Staff Report

Coalville City
Project Coordinator

To:	Coalville City Planning Commission
From:	Don Sargent, City Project Coordinator
Date of Meeting:	October 18, 2021
Re:	Use Table and Definitions - Development Code Update Amendments
Action:	Continued Work Session

Use Table and Definitions Review and Discussion

REQUEST

The purpose of this work session is to continue the review and discussion of the updates to the Use Table and Definitions in the development code.

This item is scheduled for work session only (public comment will be taken at a future noticed public hearing). No action on the amendments is requested at this time.

BACKGROUND

At the last Planning Commission meeting the Planning Commission discussed the existing Use Table and Definitions of the development code and directed Staff to prepare update amendments to the Community Commercial (CC) and Highway Commercial (HC) Zone use list.

Attachment A includes the updated Use Table from the last work session in a "Track Changes" format.

A clean version of the use list with all accepted "Track Changes" to date is also included as Attachment B for easier reading.

Attachment C includes the code definitions as revised to date in Track Changes Format for the new uses that have been added to the use list and other miscellaneous revisions.

The next zone districts for review is the Light Industrial (LI) Zone, which is highlighted on the attached use tables.

ANALYSIS

The list of uses in the Use Table is intended to establish compatibility of appropriate and desired uses within each zone district in the City. The Definitions are intended to clarify and provide additional detail and understanding of the uses.

Staff is requesting input and direction from the Planning Commission on updates to these documents. At the meeting Staff will be prepared to provide suggestions on the uses that may help

to eliminate unneeded redundancies, confusion and inconsistency of the existing uses and definitions.

The following focus items have been identified to help direct the amendment updates with the review of the Use Table and Definitions:

- Redundancies of listed uses
- Uses or definitions not clearly stated
- Uses not defined
- Uses not consistent within Zones (compatibility)
- Uses or definitions confusing
- Descriptions too detailed
- Uses desired or needed
- Uses not appropriate
- Needed notes or references

Based on the discussion and direction from the Planning Commission, Staff will continue to refine the language for continued review and discussion at a subsequent meeting.

RECOMMENDATION

Staff recommends the Planning Commission review and discuss the Use and Definition language and provide direction to Staff for preparing update amendments to the documents.

ATTACHMENT(S)

A. Updated Use Table in "Track Change" Format
B. Updated Use Table in "Clean Version Format
C. Draft Definitions in "Track Change" Format

Insertions
~~Deletions~~

USE TABLE

The use table sets forth allowed uses (A), conditional uses (C), temporary uses (T), low impact uses (L) and prohibited uses (X) for the following zone districts:

Agriculture (AG-20)
Residential Agriculture (RA-5)
Residential Low-Density (R-1)
Residential Medium-Density (R-2)
Residential High-Density (R-4)
Residential Very High-Density (R-8)
Community Commercial (CC)
Highway Commercial (HC)
Light Industrial (LI)

Uses *Italicized* are defined in Title 10 Chapter 2.

Permitted Uses	AG	RA	R-1	R-2	R-4	R-8	CC	HC	LI	Additional Reference
Accessory structures and uses	A	A	A	A	A	A	A	A	A	
Agriculture	A	A	A	A	A*	A*	A*	A*	A*	*Farm animals prohibited in R-4 and R-8, CC, HC and LI Zones,
~~*Accessory buildings and uses customarily associated with traditional agricultural operations*~~	~~A~~	~~A~~	~~A~~							
Animal Specialties ~~(i.e.~~including ~~kennels, grooming~~, reptiles, arthropods (insects) aviaries (birds), etc.~~)~~	~~A~~C	~~A~~C	~~A~~C	X	X	X	X	X	C	
Apiaries (Bee Keeping)	A	A								Or as regulated by City Ordinance
~~Aviaries~~	~~A~~	~~A~~								
Churches, Synagogues, and Temples	A	A	A	A	A	A	A	A	A	
Dwellings, accessory	A	A	A	A	A	A	A	A	X	
Dwellings, single-family detached	A	A	A	A	A	A	A	A	X	

Commented [DS1]: Need to define

Permitted Uses	AG	RA	R-1	R-2	R-4	R-8	CC	HC	LI	AdditionalReference
~~Educational Services~~	~~A~~	~~A~~	~~A~~	~~A~~						
~~Educational Services, Private~~	~~C~~									
Equestrian facilities, riding academies, schools, and associated stables	~~A~~C	~~A~~C	C	X	X	X	X	C		
Farmers Market	L	L	L	L	L	L	L	L		Sale of products produced off-premises
~~*Farm Animal Keeping*~~	~~A~~	~~A~~								~~See Section 10-6-040 and Definitions: Animal, farm~~
~~Farm Industry (on a parcel five (5) acres or more)~~	~~A~~									
Fruit and vegetable stands (sale of products produced on owners' premises)	A	A	A	A	A	A	A	A		Business license required
Home Occupations, Minor	A	A	A	A	A	A	A	A		
Home Occupations, Major	C	C	C	C	C	C	C	C		
Household Pets (maximum 5 pets of the same species)	A	A	A	A	A	A	A	A		Not counting puppies or kittens up to 4 months old
Nursery/Greenhouse	A	A	A	A*	A*	A*	A	A	A	*Non-Commercial in R-2, R-4 and R-8 Zones
~~Private Parks and *Recreational Activities*~~	~~C~~	~~A~~					~~A~~	~~A~~		
Public Parks	~~A~~C	~~A~~C	~~A~~L	~~A~~L	~~A~~L	~~A~~L	A	A		
Public or Quasi-Public Uses	~~A~~C	~~A~~C	~~A~~L	~~A~~L	~~A~~L	~~A~~L	A	A	A	
~~*Quasi-Public Uses*~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~			~~A~~	
~~Small d~~Domesticated Farm animals	A	A	A	A	X	X	X	X		Includes horses, sheep, cattle, goats, etc.
Recreational Facilities or Uses	~~A~~C	~~A~~C	~~A~~C	~~A~~C	~~A~~C	~~A~~C	A	A	A	

Commented [DS2]: Education uses grouped under one use

Commented [DS3]: Need to define

Commented [DS4]: Duplicate use

Commented [DS5]: Need to revise definition

Permitted Uses	AG	RA	R-1	R-2	R-4	R-8	CC	HC	LI	AdditionalReference
Residential care facilities for elderly or handicapped persons	A	A	A	A	A	A	A	A		Subject to the conditions found in Utah Code, as amended
~~Seasonal Uses~~	~~A~~									
Trails and *open space*	A	A	A	A	A	A	A	A		
Veterinary Clinics	~~A~~C	C	C	X	X	X	A	A		
~~Cluster Subdivisions~~	~~C~~	~~C~~	~~C~~							
Communications, substations/facilities	C	C	C	X	X	X	C	C		
~~Educational Services, Private~~	~~C~~									
Boarding House	C	C	C	X	X	X	C	C		
Cemeteries	C	C	C	X	X	X	X	X		
~~Dog Kennels~~		~~C~~	~~C~~							
Dude/Guest Ranch	C	C	C	X	X	X	X	C		
Bed and Breakfast Inn	C	C	C	C	C	A	A	A		
~~Typical *domesticated farm animals* including horses, sheep and cattle~~			~~A~~	~~C~~						
Dwellings, two (2) family attached	X	C	C	~~C~~A	~~C~~A	~~C~~A	C	C		
~~More than two (2) domesticated farm animals per acre~~			~~C~~							
~~Medical and other health facilities~~					~~A~~	~~A~~				
Dwelling, multi family attached	X	X	X	X	C	C	C	C		
Commercial ~~B~~buildings smaller than twenty five thousand (25,000) square feet	X-	C	C	X	X	X	A	A		
Commercial ~~B~~buildings larger than twenty five thousand (25,000) square feet	X	C	C	X	X	X	C	C		

Commented [DS6]: Duplicate use

Commented [DS7]: Duplicated use

Commented [DS8]: Duplicate Use

Permitted Uses	AG	RA	R-1	R-2	R-4	R-8	CC	HC	LI	AdditionalReference
Temporary buildings incidental to construction work	A	A	A	A	A	A	A	A	A	
Automobile fuel ~~or~~ service station, lube/oil. tires and repair	X	X	X	X	X	X	A	A		
Automobile dealership	X	X	X	X	X	X	C	C		
~~Automobile lude and oil center~~							~~C~~	~~C~~		
~~Automobile parts, new or reconditioned, conducted within enclosed building~~							~~A~~	~~A~~		
~~Automobile service and repair conducted within enclosed building~~							~~C~~	C		
Car wash	X	X	X	X	X	X	A	A		
~~*Parking lot*, incidental to a use conducted on premises~~							~~C~~	~~C~~		
Parking lot, not incidental to a use conducted on premises	T	T	T	T	T	T	C	C		
Assisted Living ~~Facility~~Center	C	C	C	C	C	C	A	A		
Single and Multi-family Dwellings within Historic District	X	X	X	X	X	A	C	C		
Homeless Shelter	X	X	X	X	X	X	C	C		
Hotel; Motel	X	X	X	X	X	X	A	A		
Nursing Home	C	C	C	C	C	C	A	A*		
~~Protective housing facility~~							~~C~~	~~C~~		
~~Residential facility for elderly persons~~							~~C~~	~~C~~		
~~Residential facility for persons with a disability~~							~~A~~	~~A~~		

