City Council Meeting/Work Session

Tuesday, June 28, 2022 at 7:00 pm

Attendees: Mayor Bayley Hedglin, Councilmember Kim Henderson, Councilmember Ron Skinner, Councilmember Nathan Chamberlain, Councilmember Kevin Dunn, Councilmember George Rice, City Manager Evan Bolt, City Recorder Melissa Gill

Airport Master Plan Public Input Session 6:15 pm

1. **Presentation by Armstrong Consulting (Judd Hill)**

Monticello City Council Meeting 7:00 pm

Meeting Location: Hideout Community Center 648 S Main

2. **Call to Order/Invocation - Opening Remarks**
3. **Public Comment**
4. **Public Hearing Amended Budget FY 2021-2022**

   Attachments:

   - **22-23 CoM Budget 4.38** (22-23_CoM_Budget_4.38.pdf)

5. **Public Hearing Final Budget FY 2022-2023**
6. **Consider Adoption of Amended Budget FY 2021-2022 (action)**
   Roll Call Vote
7. **Consider Adoption of Final Budget FY 2022-2023 (action)**
   Roll Call Vote
8. **Big 4 Building Signage (action)**
   Motion to support up to $_____ for the purchase and installation of a plaque and sign at the Big Four Building. (Roll Call)
9. **SPEAR Presentation**
10. **Consider Adoption of Resolution: Final Property Tax Rate and Revenue for the Year 2022 of Monticello Cemetery Maintenance District (action)**
    Roll Call Vote

    WE WILL NOT TAKE ANY ACTION ON THE MONTICELLO CEMETERY MAINTENANCE DISTRICT DUE TO IT NOT BEING UNDER OUR JURISDICTION.

    Attachments:

    - **Monticello Cemetery Maintenance District 2022 Tax Rate** (Monticello_Cemetary_Maintenance_District_2022_Tax_Rate.pdf)

11. **Consider Adoption of Resolution: Final Property Tax Rate and Revenue for the Year 2022 of Monticello City (action)**

Roll Call Vote

Attachments:

- **Monticello City 2022 Tax Rate** (Monticello_City_2022_Tax_Rate.pdf)

12. **Consider Adoption of Amendments to Zoning Ordinance §10-1: General Provisions (action)**
    Roll Call Vote

    Attachments:

    - **10 Ch 1-General v5** (10_Ch_1-General_v5.docx)
    - **10 Ch 1-General w Revisions** (10_Ch_1-General_w_Revisions_C.docx)

13. **Consider Adoption of Amendments to Zoning Ordinance §10-2: Supplementary Requirements and Procedures Applicable Within All Zones (action)**
    Roll Call Vote

    Attachments:

    - **10 Ch 2-Supp v5** (10_Ch_2-Supp_v5.docx)
    - **10 Ch 2-Supp v5 w Revisions** (10_Ch_2-Supp_v5_w_Revisions_C.docx)

14. **Consider Adoption of Amendments to Zoning Ordinance §10-5: A-1 Agricultural Zone (action)**
    Roll Call Vote

    Attachments:

    - **10 Ch 5-A1 v5** (10_Ch_5-A1_v5.docx)
    - **10 Ch 5-A1 w Revisions** (10_Ch_5-A1_w_Revisions_C.docx)

15. **Consider Adoption of Amendments to Zoning Ordinance §10-6: R-1 Residential Zone (action)**
    Roll Call Vote

    Attachments:

    - **10 Ch 6-R1 v3** (10_Ch_6-R1_v3.docx)
    - **10 Ch 6-R1 w Revisions** (10_Ch_6-R1_w_Revisions.docx)

16. **Consider Adoption of Amendments to Zoning Ordinance §10-7: R-2 Residential Zone (action)**
    Roll Call Vote

    Attachments:

    - **10 Ch 7-R2 v3** (10_Ch_7-R2_v3.docx)
    - **10 Ch 7-R2 w Revisions** (10_Ch_7-R2_w_Revisions.docx)

17. **Consider Adoption of Amendments to Zoning Ordinance §10-8: C-1 Commercial Zone (action)**
    Roll Call Vote

    Attachments:

    - **10 Ch 8-C1 v3** (10_Ch_8-C1_v3.docx)
    - **10 Ch 8-C1 v3 w Revisions** (10_Ch_8-C1_v3_w_Revisions_C.docx)

18. **Consider Adoption of Amendments to Zoning Ordinance §10-9: C-2 Light Commercial Zone (action)**
    Roll Call Vote

    Attachments:

    - **10 Ch 9-C2 v3** (10_Ch_9-C2_v3.docx)
    - **10 Ch 9-C2 v3 Code** (10_Ch_9-C2_v3_Code_C.docx)

19. **Consider Adoption of Amendments to Zoning Ordinance §10-10: I-1 Industrial Zone (action)**
    Roll Call Vote

    Attachments:

    - **10 Ch 10-I1 v6** (10_Ch_10-I1_v6.docx)
    - **10-10: I-1 Industrial Zone with Revisions** (10_Ch_10-I1_v6_w_Revisions_C.docx)

20. **Consider Adoption of Amendments to Zoning Ordinance §11-1-9: Subdivision Residential Infilling (action)**
    Roll Call Vote

    Attachments:

    - **11 Ch 1-9-Residential Infilling** (11_Ch_1-9-Residential_Infilling.docx)

21. **Fireworks (discussion/action)**
22. **Landfill Rates (action)**

    Attachments:

    - **Current and Proposed Landfill Rates** (Current_and_Proposed_Landfill_Rates.pdf)

23. **Work Session**
    a. **Possible City Rezoning (discussion)**
24. **Consider Upcoming Agenda Items (action)**
    Recommendation: Motion to add _____ to the next agenda. Consensus
25. **Adjournment**

AUDIO FILE

NOTICE OF SPECIAL ACCOMMODATIONS

THE PUBLIC IS INVITED TO ATTEND ALL CITY MEETINGS In accordance with the Americans with Disabilities Act, anyone needing special accommodations to attend a meeting may contact the City Office, 587-2271, at least three working days prior to the meeting. City Council may adjourn to closed session by majority vote, pursuant to Utah Code §52-4-4 & 5. The order of agenda items may change to accommodate the needs of the City Council, the staff, and the public.

