has its application approved by a chartering entity in accordance with Title 53A, Chapter 1a, Part 5, The Utah Charter Schools Act; and~~

~~an entity who is working on behalf of a charter school or approved charter applicant to develop or construct a charter school building.~~

Chemical & Plastics Manufacturing: A facility that develops chemical and/or plastics products. Typical uses include agricultural chemicals, pharmaceutical products, miscellaneous plastic or resin products, paint, lacquer, or varnish products, soaps, detergents, or other cleaning chemicals, injection/blow molding facilities, etc.

~~Clinic: See Medical Service.~~

~~College or University: An institution of higher education offering undergraduate or graduate degrees and including, but not limited to, extension services and accessory uses such as dormitories, museums, stadiums, and theaters.~~

Commercial Business: Any commerce endeavor to engage in the purchase, sale, lease or exchange of goods, and/or the provision of services. This includes the following specific uses:

1. General Retail: An establishment that provides products or services directly to a consumer, and where such products are available for immediate purchase and removal from the premises by the purchaser.
2. Professional Services: An administrative, professional, research, laboratory, or personal service.

Communication Facility: Fixed equipment or structures used to transmit, receive, or relay electronic signals, data, voice, and images. Typical uses include cell towers, radio masts, satellite dishes, antenna arrays, and associated electronic equipment housing.

Construction Sales and Service: An establishment engaged in the retail or wholesale sale of materials and services used in the construction of buildings or other structures, as well as the outdoor storage of construction equipment or materials on a lot or parcel other than a construction site. Typical uses include lumber yards, home improvement centers, lawn and garden supply stores, construction equipment sales and rental, electrical, painting, plumbing, air conditioning and heating supply stores or services, swimming pool sales, construction and trade contractors' offices, etc and storage yards, and public utility corporation storage yards.

~~**Convenience Store:** An establishment, not exceeding five thousand (5,000) square feet of gross floor area, serving a limited market area and engaged in the retail sale or rental, from the premises, of food, beverages and other frequently or recurrently needed items for household use, excluding gasoline sales.~~

Cultural Service: A library, museum, art gallery, nature exhibition, or similar public or registered nonprofit organizational use displaying, preserving, and exhibiting objects of community and cultural interest in one (1) or more of the arts and sciences.

~~**Dairy:** A commercial establishment for the manufacture, processing, packaging or sale of dairy products. For purposes of definition, the production of milk on a farm for wholesale marketing off the premises shall not classify the farm as a dairy.~~

Educational Facility Service: Any school district's building, any state approved building teaching any of grades K-12 (public or private) building at which pupils assemble to receive instruction in a program for any combination of grades from preschool through grade 12, including kindergarten and a program for children with disabilities, colleges and universities, trade schools, charter schools, etc.;

Equestrian Facility: A place designed for housing, training, or competing with horses. Typical uses include horse boarding, riding academies, private or public stables, roping and riding arenas, etc.

Essential Facilities: Those facilities which are common to the community and essential for servicing the residents and businesses. Examples include utilities, utility maintenance shed, radio and television stations (transmitting only), cable TV, sanitation, public utility substation, health and public safety facilities provided by a public utility or governmental agency for overhead, surface or underground services, and such other necessary uses as may be approved by

~~the County Commission by resolution, but excluding any building, electrical sub-station, or transmission line of 50 kv or greater capacity.~~

Financial Service: An organization involved in deposit banking, finance, investment, mortgages, trusts, credit reporting, etc. Typical uses include commercial banks, credit unions, finance companies, savings institutions, etc.

Food Products Manufacturing: A facility that develops food products for wholesale distribution. Typical uses include baking products, beverages, canned goods (soups, vegetables, meats, etc.), confectionary products, dairy products, grain products, meat products, etc.

Funeral Home/Mortuary: See Mortuary. An establishment engaged in preparing human deceased for burial and conducting funerals.

Furniture Products Manufacturing: A facility that manufactures furniture products for wholesale distribution. Typical uses include the manufacture of furniture, shelving units, lockers, office and store fixtures, containers, etc.