Commented [DS9]: Auto service uses grouped under one use

Commented [DS10]: Duplicate use

Commented [DS11]: Duplicate use

Permitted Uses	AG	RA	R-1	R-2	R-4	R-8	CC	HC	LI	AdditionalReference
Single or multiple family dwellings located in the same structure as the principle commercial use	X	X	X	X	X	C	C	C		
Transitional or protective housing facility	X	C	C	C	C	C	C	C		
College, private or public	X	C	C	C	C	C	A	A		
~~Essential service facilities~~							~~A~~	~~A~~		
Public utility installations	C	C	C	X	X	X	A	A		
Schools, public and private	X	C	C	C	C	C	A	A		
~~Art gallery, museum~~							~~A~~	~~C~~		
~~Archery shop/range, conducted within enclosed building~~							~~A~~	~~C~~		
Athletic/health club, spa fitness center, sports courts	X	C	C	C	C	C	C	C		
~~Bicycle Shop~~							~~A~~	~~A~~		
~~Bowling alley~~							~~A~~	~~A~~		
Commercial campgrounds, RV parks	C	C	X	X	X	X	X~~*~~	C		
~~Dance studio~~							~~A~~	~~C~~		
~~Gymnasium~~							~~A~~	~~C~~		
~~Martial arts studio; karate studio~~							~~A~~	~~C~~		
~~Miniature golf course~~							~~A~~	~~A~~		
Sexually oriented business	X	X	X	X	X	X	~~*~~X	~~*~~X	C	
Social club, billiards, pool hall, bars	X	X	X	X	X	X	C	C		
Commercial Swimming pool	X	C	C	C	C	C	~~A~~C	~~A~~C		
Skating rink	X	C	C	C	C	C	~~A~~C	C		

Commented [DS12]: Duplicate Use

Commented [DS13R12]:

Commented [DS14]: Commercial Service Use

Commented [DS15]: Commercial Retail Use

Commented [DS16]: Commercial Retail Use

Commented [DS17]: Commercial Service Use

Commented [DS18]: Commercial Service Use

Commented [DS19]: Commercial Service Use

Commented [DS20]: Commercial Service Use

Permitted Uses	AG	RA	R-1	R-2	R-4	R-8	CC	HC	LI	AdditionalReference
Theater, indoor	X	X	X	X	X	X	~~A~~C	~~A~~C		
~~Sales and related services~~							~~A~~	~~A~~		~~See #7 in existing commercial use list~~
~~Pawn shop, payday loan establishments~~							~~C~~	~~C~~		
~~Pet shop, pet grooming~~							~~A~~	~~A~~		
~~Pharmacy; drugstore~~							~~A~~	~~A~~		
~~Photography shop~~							~~A~~	~~A~~		
~~Price-point retail establishment~~							~~C~~	~~C~~		
~~Repair services~~							~~A~~	~~A~~		
Restaurant, café, ~~microbrewery~~	X	C	C	C	C	C	~~A~~C	~~A~~C		
Distillery/microbrewery; agribusinesses	C	C	C	C	C	C	C	C		
~~Second hand or thrift shop conducted within enclosed building~~							~~A~~	~~A~~		
Shopping center	X	X	X	X	X	X	~~A~~C	~~A~~C		
~~Specialty retail stores~~							~~A~~	~~A~~		
~~Sporting goods store~~							~~A~~	~~A~~		
State liquor store	X	X	X	X	X	X	C	C		
~~Tire store, sales and repair conducted within enclosed building~~	X						C	C		
~~Activities including animal hospitals, business/financial services, dental/medical clinics, day care centers, hospital, laundry, office, personal services, reception centers, taxidermist, travel agencies~~	-		-	-	-	-	~~A~~	~~A~~	-	~~See # 8 in existing commercial use list~~

Commented [DS21]: Commercial Retail Use

Commented [DS22]: Commercial Retail Use

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Commented [DS31]: Auto service uses grouped under one use

Permitted Uses	AG	RA	R-1	R-2	R-4	R-8	CC	HC	LI	AdditionalReference
Mortuary; funeral home	C	C	C	X	X	X	~~A~~C	C		
~~Non-depository institution~~							~~C~~	~~C~~		
~~Rehabilitation/treatment center~~							~~C~~	~~C~~		
Rental equipment	X	X	X	X	X	X	C	C	A	
Storage facilities ~~(not permitted in historic district)~~	X	X	X	X	X	X	C	C	A	Not permitted in the historic district
~~Bus stops~~							~~A~~	~~A~~		
Freight transportation service	X	X	X	X	X	X	~~A~~C	~~A~~C		
Park and ride facilities	X	X	X	X	X	X	C	C		
Bus or Taxi hub/services	X	X	X	X	X	X	C	C		
~~Taxi service~~							~~C~~	~~C~~		
Towing service	X	X	X	X	X	X	~~A~~C	~~A~~C		
~~Transfer company~~							~~C~~	~~C~~		
Truck stop and service facility	X	X	X	X	X	X	C	~~A~~C		
Onsite manager, caretaker or workers dwelling	C	C	C	X	X	X	C	C	A	
~~Agriculture and Forestry~~									~~C~~	~~See #5 in existing light industrial use list~~
~~Automobile Services~~									~~A~~	~~See #6 in existing light industrial use list~~
Processing and Manufacturing	X	X	X	X	X	X	X	X	A	See #7 in existing light industrial use list
Cement mortar, plaster or paving materials mixing plant	X	X	X	X	X	X	X	X	C	
Construction of building to be sold and moved off premises	X	X	X	X	X	X	X	X	C	
Fertilizer and soil conditioner manufacturing and processing and/or sales	C	X	X	X	X	X	X	X	C	

Commented [DS32]: Duplicate Use

Commented [DS33]: Duplicate Use

Commented [DS34]: Auto service uses grouped under one use

Permitted Uses	AG	RA	R-1	R-2	R-4	R-8	CC	HC	LI	AdditionalReference
Foundry, casting lightweight non-ferrous metal	X	X	X	X	X	X	X	X	C	
Food Manufacturing, compounding, processing and treatment ~~of food~~	X	X	X	X	X	X	X	X	C	
Radio/television transmitting towers	C	C	C	X	X	X	X	X	C	
~~Campground~~									~~C~~	
~~Go-cart racing~~									~~C~~	
~~Sales and related services~~									A	See #10 in existing light industrial use list
~~Beer outlet, Class A and B~~									~~C~~	
Building material sales yard	X	X	X	X	X	X	X	X	C	
~~Military store (surplus)~~									~~C~~	
Radio and television station	X	X	X	X	X	X	C	C	C	
~~Service Activities~~									~~A~~	~~See #11 in existing light industrial use list~~
~~Kennel~~									C	
Pest extermination business	X	X	X	X	X	X	X	X	C	
Coal, fuel and wood yards and offices	X	X	X	X	X	X	X	X	C	
RV and boat storage	X	X	X	X	X	X	X	X	A	
Junk yard/salvage yard	X	X	X	X	X	X	X	X	*	
Warehouse	X	X	X	X	X	X	X	X	A	
Airport/helipad	X	X	X	X	X	X	X	X	C	
Bus terminal	X	X	X	X	X	X	C	C	A	
Freighting, trucking yard or terminal	X	X	X	X	X	X	X	C	C	
Drive-it yourself agency/"U-Haul"	X	X	X	X	X	X	C	C	A	

Commented [DS35]: Duplicate Use

Commented [DS36]: Duplicate Use

Commented [DS37]: Duplicate Use

Commented [DS38]: Duplicate Use

Commented [DS39]: Duplicate Use

Commented [DS40]: Duplicate use

Commented [DS41]: Should this use be in Commercial Service Use?

Permitted Uses	AG	RA	R-1	R-2	R-4	R-8	CC	HC	LI	AdditionalReference
~~Express office~~									~~A~~	
~~Terminal, parking and maintenance facilities~~									~~A~~	
~~Transfer company~~									~~A~~	
Commercial Retail Uses	X	X	X	X	X	X	A	A		
Commercial Service Uses	X	X	X	X	X	X	A	A		
Professional Service Uses	X	X	X	X	X	X	A	A		
Dog boarding, kennels	C	C	C	X	X	X	X	C		
Contractor's Yard	C	C	X	X	X	X	X	C		

Commented [DS42]: Duplicate Use

Commented [DS43]: Need to Define

Commented [DS44]: Need to Define

Commented [DS45]: Need to Define

USE TABLE

The use table sets forth allowed uses (A), conditional uses (C), temporary uses (T), low impact uses (L) and prohibited uses (X) for the following zone districts:

Agriculture (AG-20)
Residential Agriculture (RA-5)
Residential Low-Density (R-1)
Residential Medium-Density (R-2)
Residential High-Density (R-4)
Residential Very High-Density (R-8)
Community Commercial (CC)
Highway Commercial (HC)
Light Industrial (LI)

Uses *Italicized* are defined in Title 10 Chapter 2.