Contact: Melissa Gill, Recorder (melissa@monticelloutah.org 435-587-2271) | Agenda published on 06/24/2022 at 10:06 AM

City of Monticello								
2022-2023 Tentative Budget								
General Fund - Revenues								
Taxes	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3110 Property Tax	295,957	300,551	304,988	293,801	302,000	330,780	340,000	335,000
3130 Sales & Use Tax	359,781	352,259	388,855	429,385	325,000	0	400,000	400,000
3132 Energy Sales & Use Tax	135,922	147,482	145,369	149,578	125,000	32,887	140,000	150,000
3133 Transportation Sales Tax	70,222	73,481	87,834	90,281	72,500	0	82,000	85,000
3134 Sales Tax for Local Transportation	26,543	26,758	33,704	37,954	28,000	0	28,000	30,000
3135 Zap Tax	23,415	24,446	12,262	22,327	20,000	0	19,000	21,000
3140 Cable TV Franchise Tax	1,894	978	1,871	1,902	1,500	1,537	1,600	1,600
3141 Telecommunication Franchise Tax	20,856	20,535	21,833	16,947	20,000	0	17,000	20,000
3149 Transient RoomTax from County	70,000	1,684	0	0	30,000	0	0	30,000
3150 City Transient Room Tax	38,643	33,230	66,860	39,318	30,000	0	35,000	40,000
3151 Other Tax Revenue	1	0	0	0	0	0	0	0
Total Taxes	**1,043,234**	**981,404**	**1,063,576**	**1,081,493**	**954,000**	**365,204**	**1,062,600**	**1,112,600**
Licenses and permits	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3220 Business Licenses	7,670	7,135	8,345	9,405	8,500	9,285	9,350	9,500
3221 Building Permits/Inspections	10,601	9,361	29,376	23,108	15,000	42,854	44,000	12,000
3225 Animal License	190	100	100	70	100	60	70	80
3226 Animal Shelter Fees	274	120	400	55	0	0	0	50
3227 Ordinance Fees	30	0	0	-300	0	0	0	0
Total Licenses and permits	**18,765**	**16,716**	**38,221**	**32,338**	**23,600**	**52,199**	**53,420**	**21,630**
Intergovernmental revenue	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3310 Federal Grants	51,924	2,981	0	0	0	0	0	0
3312 CARES Act Revenue	0	0	0	188,175	0	0	0	0
3313 ARPA Revenue	0	0	0	0	250,000	116,516	232,500	0
3340 State Grants	8,288	5,026	0	0	0	0	0	0
3356 Class C Roads	116,168	119,201	116,289	124,496	115,000	0	115,000	120,000
3358 State Liquor Fund Allotment	5,305	15,127	6,166	0	5,000	0	0	0
3370 County Grants	0	10,000	5,127	0	0	0	0	11,000
3375 Transportation District Grants	235,000	100,000	100,000	0	0	0	0	0
3378 School Dist. Recreation Grants	15,000	15,000	0	15,000	15,000	0	15,000	15,000
Total Intergovernmental revenue	**431,685**	**267,335**	**227,582**	**327,671**	**385,000**	**116,516**	**362,500**	**146,000**

Charges for services	2018 Actual	2019 Actual	2020 Actual	2021 Actual	2022 Budget	2022 YTD	2022 Amended	2023 Tentative
3431 Rental Income	3,900	13,650	8,170	7,800	8,000	5,850	7,500	7,000
3432 Airport Lease Revenue	0	1,940	735	0	735	735	735	735
3433 Airport Fuel Sales	38,792	22,806	32,158	18,965	27,500	11,776	15,000	20,000
3440 Adminstrative Fees	45,000	45,000	45,000	0	45,000	45,000	45,000	45,000
3441 New Utility Account Set Up	0	0	725	1,745	1,500	125	200	350
3471 Recreation Revenue	4,961	8,223	4,940	6,200	6,500	12,714	13,000	11,000
3472 Park Revenue	1,200	2,300	5,515	275	1,000	455	500	550
3473 Swimming Pool Revenue	16,970	14,863	5,867	12,113	10,000	3,791	5,500	10,000
3474 Golf Course Rounds	236,475	236,849	270,794	342,560	250,000	190,387	240,000	250,000
3475 Golf Tournament Revenue	0	0	0	0	0	-2,140	-2,140	0
3476 Golf Course F&B	19,901	17,565	20,411	28,779	18,000	18,836	25,000	22,000
3477 Golf Course Merchandise	26,366	25,930	34,593	57,805	30,000	53,976	60,000	50,000
3478 Driving Range Revenue	3,065	2,541	2,852	5,352	2,000	3,305	5,000	4,200
3479 Visitor Center Merchandise	15,548	17,039	8,713	12,340	7,500	9,799	10,500	10,500
Total Charges for services	**412,178**	**408,706**	**440,473**	**493,934**	**407,735**	**354,609**	**425,795**	**431,335**
Fines and forfeitures	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3510 Court Fines/Forfeit	154,344	224,963	144,923	200,329	150,000	162,292	205,000	225,000
Total Fines and forfeitures	**154,344**	**224,963**	**144,923**	**200,329**	**150,000**	**162,292**	**205,000**	**225,000**
Interest revenue	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3610 Interest Income	21,020	30,251	24,303	8,831	24,000	2,012	10,000	12,000
3611 Interest Income C road	4,207	6,846	4,730	1,845	5,000	833	2,000	2,000
Total Interest revenue	**25,227**	**37,097**	**29,033**	**10,676**	**29,000**	**2,845**	**12,000**	**14,000**
Miscellaneous revenue	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3640 Proceeds from sales of assets	20,949	33,885	5,400	5,900	5,000	4,050	18,000	5,000
3680 Capital Lease Proceeds	0	18,750	0	0	0	0	0	0
3690 Miscellaneous Revenue	22,421	6,669	10,807	9,936	10,000	1,630	4,500	4,000
3692 Visitor Center Revenue	11,700	421	9,385	3,012	5,000	1,554	3,200	4,500
3693 Donations	13,682	27	27	855	1,500	1,567	2,000	1,200
3694 Visitor Center OHV permits	2,130	2,910	1,410	2,730	1,200	2,610	2,750	2,000
3695 Welcome Center Permits	50	0	20	0	0	0	0	0
3698 Empire Electric Contract	0	0	0	0	0	5,564	6,000	6,000
Total Miscellaneous revenue	**70,932**	**62,662**	**27,049**	**22,433**	**22,700**	**16,975**	**36,450**	**22,700**
Contributions and transfers	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3851 Transfer from Capital Projects	190,000	0	0	0	0	0	0	0
Total Contributions and transfers	190,000	0	0	0	0	0	0	0
Total Revenue:	**2,346,365**	**1,998,883**	**1,970,857**	**2,168,874**	**1,972,035**	**1,070,640**	**2,157,765**	**1,973,265**