~~**Garage, Private:** An accessory building designed and/or used for the storage of motor vehicles owned and used by the occupants of the building to which it is accessory, provided that a garage shall be considered part of the dwelling if the garage and dwelling have a roof or wall in common.~~

~~**Garage, Public:** A building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling, leasing, renting or storing motor vehicles.~~

~~**Gas Corporation:** has the same meaning as defined in Section 54-2-1.~~

General Construction Service: Any commercial service or installation within the construction industry but excluding the production of materials for construction purposes. These uses typically include, but are not limited to concrete, masonry, or stonework installation, roofing and sheet metal services and installation, water and well drilling services, the storing/staging of construction equipment, etc.

General Retail: An establishment that provides products or services directly to a consumer, and where such products are available for immediate purchase and removal from the premises by the purchaser. These uses typically include, but are not limited to apparel stores, antique shops, art and hobby supply stores, bicycle shops, bookstores, clothing rental stores, department stores, discount stores, drugstores, electronic appliance stores, florists, food stores, furniture and appliance stores, gift and novelty shops, glass and mirror shops, hardware stores, jewelry stores, medical supply stores, music stores, optical retail sales, paint stores, pet and pet supply stores, photocopying and blueprinting shops, photography supply stores, record, sporting goods stores, toy stores and variety stores.

~~**Group Homes:** A home for certain disabled or elderly persons as defined by Utah State law as being permitted in residential areas of Box Elder County by conditional use permit. (See ELDERLY, and DIABILITY).~~

Government Service (Public Building): Any building or facility used, owned or operated by a government entity which provides services for the public, excluding utilities and recreational services. Typical uses include administrative offices of government agencies, and utility billing offices, federal postal services, etc.

~~**Hotel:** An establishment with or without fixed cooking facilities in individual rooms offering transient lodging accommodations to the general public, and which may provide additional services such as restaurants and meeting rooms.~~

Indoor Entertainment & Recreation: The use of an enclosed building or structure for entertainment, leisure, amusement, or social activities that are conducted primarily indoors and are open to the public or members. Typical uses include restaurants, theaters, private clubs, gyms and athletic clubs, bars, etc. This use does not include reception centers or adult/sexually oriented facilities and businesses.

~~**Lodging House:** A dwelling with not more than ten (10) guest rooms where, for compensation, lodging is provided for at least three (3), but not more than fifteen (15) persons, but not including motels or hotels.~~

Machine Products Manufacturing: A facility that manufactures machinery or equipment for wholesale distribution. Typical uses include electrical machinery and equipment or supplies, laboratory or research instruments and associated equipment, measuring instruments, transportation equipment, etc.

~~**Manufactured and Mobile Home Subdivision:** A platted and recorded subdivision zoned and designed for mobile and manufactured home use where mobile and manufactured homes are placed on permanent foundations.~~

Medical Service: An establishment providing therapeutic, preventive, or corrective personal treatment services on an outpatient basis by physicians, dentists, and other practitioners of the medical or healing arts, as well as the provision of medical testing and analysis services. Typical uses include medical and dental offices and clinics, blood banks and medical or dental laboratories, funeral and crematory services. The establishment may include a dental and/or medical laboratory and an apothecary pharmacy, but it shall not include in-patient care or operating rooms for major surgery.

Metallic Products Manufacturing: A facility that involves fabricating, forming, shaping, and assembling ferrous and nonferrous metal materials into intermediate or finished products. Typical uses include blast furnaces, steel works, iron and steel foundries and manufacturing, nonferrous foundries, smelters and refineries of nonferrous metals, etc.

~~**Motel:** A building or group of buildings for the accommodation of transient guests, comprising individual sleeping or living units, and designed and located to serve the motoring public.~~

~~**Mortuary:** An establishment engaged in preparing human deceased for burial and conducting funerals.~~

Non-Metallic Products Manufacturing: A facility that processes quarried or mined raw materials—such as sand, gravel, stone, and clay—into intermediate or finished products. Typical uses include abrasives, non-metallic mineral products, cements, concrete gypsum and plaster products, glass and glassware, structural clay products, etc.