Permitted Uses	AG	RA	R-1	R-2	R-4	R-8	CC	HC	LI	Additional Reference
Accessory structures and uses	A	A	A	A	A	A	A	A	A	
Agriculture	A	A	A	A	A*	A*	A*	A*	A*	*Farm animals prohibited in R-4 and R-8, CC, HC and LI Zones,
Animal Specialties including , reptiles, arthropods (insects) aviaries (birds), etc.	C	C	C	X	X	X	X	X	C	
Apiaries (Bee Keeping)	A	A								Or as regulated by City Ordinance
Churches, Synagogues, and Temples	A	A	A	A	A	A	A	A	A	
Dwellings, accessory	A	A	A	A	A	A	A	A	X	
Dwellings, single-family detached	A	A	A	A	A	A	A	A	X	
Equestrian facilities, riding academies, schools, and associated stables	C	C	C	X	X	X	X	C		
Farmers Market	L	L	L	L	L	L	L	L		Sale of products produced off-premises
Fruit and vegetable stands (sale of products produced on owners' premises)	A	A	A	A	A	A	A	A		Business license required

Commented [DS1]: Need to define

Commented [DS2]: Need to define

Permitted Uses	AG	RA	R-1	R-2	R-4	R-8	CC	HC	LI	AdditionalReference
Home Occupations, Minor	A	A	A	A	A	A	A	A		
Home Occupations, Major	C	C	C	C	C	C	C	C		
Household Pets (maximum 5 pets of the same species)	A	A	A	A	A	A	A	A		Not counting puppies or kittens up to 4 months old
Nursery/Greenhouse	A	A	A	A*	A*	A*	A	A	A	*Non-Commercial in R-2, R-4 and R-8 Zones
Public Parks	C	C	L	L	L	L	A	A		
Public or Quasi-Public Uses	C	C	L	L	L	L	A	A	A	
Domesticated Farm animals	A	A	A	A	X	X	X	X		Includes horses, sheep, cattle, goats, etc.
Recreational Facilities or Uses	C	C	C	C	C	C	A	A	A	
Residential care facilities for elderly or handicapped persons	A	A	A	A	A	A	A	A		Subject to the conditions found in Utah Code, as amended
Trails and *open space*	A	A	A	A	A	A	A	A		
Veterinary Clinics	C	C	C	X	X	X	A	A		
Communications, substations/facilities	C	C	C	X	X	X	C	C		
Boarding House	C	C	C	X	X	X	C	C		
Cemeteries	C	C	C	X	X	X	X	X		
Dude/Guest Ranch	C	C	C	X	X	X	X	C		
Bed and Breakfast Inn	C	C	C	C	C	A	A	A		
Dwellings, two (2) family attached	X	C	C	A	A	A	C	C		
Dwelling, multi family attached	X	X	X	X	C	C	C	C		

Commented [DS3]: Need to revise definition

Permitted Uses	AG	RA	R-1	R-2	R-4	R-8	CC	HC	LI	AdditionalReference
Commercial buildings smaller than twenty-five thousand (25,000) square feet	X	C	C	X	X	X	A	A		
Commercial buildings larger than twenty-five thousand (25,000) square feet	X	C	C	X	X	X	C	C		
Temporary buildings incidental to construction work	A	A	A	A	A	A	A	A	A	
Automobile fuel service station, lube/oil. tires and repair	X	X	X	X	X	X	A	A		
Automobile dealership	X	X	X	X	X	X	C	C		
Car wash	X	X	X	X	X	X	A	A		
Parking lot, not incidental to a use conducted on premises	T	T	T	T	T	T	C	C		
Assisted Living Center	C	C	C	C	C	C	A	A		
Single and Multi-family Dwellings within Historic District	X	X	X	X	X	A	C	C		
Homeless Shelter	X	X	X	X	X	X	C	C		
Hotel; Motel	X	X	X	X	X	X	A	A		
Nursing Home	C	C	C	C	C	C	A	A		
Single or multiple family dwellings located in the same structure as the principle commercial use	X	X	X	X	X	C	C	C		
Transitional or protective housing facility	X	C	C	C	C	C	C	C		
College, private or public	X	C	C	C	C	C	A	A		
Public utility installations	C	C	C	X	X	X	A	A		

Permitted Uses	AG	RA	R-1	R-2	R-4	R-8	CC	HC	LI	AdditionalReference
Schools, public and private	X	C	C	C	C	C	A	A		
Athletic/health club, spa fitness center, sports courts	X	C	C	C	C	C	C	C		
Commercial campgrounds, RV parks	C	C	X	X	X	X	X	C		
Sexually oriented business	X	X	X	X	X	X	X	X	C	
Social club, billiards, pool hall, bars	X	X	X	X	X	X	C	C		
Commercial Swimming pool	X	C	C	C	C	C	C	C		
Skating rink	X	C	C	C	C	C	C	C		
Theater, indoor	X	X	X	X	X	X	C	C		
Restaurant, café,	X	C	C	C	C	C	C	C		
Distillery/microbrewery; agribusinesses	C	C	C	C	C	C	C	C		
Shopping center	X	X	X	X	X	X	C	C		
State liquor store	X	X	X	X	X	X	C	C		
Mortuary; funeral home	C	C	C	X	X	X	C	C		
Rental equipment	X	X	X	X	X	X	C	C	A	
Storage facilities	X	X	X	X	X	X	C	C	A	Not permitted in the historic district
Freight transportation service	X	X	X	X	X	X	C	C		
Park and ride facilities	X	X	X	X	X	X	C	C		

Permitted Uses	AG	RA	R-1	R-2	R-4	R-8	CC	HC	LI	AdditionalReference
Bus or Taxi hub/services	X	X	X	X	X	X	C	C		
Towing service	X	X	X	X	X	X	C	C		
Truck stop and service facility	X	X	X	X	X	X	C	C		
Onsite manager, caretaker or workers dwelling	C	C	C	X	X	X	C	C	A	
Processing and Manufacturing	X	X	X	X	X	X	X	X	A	See #7 in existing light industrial use list
Cement mortar, plaster or paving materials mixing plant	X	X	X	X	X	X	X	X	C	
Construction of building to be sold and moved off premises	X	X	X	X	X	X	X	X	C	
Fertilizer and soil conditioner manufacturing and processing and/or sales	C	X	X	X	X	X	X	X	C	
Foundry, casting lightweight non-ferrous metal	X	X	X	X	X	X	X	X	C	
Food Manufacturing, compounding, processing and treatment	X	X	X	X	X	X	X	X	C	
Radio/television transmitting towers	C	C	C	X	X	X	X	X	C	
Building material sales yard	X	X	X	X	X	X	X	X	C	
Radio and television station	X	X	X	X	X	X	C	C	C	
Pest extermination business	X	X	X	X	X	X	X	X	C	
Coal, fuel and wood yards and offices	X	X	X	X	X	X	X	X	C	
RV and boat storage	X	X	X	X	X	X	X	X	A	
Junk yard/salvage yard	X	X	X	X	X	X	X	X	*	
Warehouse	X	X	X	X	X	X	X	X	A	
Airport/helipad	X	X	X	X	X	X	X	X	C	

Permitted Uses	AG	RA	R-1	R-2	R-4	R-8	CC	HC	LI	AdditionalReference
Bus terminal	X	X	X	X	X	X	C	C	A	
Freighting, trucking yard or terminal	X	X	X	X	X	X	X	C	C	
Drive-it yourself agency/"U-Haul"	X	X	X	X	X	X	C	C	A	
Commercial Retail Uses	X	X	X	X	X	X	A	A		
Commercial Service Uses	X	X	X	X	X	X	A	A		
Professional Service Uses	X	X	X	X	X	X	A	A		
Dog boarding, kennels	C	C	C	X	X	X	X	C		
Contractor's Yard	C	C	X	X	X	X	X	C		

Chapter 2 DEFINITIONS

Definition Usage

For the purpose of this Code, terms and words used herein shall be used, interpreted, and defined as set forth in this Title. Where definitions are given in another chapter or section of this Code that apply to only that section or chapter, those definitions shall apply first.

Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word "herein" means "in these regulations"; the word "regulations" means "these regulations"; the word "Code" means "this Code".

A "person" includes a group of people, a corporation, a partnership, a limited company, a limited liability company, and an incorporated association of persons such as a club; "shall" is always mandatory; a "building" includes "structure"; a "building" or "structure" includes any part thereof; "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied".

Access. The provision of vehicular and/or pedestrian ingress and egress to building lots, structures or facilities.

2. **Access, Private.** A private access is an access not in public ownership or control by means of deed, dedication, or easement.

3. **Access, Public.** A means of physical approach...available to the general public. This may also include a visual approach.

~~**4. Accessory Building.** A building or structure upon the same lot as the primary building and that is~~

~~A. clearly incidental to and customarily found in connection with such primary building or use and~~
~~B. is operated and maintained for the benefit or convenience of the owners, occupants, employees, customers or visitors of the lot with the primary use.~~

5. Accessory Dwelling Unit. A residential dwelling unit, but not a mobile home, located on the same lot as a single-family dwelling, either within the same building as the single-family dwelling or in a detached building. Secondary dwelling units shall be developed in accordance with the standards set forth in his code, and only in those zoning districts where the use is listed as permitted.

6. **Accessory Structures and Uses.** A detached subordinate structure, the use of which is incidental to that of the principal structure and located on the same lot therewith A use conducted on the same lot as the primary use or structure with which it is associated; and is a use that is clearly incidental to and is customarily found in connection with such primary use; and is either in the same ownership as such primary use or is maintained and operated on the same lot substantially for the benefit or convenience of the owners, occupants, employees, customers or visitors of the primary use. No accessory structure or use shall be allowed on any lot or parcel unless the permitted primary use is being actively engaged.

7. ~~**Accessory Structure.** A detached subordinate structure, the use of which is incidental to that of the principal structure and located on the same lot therewith~~.

8. **Administrative Permit.** A permit issued by the Community Development Director for specified uses after compliance with applicable development code regulations.

9. **Agent.** The person with written authorization to represent an Owner.

10. Adult **Business.** An Adult Theater, Adult Cabaret, Adult Motion Picture Theater, Adult Escort Services, Outcall Services, Adult Bookstore or Adult Video Store.

11. Adult **Bookstore or Adult Video Store.** A business establishment which:

    a. Holds itself out to be such a business; or

    b. Excludes minors from more than thirty (30%) percent of the retail floor or shelf space of the premises; or

    c. Which as one of its principal purposes, offers for sale or rental, for any form of consideration, any one or more of the following: Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides or other visual representations the central theme of which depicts or describes "specified sexual activities" or "specified anatomical areas," or instruments, devices or paraphernalia which are designated for use in connection with specified sexual activities, except for legitimate medically recognized contraceptives.