City of Monticello								
2022-2023 Tentative Budget								
General Fund - General Government								
Court	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4121.110 Court SALARIES & WAGES	9,575	9,575	12,075	12,518	13,000	9,306	13,000	12,500
4121.130 Court EMPLOYEE BENEFITS	732	778	481	1,136	1,200	1,646	2,100	1,900
4121.220 Court STATE FINES & FORFEITU	0	96,021	52,669	95,469	75,000	80,771	90,000	98,000
4121.230 Court TRAVEL and TRAINING	533	622	181	0	500	0	500	500
4121.240 Court OFFICE SUPPLIES	338	0	148	76	150	198	225	225
4121.250 Court SUPP & MAINT - EQUIP	72	76	0	17	100	0	0	150
4121.310 Court PROFESSIONAL/TECHNIC	26,853	25,526	23,430	23,703	24,000	12,620	16,000	16,000
4121.350 Court CONTRACTED SERVICES	6,000	6,000	0	0	6,000	0	0	4,000
Total Court	**44,103**	**138,598**	**88,984**	**132,919**	**119,950**	**104,541**	**121,825**	**133,275**
Administrative	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4140.110 Admin SALARIES & WAGES	127,290	129,752	134,606	103,725	140,000	68,771	100,000	124,657
4140.115 Admin Cares Act SALARIES & WAG	0	0	0	29,943	0	255	255	0
4140.120 Admin ELECTIONS	59	43	183	0	500	12,361	13,000	500
4140.125 Admin MAYOR/COUNCIL EXPENSE	1,815	1,808	2,285	2,011	2,000	2,189	2,200	2,250
4140.130 Admin EMPLOYEE BENEFITS	37,330	40,803	26,486	43,684	48,000	27,202	40,000	54,900
4140.210 Admin DUES, SUBSCRIPTIONS, BO	16,133	15,836	18,737	21,089	17,500	21,764	23,000	23,000
4140.220 Admin PUBLIC NOTICES	1,576	2,694	2,426	1,760	2,000	804	1,200	1,750
4140.230 Admin TRAVEL and TRAINING	5,752	4,892	7,348	4,531	8,000	7,244	7,800	10,000
4140.240 Admin OFFICE SUPPLIES	9,788	10,116	6,998	9,461	7,000	5,630	6,200	6,500
4140.245 Admin CARES Act OFFICE SUPPLIE	0	0	0	4,160	0	10,910	10,910	0
4140.241 Admin BANK SERVICE CHARGES	20,364	22,294	22,025	23,783	20,000	17,736	24,000	23,000
4140.250 Admin SUPP & MAINT - EQUIP	8,108	1,521	903	1,360	1,500	2,062	2,062	1,750
4140.255 Admin CARES Act SUPP & MAINT	0	0	0	2,034	0	0	0	0
4140.252 Admin FUEL	176	382	3	45	100	212	250	225
4140.280 Admin UTILITIES	20,188	31,289	23,646	27,080	26,000	14,500	25,000	23,000
4140.510 Admin INSURANCE	89,854	102,327	51,849	108,903	75,000	77,834	78,000	80,000
4140.610 Admin MISCELLANEOUS	758	199	712	942	1,500	2,895	3,000	1,750
4140.740 Admin CAPITAL OUTLAY	0	0	0	0	0	0	0	0
Total Administrative	**339,191**	**363,956**	**298,207**	**384,511**	**349,100**	**272,369**	**336,877**	**353,282**

Non-Departmental	2018 Actual	2019 Actual	2020 Actual	2021 Actual	2022 Budget	2022 YTD	2022 Amended	2023 Tentative
4150.250 Non Dpet UDOT SAFE ROUTES	0	0	92	0	0	0	0	0
4150.350 Non Dept CONTRACTED SERVICES	2,884	5,341	2,279	124	3,000	189	1,750	2,250
4150.455 Non Dept ADVERTISING/MARKETI	7,846	2,425	6,525	1,500	5,000	848	1,200	4,000
4150.551 Non Dept ECONOMIC DEVELOPM	1,947	2,500	0	845	10,000	0	10,000	50,000
4150.5515 Non Dept CARES Act ECONOMIC	0	0	0	8,500	0	0	0	0
4150.552 Non Dept PROFESSIONAL/TECHNI	39,841	36,791	35,300	36,975	32,000	30,233	31,500	45,000
4150.5525 Non Dept CARES Act PROFESSIO	0	0	0	7,500	0	0	0	0
4150.553 Non Dept CODE ENFORCEMENT	0	25	0	0	0	0	0	0
4150.559 Non Dept EMERGENCY MANAGE	1,865	374	0	0	1,000	0	0	1,000
4150.560 Non Dept EQUIPMENT	245	0	0	0	1,000	0	0	1,000
4150.561 Non Dept TRT CITY	2,040	3,500	0	0	0	0	0	0
4150.562 Non Dept TRT from COUNTY	0	0	35,400	0	0	0	0	0
4150.740 Non Dept CAPITAL OUTLAY	0	0	0	0	0	0	0	0
Total Non-Departmental	**56,668**	**50,956**	**79,596**	**55,444**	**52,000**	**31,270**	**44,450**	**103,250**
Visitor Center	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4160.110 Visitor Center SALARIES & WAGES	46,989	40,287	29,729	23,794	27,000	19,313	24,000	24,000
4160.130 Visitor Center EMPLOYEE BENEFIT	17,319	7,640	2,219	1,848	2,500	3,340	4,200	4,200
4160.230 Visitor Center TRAVEL and TRAINI	0	0	0	0	300	52	100	338
4160.250 Visitor Center SUPPLIES MAINTEN	1,515	2,164	2,665	923	1,750	262	1,000	1,000
4160.280 Visitor Center UTILITIES	3,191	3,798	4,651	5,315	5,000	4,387	5,300	5,400
4160.481 Visitor Center FOODS and BEVERA	806	606	775	968	850	367	750	750
4160.482 Visitor Center MERCHANDISE	14,501	10,405	4,639	6,128	6,000	7,442	7,600	8,000
4160.554 Visitor Center MISCELLANEOUS	285	1,519	2,398	1,779	1,500	1,384	1,450	1,500
4160.555 Visitor Center OHV permits	1,971	2,214	1,188	1,971	2,000	2,700	2,700	2,250
4160.556 Visitor Center SPEAR MAPS	625	0	0	0	0	0		
Total Visitor Center	**87,202**	**68,633**	**48,264**	**42,726**	**46,900**	**39,247**	**47,100**	**47,438**
Total General government	**527,164**	**622,143**	**515,051**	**615,600**	**567,950**	**447,427**	**550,252**	**637,245**