~~**Nursing Home (also Rest Home or Convalescent Home):** A home for the aged, chronically ill, or incurable persons in which three (3) or more persons not of the immediate family are received, kept, or provided with food and shelter or care for compensation; but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.~~

~~**Office, General:** A building, room or department where executive, management, administrative or professional services are provided, except medical services, and excluding the sale of merchandise, except as incidental to a principal use. Typical uses include real estate brokers, insurance agencies, credit reporting agencies, property management firms, investment firms, employment agencies, travel agencies, advertising agencies, secretarial services, data processing, telephone answering, telephone marketing, paging and beeper services and facsimile transmission services; post offices and express mail offices, excluding major mail processing and distribution; offices for utility bill collection; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; and business offices of private companies, utility companies, public agencies, trade associations, unions and nonprofit organizations.~~

Outdoor Entertainment & Recreation: The use of land for entertainment, leisure, amusement, or social activities that are conducted primarily outdoors and are open to the public or members. Typical uses include sport fields and facilities, parks (leisure and ornamental), public outdoor swimming pools, commercial campgrounds, etc. Accessory uses/buildings customarily incidental to the primary outdoor entertainment or recreational activity—such as food and beverage service, ticket sales, retail merchandise, restrooms, etc.—are permitted provided they are incidental to the primary use.

~~**Other Outdoor Storage Facility (clean):**~~ Third party storage of items such as boats, automobiles, recreational vehicles, trailers, and other similar items outside of a completely enclosed building. The area must be kept clean, organized, and weed free. The surface must be asphalt or treated road base to eliminate dust. The site must be surrounded by screening no less than six feet in height. Does not include automotive salvage yard use.

~~**Outdoor Nursery/Grower's Outlet:** An establishment or premises where nursery products such as flower, shrubs, and trees, intended for ornamental or landscaping purposes are sold at retail to the general public from covered or open air areas on a temporary or seasonal basis.~~

~~**Outdoor recreation facility:** An area designed for active recreation, whether publicly or privately owned.~~

Personal Care Service: An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barber shops, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning and nail salons, and weight loss centers. ~~The term excludes "Tattoo Establishment."~~

Personal Storage Facility: Third party storage of items such as household goods, furniture, business inventory, vehicles, etc. within an enclosed building facility or unit that allows renters to access at their convenience.

Petroleum Products Manufacturing: A facility that processes crude petroleum and coal into usable products. Typical uses include paving and roofing materials, tires and inner tubes, gasoline, diesel, lubricants, rubber foot ware, etc.

Precision Instruments & Jewelry Manufacturing: A facility that manufactures small, precision instruments and devices. Typical uses include jewelry, novelties, buttons, silverware, musical instruments, ophthalmic goods, optical instruments and lenses, pens, pencils, photographic equipment, surgical, medical and/or dental instruments and supplies, toys, sporting/athletic goods, watches, clocks, etc.

Professional Service: An administrative, professional, research, laboratory, or personal service. These uses typically include, but are not limited to accounting services, administrative buildings, animal clinics, architectural firms, business equipment services and supplies, educational administrative buildings, employment services, engineering firms, financial services, law firms, medical services, real estate and development services, etc. Merchandise or merchandising services must not be sold on the premises except such as incidental or accessory to the principal use.

~~**Public Utility Substation:** Any above-ground device of a culinary water, irrigation, sewer, natural gas, electrical, telecommunications (including but not limited to radio, telephone and cellular telephone), cable television, or other public or private utility system. Excluded from this definition are:~~

- ~~A. Conventional utility poles, features or equipment to be placed on such a pole, light poles; and~~
- ~~B. Features or equipment whose primary benefit is limited to the building or land use where the feature or equipment is located.~~

Race Track: An outdoor track or course for motor vehicle competition, with spectators. Accessory uses/buildings customarily incidental to the primary use—such as food and beverage

service, ticket sales, retail merchandise, restrooms, etc.—are permitted provided they are incidental to the primary use

~~**Residential Facility for Elderly Persons:** A single-family or multiple-family dwelling unit that meets the requirements of Section 17-27a-515, but does not include a health care facility as defined by Section 26-21-2.~~

Residential Facility for Persons with a Disability: A residence in which more than one person with a disability resides and which is licensed or certified by the Department of Health and Human Services under:

- A. ~~The Department of Human Services under Title 62A-26B, Chapter 2, Part 1, Licensure of Human Services~~ Programs and Facilities; or
- B. ~~The Department of Health under Title 26B, Chapter 21, Part 2, Health Care Facility Licensing and Inspection Act.~~

~~**Retail, General:** An establishment that rents or sells goods to the public, but excluding any use specifically classified in another definition herein. Typical uses include apparel stores, antique shops, art and hobby supply stores, bicycle shops, bookstores, clothing rental stores, department stores, discount stores, drugstores, electronic appliance stores, florists, food stores, furniture and appliance stores, gift and novelty shops, glass and mirror shops, hardware stores, jewelry stores, medical supply stores, music stores, optical retail sales, paint stores, pet stores, photocopying and blueprinting shops, photography supply stores, record, tape and video stores, sporting goods stores, toy stores and variety stores.~~

Retail Nursery: An establishment or premises where nursery products such as flower, shrubs, and trees, intended for ornamental or landscaping purposes are sold at retail to the general public from covered or open air areas on a temporary or seasonal basis.

Small Warehouse Facility: A facility for the storage and distribution of wholesale products and goods with a building footprint of less than 50,000 square feet.

Specialty Food Sales: An establishment providing the sales of premade and packaged food goods. Typical uses include bakeries, candy, nuts, and/or confectionary stores, ice cream eateries, specialty soda franchises, etc. This does not include uses where food is consumed on premises (i.e. restaurants, etc.).

Sportsman's Ranch: A property primarily designed for and offering outdoor recreational activities, mainly fishing and hunting.

Structure: Any building, shelter, sign, wall, fence, pole or other improvement with a fixed location on the ground above grade constructed or installed by man and permanently attached to the ground, ~~but not including poles, lines, cables, pipelines, or other transmission or distribution facilities of utilities.~~

Temporary Merchant: A non-fixed building/structure for seasonal services not to exceed one (1) year. Typical uses include coffee shops, snow cone shacks, ice cream vendors, etc. The following requirements shall be met:

1. Submission and approval of a business license through the Box Elder County Clerk's Office.
2. Submission of an owner authorization form from the property owner where the temporary structure will be located allowing (1) the temporary use of property for the proposed service (including any utilities, etc.) and (2) allowing restroom use of the main, commercial building for any employee(s) of the seasonal service.
3. A basic site plan shall be submitted showing the proposed location of the seasonal service as well as traffic accommodations.
4. The applicant must submit yearly for an administrative conditional use permit for the seasonal service.

Textile Products Manufacturing: A facility that manufactures textile products and goods. Typical uses include woven fabrics, textile dyeing and finishing, clothing, knit goods, yarns, threads, etc.

Transportation Facility: A public building or site used for the transportation of people. Typical uses include bus terminals, train stations and depots, multi-modal transit hubs, shared mobility hubs, etc.

Transportation Service: An ~~private building or hub establishment that moves~~ for the purpose of moving people, or goods and/or for other transportation services. Typical uses include taxicab service, ~~passenger autos for rent with drivers~~ Transportation Network Companies ("ridesharing"), ambulance service, trucking operation, and parcel delivery service, third-party delivery service, etc.

Truck Wash: A facility for the washing or cleaning of heavy duty trucks exceeding 1-2 tons capacity (e.g. semis, buses, etc.).

~~**Urban Services:** Those services normally associated with urban living, including but not limited to the following: electricity, natural gas, streets, schools, culinary water, sewage collection and treatment facilities, and police and fire protection.~~

Utilities: Includes culinary waterlines, pressure and gravity irrigation lines, sanitary and storm sewer lines, subdrains, electric power, natural gas, cable television and telephone transmission lines, underground conduits and junction boxes, whether above ground or underground.

~~**Veterinary Service:** An establishment providing medical care and treatment for animals, which may include accessory grooming or boarding services.~~

Wholesale Trade & Warehousing: A facility for the storage and distribution of wholesale products and goods with a minimum building footprint of 50,000 square feet or larger.

Wood & Paper Manufacturing: A facility that processes raw wood, wood pulp, fiber, or recycled materials into intermediate or finished products. Typical uses include the production of paper and/or cardboard products (books, newspapers, boxes, etc.), millwork, veneers, plywood, prefabricated structural wood products, etc.