12. Adult **Cabaret.** An establishment which features as a principal use of its business, waiters, waitresses, or bartenders who are in a state of nudity or semi-nudity, and/or which features on a regular basis entertainers who perform in a state of nudity or semi-nudity.

13. Adult **Motion Picture Theater.** A business establishment which: a.

    Holds itself out as such a business; or

b. As its principal business, regularly shows, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions which are primarily characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

14. AdultlSex **Oriented Facility or Business.** Nude or Semi-Nude Entertainment Businesses and Adult Businesses as defined in this Ordinance.

15. Adult **Theater.** A theater, concert hall, auditorium, or similar business establishment which:

a. Holds itself out as such a business; or

b. As its principal business, regularly features persons who appear in live performance in a state of nudity or semi-nudity or which are characterized by the exposure of "specified anatomical areas" or by "specific sexual activities."

16. Agriculture. The tilling of the soil, cultivation of crops, raising of animals, foraging and grazing, for private or commercial agricultural purposes. Agriculture does not include any agricultural industry or business such as logging, animal hospitals, recreational activities not normally associated with farming and ranching or similar uses.

17. Allowed Use. A Use that is permitted in a Zoning District without a Conditional Use Permit, not including Non-Conforming Use.

18. Alley. A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.

19. Animal, domestic. Any animal customarily kept by humans for companionship, including but not limited to dogs, cats, birds, rabbits, hamsters, mice turtles, and the like.

20. Animal, farm. Animals other than household pets that may, where permitted, be kept and maintained for commercial production and sale or family food production, education or recreation. Farm animals are identified by these categories: large animals, e.g., horses and cattle; medium animals, e.g. sheep and goats; or small animals, e.g. rabbits, chickens, turkeys, pheasants, geese, and ducks.

21. Animal **Specialties.** The raising of exotic animals, reptiles or fowl as an agricultural commercial business or hobby, which is not customarily associated with the historic and traditional agricultural uses and activities of Coalville City.

22. Annexation. The addition of territory to a city.

23. **Antenna.** A transmitting or receiving device used in telecommunications that radiates or captures radio, television, data or similar communication signals.

24. Antenna **Structures.** Equipment, buildings, and appurtenances associated with supporting a device for sending and/or receiving radio, television, data or similar communication signals.

25. **Apartment.** A dwelling unit within a Multi-Unit Dwelling Builiding with exclusive living, cooking, sleeping and bathroom areas. A multiple dwelling; see Dwelling, Multi-Family.

26. Applicant. The owner or representative of land proposed to be subdivided or developed or any person who submits an official application form. Consent shall be required from the legal owner if required.

27. Application. A form or checklist supplied by the City indicating the data and information necessary to process the applicants' proposal(s).

28. Application, **Complete.** A submission that includes all information requested on the appropriate form, and payment of all applicable fees.

29. Architectural **Detail.** Physical Properties, features or components of a Building or Structure which embody distinctive characteristics of a type, period, or method of construction and refers to the way in which the property was conceived, designed, or fabricated by a people or culture. Within a Historic District, these physical features or traits commonly recur in individual Buildings. The characteristics can be expressed in terms of form, proportion, Structure, plan, architectural style, or materials such as siding, doors, windows, or trim.

30. Arterial. A road intended to allow through traffic to and from such major activity centers such as central business districts, regional shopping centers, major industrial areas, and similar traffic generators and/or as a route for traffic between communities.

31. Attached **Building.** Units connected on one or more sides to an adjacent unit or units by a common party wall with separate exterior entrance(s) for all unit(s). This shall apply to commercial as well as residential units.

32. Balcony. A platform that projects from the wall of a building; and is surrounded by a railing or balustrade.

33. **Bar.** A Business that primarily sells alcoholic beverages for consumption on the premises; includes Private Clubs.

34. Bed **and Breakfast Inns.** A dwelling, including those dwellings of historical significance, in which two (2) to eight (8) rooms are rented out nightly or weekly, offering overnight lodging to travelers, and where one or more meals are provided to the guests only, the price of which is usually included in the room rate.

35. Billboard. A board, panel, or tablet used for the display of posters, printed or painted advertising matter, either illuminated or non-illuminated, that directs attention to goods, merchandise, entertainment, or services offered elsewhere than the premises where the sign is located.

36. Block. A tract of land bounded by streets or by a combination of streets, public parks, cemeteries, railroad or utility rights-of-way, shore lines of water ways, or boundary lines of municipalities.

37. Boarding **House.** A building other than a hotel, motel, cafe or restaurant with two (2) or more bedrooms where, for direct or indirect compensation, lodging and/or kitchen facilities or meals are provided for boarders and/or roomers associated with the primary use of the property such as an equestrian center or recreational facility.

38. **Building.** Any structure built for the support, shelter, or enclosure of persons, animals, equipment, or other personal property of any kind.

    A. Building, Area. The area of a building including exterior walls and basement. Unenclosed porches, balconies, patios and decks are not considered building area.

    B. Building, Attached. (See Attached Building.)

    C. Building, Detached. Any building or structure separated from another building on the same lot by at least six (6) feet.

    D. Building, Primary. The principal building or one of the principal buildings on a lot; or the building housing a principal use upon a lot or parcel.

    E. Building, Public. Structures constructed by or intended for use by the general public such as libraries, museums, municipal or public works buildings, etc.

39. Building **Inspector or Official.** The person designated by the City to review building permit applications, enforce the Building Code and conduct inspections of building construction.

40. **Building Pad.** The building pad denotes that area in which the proposed new structure(s) must be located. The area of construction disturbance attributable to

the structure(s) (as opposed to utilities installation) may not extend beyond ten (10) feet from the building pad line.

41. Building Permit. A permit issued by the Building Official authorizing Construction Activity on a Property or Lot.

42. Business. Any activity within Colville carried on for the purpose of gain or economic profit. The acts of employees rendering service to employers are not included in the term Business unless otherwise specifically prescribed. Business includes but is not limited to, the sale or rental of tangible personal or real Property, the manufacturing of goods, or Property and the rendering of personal services for others for consideration by Persons engaged in any professional trade, craft, occupation, or other calling.

A. **Business Offices.** Any site or location that provides space for the transactions, service, or administration by a commercial enterprise and/or where storage of goods and sale of merchandise is minimal and secondary to performance of the service.

43. Canopy. A roof structure constructed of fabric or other material placed so as to extend outward from a building providing a protective shield for doors, windows, and other openings; supported by the building and supports extended to the ground directly under the canopy or cantilevered from the building.

44. Capital **Improvements Program.** A proposed schedule of all new, replacement or upgrade of public capital facility projects listed in order of construction priority together with cost estimates and the anticipated means of financing each project.

45. Certificate **of Occupancy.** A certificate issued by the Chief Building Official authorizing occupancy of a dwelling, Business, or any other Structure requiring a Building Permit.

46. Child **Care Center.** A building, other than the operator's primary place of residence, where children receive child care from a provider:

A. while unattended by a parent, legal guardian, or custodian;
B. for regular compensation; and
C. for more than four hours but less than 24 hours in each of 10 consecutive days per year, excluding intervening Saturdays, Sundays and holidays. The child care provider must hold a valid license from the State.

It is intended that child care centers be classified as commercial uses and can be located in commercial zoning Districts.

47. Child Day Care Home. ***See Daycare Center***

48. City. Coalville City, Utah.

49.City Attorney. The licensed attorney designated by the City to furnish legal assistance for the administration of these and other regulations.

50. City **Council.** The Coalville City Council.

51.City Engineer. Engineer, Licensed by the State of Utah, that is designated by the City to furnish engineering assistance for the administration of these and other regulations.

52.City Staff. The employees and outside consultants of the City including the Public Works Director, Community Development Director, Building Inspector or Official, City Engineer and City Attorney charged with the duties of performing the administrative functions under this Code. All City Staff functions are under the direction of the Mayor and City Council.

53.Clear **view of Intersecting Streets.** On any Corner Lot, an Area is kept clear of Structures, Fences, or tall vegetation, to allow vehicle drivers an unobstructed view of traffic approaching on the intersecting Street.

54. Code. The Land Management Code (LMC).

55. Collector Road. A road intended to move traffic from local roads to arterial roads. A collector road serves a neighborhood or large subdivision and should be designed so that no residential properties front onto it.

56. Co-Location. The location of Telecommunications Facility on an existing Structure, tower, or Building, in such a manner that precludes the need for that Telecommunications Facility to be located on a free-standing Structure of its own.

57.Commercial **Use.** Retail Business, service establishments, professional offices, and other enterprises that include commerce and/or trade and the buying and selling of goods and services.

58. Common **Area.** Facilities, land and yard areas identified within projects for the use and enjoyment of all the residents and maintained and operated by an organization of property holders of that project.

59.Community **Development Director.** The Director of Community Development, with overall administrative responsibility of the Planning, Building, and Engineering functions of this Code, under the direction of the Mayor and City Council.

60. Compatible **Development.** A development is compatible with existing properties if its architectural features, building height and materials, approved uses, intensity of such use and other features are complementary and do not have a significant adverse economic and aesthetic impact on the existing development or property, including agricultural properties.

61. Concept **Plan.** A plan indicating the proposed use and layout of a development project. Concept Plans do not require approval but must be completed for review and discussion prior to preparation of a Preliminary Plan or Final Plat.

62. Conditional **Use.** A use requiring special consideration and review in the manner set forth herein.

63. Condominium. Any structure that has been converted to condominium ownership under the provisions of the Utah Condominium Ownership Act. This includes residential, nonresidential, and any other space.

64. Construction **Documents.** The maps, drawings and documentation accompanying a final subdivision plat or site plan showing the specific location, design and construction of improvements to be installed in accordance with the development and engineering standards of the City.