City of Monticello

2022-2023 Tentative Budget

General Fund - Golf

Golf Course Maintenance	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4565.110 Golf SUPER SALARIES & WAG	55,501	58,238	64,495	66,281	60,000	68,690	73,000	45,576
4565.112 Golf SEASONAL SALARIES & V	51,935	46,342	37,760	51,103	38,000	21,805	38,000	38,000
4565.130 Golf SUPER EMPLOYEE BENEF	28,379	24,015	18,539	21,006	19,000	31,986	35,000	26,800
4565.230 Golf TRAVEL & TRAINING	1,865	805	617	1,358	3,000	5,602	5,610	3,500
4565.249 Golf CART FLEET MAINTENAN	1,595	1,082	525	590	750	2,191	2,250	1,500
4565.250 Golf EQUIPMENT	20,148	13,527	16,707	16,712	14,000	15,804	16,000	15,000
4565.250.5 CARES ACT Golf EQUIPMENT	0	0	0	0	53,000	53,938	53,938	0
4565.251 Golf COURSE/BUILDING/OFFIC	7,988	4,769	5,367	2,982	5,000	1,459	1,500	4,500
4565.252 Golf FUEL & DIESEL	7,870	7,948	12,798	12,560	12,000	2,399	10,000	12,000
4565.253 Golf OIL & LUBRICANTS	233	345	373	356	500	394	500	550
4565.270 Golf BUILDING MAINTENANC	540	559	206	371	500	1,628	1,700	1,000
4565.275 Golf IRRIGATION REPAIR & M	12,361	17,890	14,711	11,146	10,000	2,593	8,800	10,000
4565.280 Golf UTILITIES	21,072	13,712	22,596	32,089	20,000	20,862	22,000	22,000
4565.451 Golf FERTILIZER, CHEMICAL &	15,135	16,590	20,011	19,091	15,000	1,800	13,000	15,000
4565.452 Golf SAND, SOIL & SOD	5,537	3,215	2,918	2,962	3,000	6,863	7,000	3,500
4565.610 Golf MISCELLANEOUS	5,116	4,736	1,712	1,997	2,500	1,870	2,000	2,500
4565.740 Golf Capital Outlay	15,244	26,750	4,800	0	5,000	14,600	5,000	10,000
Total Golf Course Maintenance	**250,519**	**240,523**	**224,135**	**240,604**	**261,250**	**254,484**	**295,298**	**211,426**
Pro Shop	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4566.110 Pro Shop SALARIES & WAGES	47,058	45,059	51,662	49,104	53,000	42,455	50,000	51,823
4566.120 Pro Shop SEASONAL WAGES	16,604	16,773	16,765	23,141	17,000	11,043	17,000	18,000
4566.130 Pro Shop EMPLOYEE BENEFITS	35,260	37,097	36,533	25,563	35,000	24,881	30,000	33,300
4566.210 Pro Shop DUES, SUBSCRIPTION	999	1,856	1,617	2,005	1,750	2,431	2,500	2,500
4566.230 Pro Shop TRAVEL & TRAINING	466	265	0	0	500	0	500	1,150
4566.250 Pro Shop SUPPLIES MAINTENA	2,176	1,975	1,929	3,841	2,000	1,441	1,700	2,250
4566.270 Pro Shop BUILDING MAINTENA	1	0	0	0	0	673	750	750
4566.455 Pro Shop ADVERTISING/MARK	5,854	4,040	0	3,350	4,000	1,293	2,000	3,500
4566.481 Pro Shop FOODS & BEVERAGES	21,670	21,608	21,897	23,399	18,000	11,542	17,000	22,000
4566.482 Pro Shop MERCHANDISE/CLUB	36,013	39,038	39,771	49,570	40,000	33,674	40,000	48,000
4566.550 Pro Shop MBA LEASE PAYMEN	27,000	27,000	28,000	28,000	28,000	37	37	28,000
4566.690 Pro Shop MISCELLANEOUS	99	198	279	-1	300	440	500	500
4566.690 Pro Shop CAPITAL OUTLAY	0	0	0	0	0	6,000	6,000	0
4566.810 Pro Shop DEBT SERVICE PRINC	15,463	15,747	15,068	11,257	15,000	22,804	23,000	23,000
4566.820 Pro Shop DEBT SERVICE INTER	4,486	4,202	4,881	3,245	5,000	5,391	6,000	6,000
Total Pro Shop	**213,149**	**214,858**	**218,402**	**222,474**	**219,550**	**164,105**	**196,987**	**240,773**
Total Golf	**463,668**	**455,381**	**442,537**	**463,078**	**480,800**	**418,589**	**492,285**	**452,199**

City of Monticello								
2022-2023 Tentative Budget								
General Fund - Highways and Public Improvements								
Highways	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4410.010 Streets Local Option Highway Tax	1,684	501	792	0	1,000	0	0	1,000
4410.110 Streets SALARIES & WAGES	54,728	53,744	58,262	54,363	58,000	49,372	58,000	57,496
4410.130 Streets EMPLOYEE BENEFITS	44,005	43,375	39,909	35,015	36,000	34,620	37,000	35,475
4410.140 Streets OTHER BENEFITS	0	15	0	0	0	0	0	0
4410.230 Streets TRAVEL & TRAINING	17	420	187	12	500	76	100	500
4410.250 Streets SUPP & MAINT - EQUIP	6,996	6,743	6,849	6,098	7,000	6,249	7,000	7,500
4410.252 Streets FUEL	6,513	7,394	5,730	4,211	6,000	3,784	4,500	6,000
4410.280 Streets UTILITIES	38,531	37,455	39,306	43,713	36,000	29,268	37,000	37,000
4410.310 Class C - PROFESSIONAL/TECHNIC	100	134	133	0	200	100	200	200
4410.480 Class C - SIGNS	1,557	58	1,040	675	1,000	2,854	2,900	1,200
4410.481 Class C - HARDSURFACE MATERIA	3,565	13,201	6,369	2,670	8,000	2,178	7,500	8,000
4410.482 Class C - BASE MATERIAL	33	318	0	470	1,000	256	1,000	1,000
4410.483 Class C - CRUMB RUBBER	3,538	1,760	4,233	2,800	3,000	5,328	5,500	6,000
4410.610 Streets MISCELLANEOUS	552	1,811	920	812	1,000	737	1,000	1,000
4410.740 Class C - SIDEWALK	3,500	0	0	0	0	0	0	0
4410.810 Streets Project Bond - Principal	100,000	100,000	100,000	100,000	0	0	0	0
4415.481 Class C Maintenance	130,727	19,309	1,421	16,808	60,000	9,912	10,000	65,000
4415.740 Class C Capital outlay	22,667	0	0	0	40,000	0	0	45,000
Total Highways	**418,713**	**286,238**	**265,151**	**267,647**	**258,700**	**144,734**	**171,700**	**272,371**
Airport	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4460.110 Airport SALARIES & WAGES	8,891	7,222	8,310	7,518	7,000	5,511	7,200	7,206
4460.130 Airport EMPLOYEE BENEFITS	2,301	1,699	2,072	2,904	3,500	2,737	3,600	3,950
4460.210 Airport DUES, SUBSCRIPTIONS, BO	310	0	0	0	400	0	0	400
4460.230 Airport TRAVEL & TRAINING	890	645	686	0	1,000	229	230	1,000
4460.250 Airport SUPP & MAINT - EQUIP	305	2,946	550	1,520	1,000	2,920	2,300	25,000
4460.253 Airport AIRPORT GASOLINE	31,242	32,453	23,673	16,330	25,000	100	22,000	25,000
4460.280 Airport UTILITIES	5,943	6,571	5,594	5,421	6,000	4,054	5,700	5,500
4460.310 Airport PROFESSIONAL/TECHNICA	750	2,385	299	907	500	0	0	500
4460.350 Airport CONTRACTED SERVICES	564	0	108	0	300	0	0	300
4460.355 Airport CARES Act CONTRACTED S	0	0	0	7,563	0	0	0	0
4460.610 Airport MISCELLANEOUS	349	133	412	204	500	97	100	100
Total Airport	**51,545**	**54,054**	**41,704**	**42,367**	**45,200**	**15,648**	**41,130**	**68,956**
Total Highways and public improvements	**470,258**	**340,292**	**306,855**	**310,014**	**303,900**	**160,382**	**212,830**	**341,327**

City of Monticello

2022-2023 Tentative Budget

General Fund - Parks, Recreation, and Pool

Parks	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4510.110 Parks SALARIES & WAGES	14,465	6,815	7,824	4,853	8,200	4,128	8,200	11,394
4510.112 Parks SEASONAL SALARIES & WA	15,347	16,498	11,393	9,577	10,000	6,964	10,000	12,000
4510.130 Parks EMPLOYEE BENEFITS	17,305	8,355	3,302	2,549	4,000	5,225	6,000	6,700
4510.250 Parks SUPP & MAINT - EQUIP	12,723	12,024	4,067	4,802	5,000	1,534	3,500	5,000
4510.252 Parks FUEL	375	1,328	1,428	1,136	1,200	1,579	1,800	1,750
4510.280 Parks UTILITIES	5,336	5,536	5,465	5,366	6,000	5,460	6,400	6,000
4510.510 Parks CONTRACTED LABOR	0	0	3,600	410	1,000	400	450	500
4510.610 Parks MISCELLANEOUS	787	744	927	610	1,000	296	300	450
4510.740 Parks CAPITAL OUTLAY	1,850	2,734	11,605	0	2,500	0	0	0
Total Parks	**68,188**	**54,034**	**49,611**	**29,303**	**38,900**	**25,586**	**36,650**	**43,794**
Recreation	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4560.110 Rec SALARIES & WAGES	29,126	26,166	32,409	28,145	27,000	24,459	27,000	18,200
4560.112 Rec SEASON SALARIES & WAGES	2,175	0	375	0	4,000	0	1,000	4,000
4560.130 Rec EMPLOYEE BENEFITS	15,326	15,767	12,240	12,589	13,500	13,720	14,750	11,200
4560.220 Rec PUBLIC NOTICES	0	329	60	21	300	138	300	300
4560.230 Rec TRAVEL and TRAINING	703	0	120	0	500	0	0	500
4560.250 Rec SUPP & MAINT - EQUIP	3,541	11,345	3,210	4,991	6,000	1,155	4,000	6,000
4560.252 Rec FUEL	780	506	48	126	250	0	0	250
4560.285 Rec PROGRAMS	2,315	0	261	3,548	0	6,046	6,500	12,000
4560.350 Rec CONTRACTED SERVICES	3,095	1,560	2,200	1,700	2,200	2,850	3,000	2,500
4560.480 Rec SPECIAL DEPT SUPPLIES	60	3	23	0	0	0	0	0
4560.610 Rec MISCELLANEOUS	1,234	1,102	1,921	1,656	2,500	2,364	2,500	2,250
Total Recreation	**58,355**	**56,778**	**52,867**	**52,776**	**56,250**	**50,732**	**59,050**	**57,200**
Pool	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4562.110 Pool SALARIES & WAGES	14,262	12,554	13,171	13,818	13,500	12,026	14,500	7,800
4562.112 Pool SEASONAL SALARIES & WAG	26,098	24,049	12,813	12,236	18,000	11,146	18,000	17,000
4562.130 Pool EMPLOYEE BENEFITS	10,196	9,817	7,143	7,257	8,500	15,679	17,000	4,800
4562.230 Pool TRAVEL & TRAINING	389	307	209	0	500	364	650	500
4562.250 Pool MAINT & EQUIP- ZAP TAX	12,399	17,291	4,037	2,035	15,000	8,755	40,000	75,000
4562.2505 Pool CARES Act MAINT & EQUIP	0	0	0	6,926	0	0	0	0
4562.280 Pool UTILITIES	29,349	24,178	12,460	11,714	18,000	13,010	18,000	18,500
4562.481 Pool FOODS & BEVERAGES	2,554	2,037	619	797	1,000	372	1,000	1,000
4562.550 Pool MBA LEASE PAYMENT	45,000	45,000	45,000	45,000	45,000	0	45,000	45,000
4562.610 Pool MISCELLANEOUS	404	462	55	99	300	0	300	300
Total Pool	**140,651**	**135,695**	**95,507**	**99,882**	**119,800**	**61,352**	**154,450**	**169,900**
Total Parks, Recreation, and Pool	**267,194**	**246,507**	**197,985**	**181,961**	**214,950**	**137,670**	**250,150**	**270,894**