65. Coverage. Lot area covered by a building or other impervious surfaces such as parking areas, driveways or sidewalks.

66. Crest of Hill. The highest point on a hill or slope as measured continuously throughout the property. Any given property may have more than one hill crest.

67. Cul-de-sac. A local street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement as well as fire fighting and other public safety vehicles.

68. Demolish or Demolition. Any act or process that destroys in part or in whole a Building or Structure. Excludes Building(s) and/or Structure(s) undergoing relocation and/or reorientations, disassembly, or Reconstruction.

69. Daycare Center. A residential structure, which is the primary residence of the child care provider, in which at least 6 children (not including the children for whom the provider is a parent, stepparent, guardian, custodian, or other relative) at any time receive child care from a provider: (1) while unattended by a parent, legal guardian, or custodian; (2) for compensation; and (3) for more than 5 hours but less than 24 hours in each of 10 consecutive days per year, excluding intervening Saturdays, Sundays, and holidays. The child care provider must hold a valid license from the State.

70. **Density.** The intensity or number of non-residential and Residential Uses per acre or Lot, or units per acre.

71. **Detached.** Completely separate and disconnected. Not sharing walls, roofs, foundations, or other structural elements.

72. **Developer.** The person, persons, corporation, firm, entity, partnership, or designated legal representative owning the land proposed to be developed in any way. Consent shall be required from the legal owner of the property.

73. **Development/Development Activity.** Any of the following activities requiring City approval pursuant to this Code:

A. Change in use of a building, structure, or land;

B. Construction, clearing, filling, excavating, grading, paving, dredging, mining drilling or otherwise significantly disturbing the soil of a site;

C. Building, installing, enlarging, replacing, or substantially restoring a structure or impervious surface;

D. Erection of a sign;

E. Alteration of a historic property for which authorization is required under this Code;

F. Any activity increasing the demand or need for additional public services or facilities, parking or generates additional traffic;

G. Construction, elimination or alteration of a driveway within a public road right-of-way.

72.Development Approval Application. Includes any application for any development approval including but not limited to grubbing, grading, an alteration or revision to an approved MPD, conditional use approvals, zoning or rezoning, subdivision, or annexation. The term "development approval application" shall not include any building permits associated with construction within an approved subdivision or on an existing platted lot unless otherwise specified.

73. **Development Code.** The Coalville City Development Code, as adopted and amended.

74. **Distance.** All distances discussed herein as they pertain to buffers are measured in a straight line, without regard to intervening structures, from the nearest property line to the nearest property line.

75. **Driveway, Residential.** A private access serving one residential dwelling, that must follow the Driveway Standards.

76. **Dude/Guest Ranch.** An equestrian or recreational facility operating as a commercial business use, which includes the short-term stay of guests or participants.

77. **Dwelling.** A building or portion thereof designed for use as the residence or sleeping place of one or more persons or families with cooking and bathroom facilities, but not including hotel, motel, lodge, or nursing home rooms.

    A. **Dwelling, Accessory.** An area within or attached to a single family dwelling or above an accessory garage, or as a separate building for the private use of the property owner's relatives, domestic help, house guests or similar users. These quarters shall be subordinate to the primary dwelling and shall not exceed 1,000 square feet or 2/3 the size of the primary dwelling whichever is less. Accessory dwellings shall use the same utility meter as the primary dwelling. Only one (1) accessory dwelling unit per detached primary single family dwelling will be allowed. The accessory dwelling unit may be separately rented or leased.

    B. **Dwelling, Multi-Family.** A building arranged or designed to be occupied by three or more families living independently of each other in separate but attached dwellings.

    C. **Dwelling, Single Family Detached.** A building arranged or designed to be occupied by only one family; a structure having only one dwelling unit, including mobile homes on permanent foundations and manufactured homes.

    D. **Dwelling, Two Family.** A building containing two (2) dwelling units sharing one or more vertical and no horizontal common walls. Each of which is designed for and used as a dwelling unit exclusively by one (1) family and its guests. It may also be referred to as a duplex.

78. **Easement.** Authorization by a property owner for the use by another and for a specified purpose of any designated part of the property.

79. **Egress.** An exit for vehicles from public or private parking lots and drives.

80. **Erect.** To build, construct, place, relocate, enlarge, substantially alter, attach, suspend, paint, post, or display. Normal maintenance, including refinishing is not included in this definition provided the sign copy is not changed or altered.

81. Escrow. A deposit of cash with the City or approved alternate entity in lieu of an amount required on a performance or maintenance guarantee. Such escrow funds shall be deposited in a separate account.

82. Escort. Any person who, for pecuniary compensation, dates, socializes, visits, consorts with or accompanies or offers to date, consort, socialize, visit or accompany another or others to or about social affairs, entertainment or places of amusement or within any place of public or private resort or any business or commercial establishment or any private quarters. "Escort" shall not be construed to include persons who provide business or personal services such as licensed private nurses, aides for the elderly or handicapped, social secretaries or similar service personnel whose relationship with their patron is characterized by a bona fide contractual relationship and who provide a service not principally characterized as dating or socializing.

83. Escort Service. An establishment which features as a principal use of its business, for pecuniary compensation, furnishing or offering to furnish escorts, or provides or offers to introduce patrons to escorts.

84. Family. An individual, or two or more persons related by blood, marriage, or adoption, or a group of not more than four (4) persons who are not related, occupying the same dwelling unit and maintaining a common household.

85. Fence. A structure constructed for reasons of privacy, security, or aesthetics that is located in such a manner as to separate or divide areas. Includes hedges and masonry walls and may or may not be sight obscuring or opaque.

86. Filtered **Light Fixture.** Any outdoor light fixture that has a refractive light source. Quartz or clear glass does not refract light.

87.Final Approval. Final approval by the City Council, Board of Adjustment or Planning Commission of a development plan, plat, project, rezoning, use, activity, or other action that shall be given after all the requirements set forth in the Code have been met and after all concerns of the reviewing agency regarding such plan, plat, project, rezoning, use, activity, or other action have been addressed and answered.

88.Final Plat/Site Plan. The final map, plat, plan or record of a subdivision, commercial or industrial project, with any accompanying information as described in these regulations.

89. **Flood Plain Area.** An area adjacent to a river, stream, or water course, or other body of standing water in which a potential flood hazard exists due to inundation or overflow of water having sufficient volume and velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses. Any area designated as a flood plain by the Department of Housing and Urban Development or the Federal Emergency Management Agency or any other agency of the United States Government or State and Local Government Agencies, including Coalville City.

90. Floor Area. The area of a building that is enclosed by surrounding exterior walls. It is the intent of this definition to include lower levels into the floor area calculation that are not true basements. A true basement has all four walls underground. Therefore, a lower level will be counted into the floor area of a building if it is less than 80% underground or has an outside door. If an entire lower level does not meet the criteria for exclusion from the floor area calculation, no part of the lower level may be excluded. Garages, unenclosed porches, balconies, patios and decks will not be considered floor area. This definition is for planning purposes only and may conflict with other methods of calculating square footage such as the Building Code.

91. Floor Area Ratio. The floor area of a building as defined in this Chapter, divided by the total area of the lot or parcel on which the building is situated.

92. Frontage. That side of a lot abutting on a street or right-of-way and ordinarily regarded as the front of the lot.

A. Frontage Block. All property abutting one side of a street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line.

B. Frontage Street. Any street to be constructed by the developer or any existing street in which development shall take place on one or both sides.

93. Gabled Roof. Gabled refers to the family of houses classified by the straight slope falling from ridge to eave, creating a peak or triangle on the side or front facade.

94. Garage, Private. A detached accessory building or a portion of a primary building used for the storage of motor vehicles for the tenants or occupants and not by the general public.

95. Garage, Public. A building or a portion thereof, other than a private garage, used for servicing, repairing, equipping, hiring, selling or storing motor vehicles.

96. General Plan. A Comprehensive Plan for the City prepared and adopted by the Planning Commission and City Council, pursuant to State law, and including land use planning and development goals, objectives and policies.

97. Geologic Hazard. A hazard inherent in the crust of the earth, or artificially created, that is dangerous or potentially dangerous to life, property or improvements due to the movement, failure, flooding, or shifting of the earth.

98. Governing Body. The governing or legislative body of the City (Coalville City Council) having the power to adopt, amend or rescind ordinances, including this Code.

99. **Grade.** The ground surface elevation of a Site or Parcel of land.

A. Grade, Existing. The Grade of a Property prior to any proposed Development or Construction Activity.

B. Grade, Natural. The Grade of the surface of the land prior to any Development Activity or any other man-made disturbance or Grading. The Planning Department shall estimate the Natural Grade, if not readily apparent, by reference elevations at points where the disturbed Area appears to meet the undisturbed portions of the Property. The estimated Natural Grade shall tie into the elevation and Slopes of adjoining Properties without creating a need for a new retaining wall, abrupt differences in the visual Slope and elevation of the land, or redirecting the flow of run-off water.

C. Grade, Final. The finished or resulting Grade where earth meets the Building after completion of the proposed Development Activity.

100. Guarantee. Any form of security including a letter of credit, escrow agreement, bond or instrument of credit in an amount and form satisfactory to the City Council. All guarantees shall be approved by the City Council wherever required by these regulations.

101. Guest House. An accessory dwelling unit intended for the inhabitation by non-rent paying guests. Includes separate cooking and sleeping quarters and is maintained and owned by the primary residence.

102. Guyed Wire Tower. An open steel frame supported by guyed wires which extend 80% of the height of the structure away from the structure.

103. Hard-surfaced. A land surface covered with concrete, asphalt or other impervious material.

104. Health Department and Health Officer. The agency and person designated by the City Council to administer the health regulations of the City. This may be the Summit County Health Department and Director or the applicable Department of Health and Director of the State of Utah.