City of Monticello								
2022-2023 Tentative Budget								
General Fund - Public Safety								
Police	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4210.110 Police SALARIES & WAGES	169,477	172,050	181,733	15,577	0	0	0	0
4210.120 Police SALARIES & WAGES - LIQU	0	0	0		0	0	0	0
4210.130 Police EMPLOYEE BENEFITS	116,635	122,060	119,005	1,684	0	0	0	0
4210.210 Police DUES, SUBSCRIPTIONS, BO	3,891	4,135	4,239	0	0	0	0	0
4210.230 Police TRAVEL and TRAINING	2,498	1,094	1,202	0	0	0	0	0
4210.240 Police OFFICE SUPPLIES	234	274	0	0	0	0	0	0
4210.250 Police SUPP & MAINT - EQUIP	3,151	7,332	5,013	0	0	0	0	0
4210.252 Police FUEL	9,706	9,389	6,966	0	0	0	0	0
4210.310 Police PROFESSIONAL/TECHNICAL	42	0	995	0	0	0	0	0
4210.350 Police CONTRACTED LABOR	1,584	0	4,182	204,800	218,000	160,500	222,000	237,000
4210.480 Police LIQUOR FUND EXPENSES	3,682	1,776	0	0	0	18,031	18,031	0
4210.610 Police MISCELLANEOUS	128	476	3,838	401	0	0	0	0
4210.740 Police CAPITAL OUTLAY	112,950	5,629	0	0	0	0	0	0
Total Police	**423,978**	**324,215**	**327,173**	**222,462**	**218,000**	**178,531**	**240,031**	**237,000**
Fire	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4220.110 Fire SALARIES & WAGES	12,356	14,133	16,642	17,662	17,500	12,843	13,000	15,000
4220.130 Fire EMPLOYEE BENEFITS	1,231	1,098	1,515	2,693	2,500	2,464	2,500	2,750
4220.230 Fire TRAVEL and TRAINING	1,232	99	0	0	500	0	0	500
4220.250 Fire SUPP & MAINT - EQUIP	1,937	17,000	12,447	12,982	12,000	3,002	5,000	12,500
4220.252 Fire FUEL	1,028	898	712	797	800	517	900	1,100
4220.280 Fire UTILITIES	1,642	1,360	1,299	1,295	1,250	865	1,400	1,250
4220.610 Fire MISCELLANEOUS	645	1,211	2,022	1,791	900	1,613	1,700	1,500
Total Fire	**20,071**	**35,799**	**34,637**	**37,220**	**35,450**	**21,304**	**24,500**	**34,600**
Total Public safety	**444,049**	**360,014**	**361,810**	**259,682**	**253,450**	**199,835**	**264,531**	**271,600**

City of Monticello

2022-2023 Tentative Budget

General Fund - Transfers

Transfers	2018 Actual	2019 Actual	2020 Actual	2021 Actual	2022 Budget	2022 YTD	2022 Amended	2023 Tentative
4840.2500 Transfer to Special Revenues 25 -	10,500	10,000	6,626	12,600	0	0	0	0
4840.4220 Transfer to Capital Projects - Fire	0	0	0	0	0	0	0	0
4840.4425 Transfer to Capital Projects - Tran	25,000	0	0	0	0	0	0	0
4854.4560 Transfer to MBA - Swimming Pool	0	0	0	0	0	0	0	0
4854.4560.1 Transfer to CARES Act Sewer	0	0	0	675	0	0	0	0
4854.4560.2 Transfer to ARPA Sewer	0	0	0	0	0	232,500	232,500	0
4854.4560.1 Transfer to CARES Act Water	0	0	0	1,350	0	0	0	0
4854.4560.1 Transfer to CARES Act Sanitatio	0	0	0	675	0	0	0	0
Total Transfers	**35,500**	**10,000**	**6,626**	**15,300**	**0**	**232,500**	**232,500**	**0**

City of Monticello								
2022-2023 Tentative Budget								
General Fund - Totals								
General Fund	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
Total Revenues:	2,346,365	1,998,883	1,970,857	2,168,874	1,972,035	1,070,640	2,157,765	1,973,265
Total Expenditures:	2,207,833	2,034,337	1,830,864	1,772,636	1,750,050	1,363,908	1,984,548	1,973,265
Total Change In Net Position	**138,532**	**(35,454)**	**139,993**	**396,238**	**221,985**	**(293,268)**	**173,217**	**0**

City of Monticello								
2022-2023 Tentative Budget								
VMTE Fund								
Intergovernmental revenue	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3331 Grants	0	0	0	0	0	0	0	0
Total Intergovernmental revenue	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Interest revenue	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3610 Interest Income	113	178	135	32	125	13	30	35
Total Interest revenue	113	178	135	32	125	13	30	35
Miscellaneous revenue	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3802 Contributions, private	0	0	0	0	0	0	0	0
3890 Appropriation of beginning bal.	0	0	0	0	0	0	0	0
Total Miscellaneous revenue	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Contributions and transfers	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3852 Transfer from general fund	0	0	0	0	0	0	0	0
Total Contributions and transfers	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Total Revenue	**113**	**178**	**135**	**32**	**125**	**13**	**30**	**35**
Expenditures								
4610 Care Contributions	100	0	0	0	0	0	0	0
4620 Related Projects	0	0	0	0	0	0	0	0
4630 Expenses	0	377	(64)	1,165	500	0	500	500
4890 Budget increase in fund bal.	0	0	0	0	0	0	0	0
Total Expenditures	**100**	**377**	**(64)**	**1,165**	**500**	**0**	**500**	**500**
Total Change in Net Position	**13**	**(199)**	**199**	**(1,133)**	**(375)**	**13**	**(470)**	**(465)**

City of Monticello								
2022-2023 Tentative Budget								
Special Revenue								
Miscellaneous revenue	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3410 Parks & Beautification	14,452	655	18,043	0	15,000	200	200	15,000
3420 Outdoor Rec	0	0	0	0	0	0	0	0
3430 Visitor Center Donations	6	13	5	9	100	6	10	50
3440 Community Events	5,288	149	1,230	490	1,000	0	0	500
3450 Fundraisers	2,088	0	0	0	0	0	0	0
3460 Golf Hole Sponsorship	9,450	2,500	6,044	10,300	6,000	3,450	5,000	4,500
Total Miscellaneous revenue	**31,284**	**3,317**	**25,322**	**10,799**	**22,100**	**3,656**	**5,210**	**20,050**
Contributions and transfers	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3810 Transfers from General Fund	10,500	10,000	6,626	12,600	0	0	0	0
Total Contributions and transfers	**10,500**	**10,000**	**6,626**	**12,600**	**0**	**0**	**0**	**0**
Total Revenue:	**41,784**	**13,317**	**31,948**	**23,399**	**22,100**	**3,656**	**5,210**	**20,050**
Miscellaneous	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4510 Parks & Beautification	10,279	3,939	13,374	392	13,000	2,964	3,500	13,000
4520 Outdoor Rec	2,171	0	0	0	500	0	0	0
4540 Community Events (City TRT)	8,932	17,355	24,482	17,323	20,000	15,797	17,000	20,000
4550 Fundraisers	2,335	0	0	0	0	0	0	0
4560 Golf Hole Sponsorship Expense	0	0	0	0	0	0	0	0
4570 Economic Grant Expense	10,966	5,981	413	0	0	0	0	0
Total Miscellaneous	**34,683**	**27,275**	**38,269**	**17,715**	**33,500**	**18,761**	**20,500**	**33,000**
Total Expenditures:	**34,683**	**27,275**	**38,269**	**17,715**	**33,500**	**18,761**	**20,500**	**33,000**
Total Change In Net Position	**7,101**	**(13,958)**	**(6,321)**	**5,684**	**(11,400)**	**(15,105)**	**(15,290)**	**(12,950)**

City of Monticello								
2022-2023 Tentative Budget								
Capital Projects								
Intergovernmental revenue	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3344 UDOT Airport grant	0	46,158	0	0	0	0	0	0
3345 FAA Aiport Grant	0	205,853	0	185,649	315,000	130,962	360,000	150,000
Total Intergovernmental revenue	**0**	**252,011**	**0**	**185,649**	**315,000**	**130,962**	**360,000**	**150,000**
Charges for services	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3321 State Grant	124,211	16,501	0	0	0	0	0	0
3322 Airport CIB	0	0	0	0	0	0	0	0
3342.1 County Grants	718	20,778	35,400	0	0	0	0	0
Total Charges for services	**124,929**	**37,279**	**35,400**	**0**	**0**	**0**	**0**	**0**
Interest revenue	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3610 Interest Income	14,056	22,057	16,864	4,020	15,000	1,692	4,000	5,000
Total Interest revenue	**14,056**	**22,057**	**16,864**	**4,020**	**15,000**	**1,692**	**4,000**	**5,000**
Contributions and transfers	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3810.4420 Transfer from General fund - Fire	0	0	0	0	0	0	0	0
3810.4510 Transfer from General fund	25,000	0	0	0	0	0	0	0
Total Contributions and transfers	**25,000**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Total Revenue:	**163,985**	**311,347**	**52,264**	**189,668**	**330,000**	**132,654**	**364,000**	**155,000**
Expenditures:								
Capital Outlay	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4161.730 Capital Outlay PROJECTS	17,752	0	27,982	176,446	0	130,962	360,000	150,000
4410.740 Capital Outlay STREETS	0	0	0	3,500	0	0	0	0
4460.740 Capital Outlay AIRPORT	143,878	266,513	9,982	0	315,000	0	0	0
4510.740 Capital Outlay PARKS	0	12,878	0	3,500	0	0	0	0
4565.730 Capital Outlay COMMUNITY BUILD	0	0	21,501	0	0	0	0	0
4565.740 Capital Outlay GOLF	990	0	0	7,750	0	0	0	0
Total Capital Outlay	**162,620**	**279,391**	**59,465**	**191,196**	**315,000**	**130,962**	**360,000**	**150,000**
Transfers	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4850 Transfer to Other Funds	190,000	0	0	0	0	0	0	
Total Transfers	**190,000**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Total Expenditures:	**352,620**	**279,391**	**59,465**	**191,196**	**315,000**	**130,962**	**360,000**	**150,000**
Total Change In Net Position	**(188,635)**	**31,956**	**(7,201)**	**(1,528)**	**15,000**	**1,692**	**4,000**	**5,000**