105. Height, Building. The vertical distance from natural undisturbed grade to the highest point of a flat roof or the ridge of a hip or gable roof or to the deck line of a mansard roof. The building height measurement shall occur at any point within the building plane where height occurs.

106. Highway, Limited Access. A freeway or expressway providing a traffic way for through traffic to which owners or occupants of abutting property and other persons have no legal right to access to or from the same; except at such points and in such manner as may be determined by the Utah Department of Transportation, having jurisdiction over such traffic way.

107. Home Occupation. An occupation or profession which may be conducted within a dwelling unit or on the premises thereof, by the Persons residing within the same dwelling, which Business is clearly incidental and secondary to the use of the dwelling unit for residential purposes.

108. Hospital. An institution specializing in clinical, temporary or emergency medical services to humans and/or licensed by the state to provide facilities and services in surgery, obstetrics, and general medical practices. Does not include Uses defined as "Office, Medical".

109. Hotel/Motel. A building containing sleeping rooms for the temporary occupancy of guests. Accessory facilities may include a lobby, meeting rooms, recreation facilities, group dining facilities and/or other facilities or activities customarily associated with hotels or motels. This does not include lock-out units or boarding houses.

110. Hotel/Motel Room. A unit consisting of one room, without a kitchen, intended for temporary living and sleeping purposes and including a separate, exclusive bathroom.

111. Household Pet. *See Animal, domestic.*

112. Impact Analysis. A determination of the potential impact of a proposed residential, commercial, or industrial development upon the environment, community and public services.

113. Improvements, See Lot Improvements or Public Improvements.

114. Ingress: Access or entry point to public and/or private parking areas and/or driveways for vehicles.

115. Joint Ownership. The ownership among persons construed as the same owner or "constructive ownership" for the purpose of imposing development regulations.

116. Kitchen. A room or space within a room equipped with such electrical or gas hook-up services that would enable the installation of a range, oven, or like appliance for the storage and preparation of food.

117. Landscaping.

A. **Landscaping, Interior.** Planting islands located within the Parking Area.

B. **Landscaping, Parking Area.** Includes all spaces, aisles, and drives as defined by the top-back of curb or edge of pavement.

C. **Landscaping, Perimeter.** Planting Areas between the Property Line and Parking Area.

118. Lattice Tower. A self supporting, multiple sided, open steel frame structure used to support telecommunications equipment.

119. Light Source. A single artificial point source of luminescence that emits a measurable radiant energy in or near the visible spectrum.

A. **Light Source, Refractive.** A Light Source that controls the Vertical and Horizontal Foot Candles and eliminates glare.

120. Limits of Disturbance Line. A boundary line(s) on a final site plan or subdivision plat indicating the area in which construction activity must be contained. Construction disturbance may not extend beyond the limits of the disturbance line(s) as indicated unless amended as per this Code.

121. Local Government. Coalville City, Utah.

122. Local Government Attorney. See City Attorney.

123. Local Government Engineer. See City Engineer.

124. Local Road. A road intended to provide access to other roads from individual lots or parcels and/or to provide a right-of-way for sewer, water, and storm drainage pipes and all other public and private utilities.

125. Lot. A parcel or unit of land describable either by metes and bounds, or by other legal plat designation, held or intended to be held in separate ownership or leasehold. A parcel or unit of land shown as a lot on a recorded subdivision plat, used in the lease, sale or offer of lease or sale, of land resulting from the division of a larger tract into smaller units. A lot may not necessarily be buildable.

126. Lot, Corner (Corner Lot). A lot situated at the intersection of two streets with the interior angle of such intersection not exceeding 135 degrees.

127. Lot Depth. The minimum distance measured from the front property line to the rear of same property boundary.

128. Lot Improvement. Any building, construction, paving, landscaping, work of art, or other improvement of the land constituting a physical betterment of real property. Certain lot improvements shall be guaranteed as provided for in these regulations.

129. Lot Line Adjustment. The relocation of the Property Line between two (2) adjoining Lots, where no additional lot(s) are created, and all final lots conform to the regulations set forth in each respective zone.

130. Lot Line, Front. The property line dividing a lot from the right-of-way of the street. A front setback shall be required for each side of a parcel that borders a public or private street right-of-way. See the Supplementary Regulation Chapter 3 for specific setbacks on unusual lots.

131. Lot Line, Rear. The property line opposite the front lot line.

132. Lot Line, Side. Any lot line other than a front or rear lot line.

133. Lot Width. The minimum distance between the side property lines.

134. Lot of Record. A parcel or lot that was lawfully created prior to the effective date of the original Coalville City Development Code (January 8, 1994).

135. Low Power Radio Services Facility. An unmanned structure which consists of equipment used primarily for the transmission, reception or transfer of voice or data through radio wave or wireless transmissions. Such sites typically require the construction of transmission support structures to which antenna equipment is attached.

136. Major Road. Main Street north and south to the City limits and Chalk Creek and Border Station Roads east to the City limits.

137. Master Street Plan. A master street plan which identifies future access points, arterial, collector and local street classifications, current and proposed traffic volumes and projections of needs for future growth.

138. Master Plan. See General Plan.

139. Master Planned Development. A development reviewed under the Master Planned Development processes described in this Code.

A form of Development characterized by a comprehensive and unified Site Plan and Design. The MPD generally includes a number of housing units; a mix of Building types and land Uses; clustering Buildings and providing Open Space; flexibility in Setback, Height, and Density allocations; and providing additional valued community amenities.

140. **Maximum Extent Feasible.** Means no prudent, practical and feasible alternative exists, and all possible planning to minimize potential harm has been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining "maximum extent feasible."

141. **Model Home.** A dwelling unit used initially for display purposes that typifies the type of units that will be constructed in the subdivision. Such dwelling units may be erected, at the discretion of the Planning Commission and City Council, by permitting a portion of a subdivision to be created according to the procedures for as set forth in this Code.

142. **Monopole.** A single cylindrical steel or wood pole that acts as the support structure for antennas.

143. **Municipality.** Coalville City, Utah.

144. **Neighborhood Park and Recreation Improvement Fund.** A special fund that may be established by the City Council to retain monies contributed by developers in accordance with the "money in lieu of land" provisions of these regulations to develop land within reasonable proximity of the property to be subdivided so as to be of local use to the future residents of the subdivision(s).

145. **Nightly Rental.** The rental of a room, apartment, house or lockout unit for a time period of less than thirty (30) days.

146. **Non-conforming Use.**
As used in this Code, a nonconforming use is the use of land that:

A. legally existed before its current land use designation; and

B. has been maintained continuously since the time the land use ordinance regulation governing the land changed; and

C. because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.

147. **Non-complying Structure.** As used in this Code, a non-complying structure is a structure that:

A. legally existed before its current land use designation; and

B. because of one or more subsequent land use ordinance changes, does not conform to setback, height restrictions, or other regulations, excluding those regulations that govern the use of land.

148. **Non-Residential Subdivision.** A subdivision whose intended use is other than residential, such as agricultural, commercial or industrial. Such subdivision shall comply with the applicable provisions of the City General Plan and the requirements of this Development Code.

149. **Nude or Semi-Nude Entertainment Business.** A business, including an Adult Theater, where employees/entertainers perform or appear in the presence of patrons of the business in a state of nudity or semi-nudity. A business shall also be presumed to be a Nude or Semi-Nude Entertainment Business if the business holds itself out as such a business.

150. **Nudity or State of Nudity.** A state of dress in which the areola of the female breast, or male or female genitals, pubic region, or anus are covered by less than the covering required in the definition of semi-nude.

151. **Nursery, Greenhouse.** A place or structure in which young plants are raised for experimental purposes, for transplanting, or for sale.

152. **Nursing Home.** An institution described also as a "rest home" or "convalescent home", other than a hospital in which persons are lodged and furnished with care rather than diagnoses or treatment.

153. **Off-site.** Any premises not located within the area of the property to be developed, whether or not in the same ownership of the applicant for development approval.

154. **Official Zoning Map.** The map established by the City Council pursuant to law showing the zoning districts, adopted and established by law.

155. **Official Master Plan.** See General Plan.

156. **Obscene.** Any material or performance is Obscene if:

A. The average person, applying contemporary community standards, finds that, taken as a whole, it appeals to prurient interest in sex;

B. It is patently offensive in the description or depiction of Nudity, sexual conduct, sexual excitement, sado-masochistic abuse, or excretion; and

C. Taken as a whole, it does not have serious literary, artistic, political or scientific value.

157. **One Bedroom Apartment.** A dwelling consisting of a living room, a kitchen (which may be a part of the living room), a single room designed and intended as a bedroom, and a bathroom for the exclusive use of that unit, all having a combined floor area of not more than 1,000 square feet.

158. **Open Space.** Land area that is unoccupied or unobstructed by any above-ground buildings or real property so designated as open space. All forms of open space are referred to collectively as "open space" in this Code. Any of these forms of open space could be publicly or privately owned or controlled. They shall include:

A. Open Space, Agricultural. Open lands left undisturbed or dedicated primarily as usable agricultural lands for farming and ranching purposes and intended for use by residents of the development, neighborhood or community.

B. Open Space, Landscaped. Landscaped Areas, which may include local government facilities, necessary public improvements, and playground equipment, recreation amenities, public landscaped and hard-scaped plaza's, and public pedestrian amenities, but excluding Buildings or Structures.

C. Open Space, Natural. Natural, undisturbed areas with little or no improvements or irrigation. This may include such areas as ridge lines, slopes over thirty (30) percent, wetlands, stream corridors, trail linkages, visual linkages, or view sheds. These areas may be subject to an open space conservation easement to ensure that they remain undisturbed and to provide public access as deemed appropriate by the Planning Commission and City Council.

159. **Operator.** The manager or other natural person principally in charge of an Establishment.

160. **Ordinary High Water Mark.** The line on the bank to which the high water ordinarily rises annually in season as indicated by changes in the characteristics of soil, vegetation or other appropriate means which consider the characteristics of the surrounding areas. Where the ordinary high water mark cannot be found, the top of the channel bank shall be substituted. In braided channels, the ordinary high water mark or substitute shall be measured so as to include the entire stream feature.

161. **Ordinary Repairs and Maintenance.** Work done on a Building, or any part thereof, in order to correct any deterioration, decay, or damage in order to restore the same to its condition prior to such deterioration, decay, or damage.

162. **Ordinance.** Any legislative action of the Coalville City Council that has the force of law, including any amendment or repeal of any ordinance.

163. **Outcall Services.** Escorts and businesses which provide, as any portion of their business, nude or semi-nude services outside of the premises in any place of private resort or private quarters by models, dancers or other similar employees.

164. Outdoor Advertising Structure. A structure erected and maintained for outdoor advertising purposes upon which a poster, bill, printing, or painting may be placed to advertise products, goods, services, or business establishments of those located, conducted, manufactured or sold upon the premises on which the structure is erected.

165. Owner. Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land proposed to be developed or subdivided under these regulations.

166. Parcel. An un-platted unit of land described by metes and bounds and designated by the County Recorder's Office with a unique tax identification number.

167. Parking, Public. A parking area or facility on private or public property to be used by the public. Fees for the use thereof may or may not be assessed.

168. Parking, Shared. The Development and Use of Parking Areas on two (2) or more separate Properties for joint Use by the businesses or residents on those Properties.

169. Parking Lot, Commercial. A lot used for the temporary parking of automobiles for compensation.

170. Parking Lot, Private. A lot used for the temporary parking of automobiles for exclusive use(s) with or without compensation.

171. Parking Space. A 9' x 18' area maintained for the parking of an automobile or other vehicle, that is graded for proper drainage and is hard surfaced or porous paved where specially permitted.

172. Parking Structure. A fully enclosed structure designed and intended for parking of more than four (4) vehicles.

173. Perimeter Street. Any existing street to which the parcel of land to be subdivided abuts on only one (1) side.

174. Permitted Use. A use of land or a building allowed by right under the provisions of this Code.

175. Planning Commission. The Coalville City Planning Commission.

176. Plat Amendment. A change in a map or plat of an approved or recorded subdivision affecting any street layout or area reserved thereon for public use or any lot line.

177. Porous Paving. A substantial surfacing material designed and intended to support light vehicular movement. Porous paving includes paving systems such as modular pavers that provide at least fifty (50) percent surface exposure suitable for the establishment and growth of plant materials and that substantially abates surface water runoff. Gravel and/or compacted soil are not acceptable as porous paving materials.

178. Preliminary Plat. The preliminary drawings, described in this Code, indicating the proposed manner or layout, Uses, and Restrictions of the development to be submitted for approval.

179. Primary Use. The principle use for which the premises, land or a building therein is designed, arranged, or intended, or for which it is or may be occupied or maintained.

180. Private Road. See Road, Private

181. Professional Office. A building or space used by persons such as accountants, architects, artists, dentists, designers, engineers, lawyers, physicians, realtors, teachers, and others who, by virtue of training and/or license, are qualified to perform services of a professional nature, and/or where no goods or merchandise are sold or stored.

182. Property. Any parcel, Lot, or Tract of land, including improvement, buildings and structures thereon.

183. Property Line. The boundary line of a Parcel or Lot.

A. **Property Line, Front.** The part of a lot that abuts a public or private street or public right-of-way.

184. Property Owner. Any Person, or group of Persons, having record title to the Property, and the Owner's Agent.

185. Public Improvement. Any drainage ditch or system, roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking area, lot improvement, water or sewer system, or other facility for which the City may ultimately assume the responsibility for maintenance and operation, or that may affect an improvement for which City responsibility is established. All such improvements shall be properly guaranteed and installed as per City codes, specifications and regulations.

186. Public Use. A use operated exclusively by a public body or quasi-public body, such use having the purpose of serving the public health, safety, or general

welfare, and including uses such as public schools, parks, playgrounds, recreational facilities, administrative offices, service facilities, and public utilities.

187. Qualified Professional. A professionally trained person with the requisite academic degree, experience, and professional certification or license in the field or fields relating to the subject matter being studied or analyzed.

188. Quasi-Public Use. A use operated by a private nonprofit educational, religious, recreational, or charitable institution. Such use having the purpose primarily of serving the general public, such as churches, private schools, and universities, or similar uses.

189. Recreation, Facilities. Recreation facilities such as parks and areas of active recreation use, including neighborhood community centers or clubhouses, swimming pools, golf courses, tennis courts, equestrian centers, skating rinks, playgrounds, campgrounds, and similar uses as well as support facilities customarily associated with the recreational facility.

Recreational Facilities or Uses means and refers to any land, buildings, and facilities which are operated as recreational facilities, whether public or private or other areas maintained for the purpose of providing active and passive recreation. Recreational uses include parks, playgrounds, barns, walking trails, bike paths, club houses, pool house, tennis court(s) spas, saunas, steam baths, swimming pools, exercise, entertainment, athletic, or other similar equipment and associated accessories used for leisure activities performed either singly or collectively, through forms of play, sports, amusement, entertainment, or relaxation, but does not include golf courses or driving ranges.

~~189.~~190. Recreation, Private. Recreation facilities operated on private property and not open to the public.

~~190.~~191. Recreation, Public. Recreation facilities operated by a public agency and open to the public with or without a fee.

~~191.~~192. Registered Engineer. An engineer properly licensed and registered in the State of Utah.

~~192.~~193. Registered Land Surveyor. A land surveyor properly licensed and registered in the State of Utah.

~~193.~~194. Restaurant. A building in which food is prepared and served for consumption on the premises.

A. **Restaurant, Drive-Through.** A building in which food is prepared and served for consumption on the premises and includes a drive-in facility which allows food to be ordered and taken from the premises for consumption elsewhere.

~~194.~~195. Re-subdivision. See - Plat Amendment.

~~195.~~196. **Ridgeline.** An area including the crest of a hill or slope which is a prominent topographic feature as viewed from major highway corridors including, but not limited to, Interstate 80, Main Street and Chalk Creek Road.

~~196.~~197. **Right-of-Way.** A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use.

198. Roads, Classification. For the purpose of providing for the development of the streets, highways, roads, and rights-of-way for future improvement, reconstruction, realignment, and necessary widening, including provision for curbs and sidewalks and drainage. The classification of each street, highway, road, and right-of-way is based upon its location in the respective zoning districts of the City and its present and estimated future traffic volume and its relative importance and function as specified on the Streets Master Plan.

199. Road, Dead End. A road or a portion of a street with only one vehicular traffic outlet.

200. Road, Major. That portion of 1-80 within Coalville City limits and all of Main Street and Chalk Creek Road within the City limits.

201. Road, Private. A road not owned by Coalville City, leading to five (5) dwellings or less; in accordance with International Fire Codes, and Coalville city standards for Private Roads.

202. Road Right-of-Way Width. The distance between property lines measured at right angles to the center line of the street.

203. Roof Mounted Antenna. An antenna or series of antennas mounted on an existing roof, mechanical room or penthouse of a building.

204. Sale or Lease. Any immediate or future transfer of ownership, or any possessory interest in land, including contract of sale, lease, devise, interstate succession, or transfer, of an interest in a development or part thereof, whether by metes and bounds, deed, contract, plat, map, lease, devise, interstate succession, or other written instrument.

205. Same Ownership. Ownership by the same person or persons, corporation or corporations, firm or firms, entity, partnership, or unincorporated association; or ownership by different corporations, firms, partnerships, entities, or unincorporated associations, in which a stockholder, partner, associate, or a member of a family owning interest in each corporation, firm, partnership, entity, or unincorporated association.

206. Satellite Receiving Station. Any apparatus or device that is designed for the purpose of transmitting and/or receiving radio, television, satellite microwave, or other electromagnetic energy signals between terrestrial and/or orbital based units. This definition is meant to include but not be limited to what are commonly referred to as satellite earth stations, satellite microwave antennas, TVRO's or dish antennas. This definition does not include conventional television antennae or ham radio antennae.

207. **Screen or Screened.** A method of visually shielding or obscuring an abutting or nearby use or structure from another by fencing, walls, berms, or densely planted vegetation.

208. **Semi-Nude.** A state of dress in which a person wears opaque clothing covering only the male or female genitals, pubic region, and anus, by an opaque cover that is four inches wide in the front and five inches wide in the back tapering to one inch at the narrowest point, and only the nipple and areola of the female breast, if applicable.

209. **Sensitive Lands.**

For the purposes of this Code, any development, development activity or use located within Sensitive Lands must satisfy the requirements of this Chapter. Sensitive Lands include, but are not limited to:

1. Drainage ways, floodplains, lake shores, water shed and recharge zones.
2. Entry corridors and important vantage points.
3. Natural or environmentally hazardous areas.
4. Scenic view sheds, foothills, and ridgelines.
5. Slopes greater than fifteen (15) percent.
6. Unique natural features such as dense tree or shrub stands, rock outcroppings, ponds or springs and historic features.
7. Stream corridors.
8. Wetlands
9. Wildlife habitat and fisheries.

210. **Setback.** The distance between a building or structure and the street or road right-of-way line, or nearest property line, thereto with the exceptions provided for in the code. A front setback is required for each side of a lot bordering a public or private street right-of-way.

211. **Sexually-oriented Business Employees.** Those employees who work on the premises of the Adult/sex oriented facility or business in activities related to the sexually-oriented portion of the business. This includes all managing employees, dancers, escorts, models, and other similar employees whether or not hired as employees, agents or independent contractors. Employees shall not include individuals whose work is unrelated to the sexually-oriented portion of the

business, such as janitors, bookkeepers and similar employees. All persons employed by an outcall service making outcall meetings under this Ordinance, including dancers, escorts, models, guards, drivers, and other similar employees, regardless of the employee's state of dress, shall be considered sexually-oriented business employees.

212. Significant Wetland. Wetlands which occupy a surface area greater than 1/10 acre or are associated with permanent surface water, riparian vegetation and soils, or which are adjacent to or contiguous with a stream corridor as identified by the Army Corps of Engineers, Soils Conservation Service, or other applicable state or federal agency.

213. Sign. Any copy, words, lettering, parts of letters, figures, numerals, phrases, sentences, devices, designs, pictures, trade names, or trademarks by which anything is made known, such as are used to designate or identify a firm, association, corporation, profession, business, goods or service, whether placed on the ground, rocks, trees, stumps, or other natural objects, or on a building, wall, roof, frame, support, fence, or other manmade structure, that is visible from any public street, highway, trail, public right-of-way or easement. For the purpose of this Code, the word "sign" does not include the flag, pennant, or insignia of any nation, state, city, or other political unit, or of a nonprofit organization. It shall not include any official notice issued by any court, public body or officer, or directional warning or information sign or structure required or authorized by law. (See Title 9 for a full description and definition.)

214. Site Development Standards. Established regulations for lot areas, yard setbacks, building height, lot coverage, open space, and any other special regulations deemed necessary to accomplish the goals and purposes of the General Plan and this Code.

215. Slope. The level of inclination of land from the horizontal determined by dividing the horizontal run of the slope into the vertical rise of the same slope and converting the resulting figure into a percentage value.

216. Specified Anatomical Areas. The human male or female pubic area or anus with less than a full opaque covering, or the human female breast from the beginning of the areola, papilla or nipple to the end thereof with less than full opaque covering.

217. Specified Sexual Activities. Means:

A. Acts of masturbation, human sexual intercourse, or sodomy; or

B. Manipulating, caressing or fondling by any person of the genitals of a human, the pubic area of a human, or the breast of a human female; or

C. Flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of the one so clothed.

218. Steep Slope. Slopes greater than fifteen (15) percent.

219. Stream. Water Courses, excluding ditches and canals constructed for irrigation and drainage purposes, that flow year around or intermittently during years of normal rainfall.

220. Stream Corridor. The corridor defined by the stream's ordinary high water mark and riparian vegetation boundary.

221. Street, Public. A street under the control of and kept by the public, established by regular government proceedings for the purpose or dedicated by the owner of the land and accepted by the proper authorities which are responsible for the maintenance of said street.

222. Street Vacation. The relinquishment of any interest of any dedicated public street.

223. Structure. Anything constructed, the use of which requires fixed location on or in the ground, or attached to something having a fixed location upon the ground and that imposes an impervious material on or above the ground; definition includes "building".

224. Studio Apartment. A dwelling unit of not more than one thousand (1000) square feet combined floor area consisting of a single room equipped for cooking, living, and sleeping having a separate bathroom and kitchen for the exclusive use of that apartment.

225. Subdivider. Any person, group of persons, corporation or corporations, firm or firms, or other entity who having an interest in land, causes it, directly or indirectly, to be divided into a subdivision; engages directly or indirectly through an agent in the business of selling, leasing, developing, or offering for sale, lease, or development of a subdivision.

226. Subdivision Agent. Any person who represents, or acts for or on behalf of, a subdivider or developer in selling, leasing, developing, or offering to sell, lease, or develop any interest, lot, parcel, unit, site, or subdivision plat, except an attorney-at-law whose representation of another person consists solely of rendering legal services.

227. Subdivision. Any land, vacant or improved, that is divided or proposed to be divided into two (2) or more lots, parcels, site, units, plots, or interests for the purpose of offer, sale, lease, or development, either on the installment plan or

upon any or all other plans, terms, and conditions, including re-subdivision. Subdivision includes the division or development of residential and nonresidential zoned land, whether by deed, metes and bounds description, devise, intestacy, lease, map, plat, or other recorded instrument.

A. **Subdivision, Major.** All subdivisions of six (6) or more lots.

B. **Subdivision, Minor.** Any subdivision of property resulting in up to, but not more than 5 (5) lots or parcels.

228. **Subdivision Plat.** The final map or drawing described in this Code, on which the subdivider's plan of a subdivision is presented to the Planning Commission and City Council for approval and that, if approved, may be submitted to the Summit County Recorder for filing at the subdivider's expense.

229. **Substantial economic hardship.** Denial of all reasonable economic use of the property.

230. **Support Commercial Uses.** Those commercial uses that are associated with a Master Planned Development for the purpose of serving the needs of the residents or users of that development, and not the general public. Examples of support commercial uses include barber shops, beauty salons, travel agencies, clothing stores, gift shops, convenience stores, art galleries, auto rentals, camera stores, liquor stores, pharmacies, sporting goods stores, day care nurseries, information centers, tennis or golf pro shops, or other hotel lobby type uses. No use occupying more than two thousand (2,000) gross square feet of floor area will be considered as a support commercial use.

231. **Tandem Parking.** Parking designs that necessitate parking one vehicle behind another. Such parking may not include more than two (2) cars in depth and may not require occupants of separate dwellings to park behind one another.

232. **Telecommunications.** The transmission between or among points specified by a user, of information of the user's choosing, without change in the form or content of the information as sent or received.

A. **Telecommunications Facility.** A Telecommunications Facility consists of Antenna, Equipment Shelters, and related Structures used for transmitting and/or receiving Telecommunications and/or radio signals.

B. **Telecommunications Facility, Co-Location.** The location of Telecommunications Facility on an existing Structure, tower, or Building, in such a manner that precludes the need for that Telecommunications Facility to be located on a free-standing Structure of its own.

C. **Telecommunications Facility, Equipment Shelter.** A cabinet or Building used to house equipment for Telecommunications Facilities.

D. **Telecommunications Facility, Stealth.** A Telecommunications Facility which is disguised as another object or otherwise concealed from public view.

E. **Telecommunications Facility, Technical Necessity.** A particular design, placement, construction, or location of a Telecommunications Facility that is technically necessary for Telecommunications consistent with the Federal Telecommunications Act of 1996, as amended.

233. **Temporary Improvement.** Improvements built and maintained by a developer during construction of a development and prior to release of the performance guarantee.

234. **Use.** The purpose or purposes, for which land or Structures are occupied, maintained, arranged, designed, or intended.

A. **Use, Intensity.** The maximum number of residential units, commercial space, or industrial space within a specified land area designated for that purpose.

B. **Use, Main.** See Primary Use.

235. **Variance.** A reasonable deviation from provisions of the ordinance regulating the size, area, bulk or location of a building or structure on a lot.

236. **Wall Mounted Antenna.** An antenna or series of antennas mounted against the vertical wall of a building or structure.

237. **Whip Antenna.** An antenna that is cylindrical in shape that can be directional or omni directional and vary in size depending upon the frequency and gain for which it is designed.

238. **Wildland Interface Zone.** Those areas with special safety considerations because of their location on the urban fringe. All areas within the Sensitive areas Overlay Zone shall be considered to be in the wildland interface zone unless the Fire Marshall determines otherwise based upon the amount of vegetative cover, including coniferous or deciduous trees, gamble oak or high shrub, and mixed forest, and steep slope.

239. **Yard.** A required space on a lot other than a court, unoccupied and unobstructed by buildings from the ground upward, except as otherwise provided herein. Yard areas for below grade structures must be provided unless a variance is obtained.

A. **Yard, Front.** A required space between the front line of a building and the front lot line or closer right-of-way line of an abutting street or right-of-way and

extending across the full width of a lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line of a building.

B. Yard, Rear. A required space between the rear line of a building and the rear lot line, or closer public street and extending the full width of the lot. The "depth" of the rear yard is the minimum distance between the rear lot line and the rear line of a building.

C. Yard, Side. A required space between the side line of a building and the side lot line and extending from the front yard to the rear yard. The "width" of the side yard is the minimum distance between the side lot line and the side line of a building.

240. Zoning District. An Area identified on the Official Zoning Map to which a uniform set of regulations applies as set forth herein, which districts are co-terminus with, and which are designed to implement the Coalville City General Plan.

241 Zoning Map, Official. The map adopted by the City Council depicting the geographic scope of the City's land Use designations.

Professional Services are technical or unique functions performed by independent contractors, firms, businesses, or consultants whose occupation is the rendering of such services. Includes the performance of any type of professional service to the public that requires a license or admission to practice or other legal authorization from a licensing board, commission, or division of professional licensing. Examples of professional services include architectural, engineering, surveying, land planning, legal, accounting, appraisal, financial planning, banking, dental and medical offices, real estate brokerages, salons, spas, consulting firms, etc.

Commercial Service Uses means business and consumer services, primarily offering a service to the public such as, plumbing, carpet cleaning, appliance or small engine repair, linen and catering services, reprographic services art galleries, museums, bowling alleys, dance studios, gymnasiums, martial arts, karate studios, pet grooming, etc.

Commercial Retail Uses means establishments primarily engaged in the sale of goods, merchandise, and materials to the public**.** Examples of commercial retail uses include, archery and gun shops, bicycle shops, pet shop, pharmacy, drugstore, photography shop, thrift shop, sporting goods store, bookstores, antique stores, convenience stores, bakeries, grocery stores, etc.