City of Monticello

2022-2023 Tentative Budget

Water

Operating income	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3710 Charges for Services	417,993	393,667	403,279	419,948	390,000	335,560	410,000	405,000
3712 Secondary Water Charges	119,649	112,877	133,577	178,499	115,000	72,799	120,000	125,000
3720 Water Connection Fees	100	225	3,617	2,518	1,000	500	750	2,500
3730 Late Fees & Penalties	4,951	5,310	4,619	3,805	4,000	1,870	3,500	4,000
3747 Water Sales to Construction Projects	0	0	5,936	0	5,000	0	0	2,500
3749 Uncollectible billing revenue	0	0	0	0	0	0	0	0
3790 Miscellaneous Fees	0	0	0	1,687	0	10	10	200
Total Operating income	**542,693**	**512,079**	**551,028**	**606,457**	**515,000**	**410,739**	**534,260**	**539,200**
Operating expense	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4751.110 Water SALARIES & WAGES	67,035	75,111	92,166	90,722	90,000	96,095	100,000	91,000
4751.130 Water EMPLOYEE BENEFITS	40,361	44,350	47,499	48,913	42,000	39,716	44,000	45,000
4751.210 Water DUES, SUBSCRIPTIONS, BOO	1,598	2,139	1,423	714	2,000	1,008	1,500	2,000
4751.220 Water PUBLIC NOTICES	725	2,042	287	628	400	285	400	600
4751.230 Water TRAVEL and TRAINING	719	1,644	810	825	1,000	1,381	1,500	2,000
4751.240 Water OFFICE SUPPLIES	515	431	341	286	200	295	300	300
4751.250 Water SUPPLY/MAINT & EQUIPME	2,317	4,298	1,730	5,270	5,000	2,987	5,000	5,000
4751.250.5 Water CARES ACT SUPPLY/MAIN	0	0	0	0	0	7,500	7,500	0
4751.252 Water FUEL	1,401	1,424	1,168	1,709	1,200	2,119	2,500	2,750
4751.265 Water SUPP & MAINT WATER PLAN	15,623	12,844	15,505	17,128	21,000	25,154	27,000	23,000
4751.266 Water SUPP & MAINT DISTRIBUTIO	17,093	20,826	10,271	14,062	10,000	14,127	17,000	15,000
4751.267 Water SUPP & MAINT SECONDARY	9,018	1,473	3,726	5,196	2,000	4,551	7,500	5,000
4751.280 Water UTILITIES	17,811	33,223	12,788	12,627	15,000	17,953	20,000	17,500
4751.310 Water PROFESSIONAL/TECHNICAL	529	529	590	1,494	40,000	88,201	92,000	15,000
4751.450 Water WATER SAMPLES	4,526	4,107	5,012	4,840	5,000	3,420	5,000	5,000
4751.510 Water INSURANCE	0	0	17,818	0	15,000	0	0	15,000
4751.550 LEASE EXPENSE - ANNUAL PYMT	0	10,000	10,000		10,000	0	10,000	10,000
4751.610 Water MISCELLANEOUS	3,210	1,773	328	499	1,000	106	250	500
4751.620 Water ADMINISTRATIVE FEE	15,000	15,000	15,000	0	15,000	0	15,000	15,000
4751.625 BAD DEBT/WRITEOFF	0	2,195	0	0	0	0	0	0
4751.6255 Water CARES Act Utility Relief	0	0	0	1,890	0	100	100	0
4751.690 Water DEPRECIATION	387,294	387,942	389,692	383,655	250,000	0	384,000	380,000
4751.820 Water INTEREST EXPENSE	40,448	38,843	37,401	36,926	35,000	23,793	37,000	38,000
Total Operating expense	**625,223**	**660,194**	**663,555**	**627,384**	**560,800**	**328,791**	**777,550**	**687,650**
Total Income From Operations:	**(82,530)**	**(148,115)**	**(112,527)**	**(20,927)**	**(45,800)**	**81,948**	**(243,290)**	**(148,450)**
Non-operating income	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3794 Interest Income	4,490	7,003	5,354	1,276	5,000	537	2,000	3,500
3796.2 State Grants	0	8,833	0	0	0	0	0	0
3796.3 Conservancy District	29,000	29,000	29,000	0	29,000	0	29,000	29,000
3796.4 Water CARES Act Revenue	0	0	0	1,350	0	0	0	0
Total Non-operating income	**33,490**	**44,836**	**34,354**	**2,626**	**34,000**	**537**	**31,000**	**32,500**
	2018 Actual	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4820 Transfer/Payment to Other Goverment	8,833	0	0	0	0	0	0	0
4840 Transfer to MBA	10,000	0	0	0	0	0	0	0
Total Non-operating expense	**18,833**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Total Non-Operating Items:	**14,657**	**44,836**	**34,354**	**2,626**	**34,000**	**537**	**31,000**	**32,500**
Total Income or Expense	**(67,873)**	**(103,279)**	**(78,173)**	**(18,301)**	**(11,800)**	**82,485**	**(212,290)**	**(115,950)**

City of Monticello								
2022-2023 Tentative Budget								
Sewer								
Operating income	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3731 Charges for Services	249,200	256,365	260,260	266,741	250,000	213,739	250,000	255,000
3733 Sewer Connection Fess	600	25	787	613	500	0	0	750
3890 Miscellaneous Revenue	0	25	45	0	0	0	0	0
Total Operating income	**249,800**	**256,415**	**261,092**	**267,354**	**250,500**	**213,739**	**250,000**	**255,750**
Operating expense	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4752.110 Sewer SALARIES & WAGES	64,432	63,418	70,214	62,896	68,000	65,303	69,500	80,000
4752.130 Sewer EMPLOYEE BENEFITS	46,611	46,217	50,059	38,116	41,000	37,169	42,000	47,000
4752.220 Sewer PUBLIC NOTICES	274	34	97	595	200	58	350	150
4752.230 Sewer TRAVEL and TRAINING	1,105	1,256	730	1,825	1,000	757	1,000	1,250
4752.240 Sewer OFFICE SUPPLIES	186	145	166	42	200	134	200	200
4752.250 Sewer SUPP & MAINT - EQUIP	(48,590)	6,072	6,456	3,239	7,500	7,059	7,500	7,500
4752.2505 Sewer CARES Act SUPP & MAINT	0	0	0	0	0	201	201	0
4752.252 Sewer FUEL	2,420	1,899	1,547	1,815	2,500	1,729	2,500	3,000
4752.265 Sewer SYSTEM MAINTENANCE	2,301	4,722	3,234	6,441	5,000	2,054	5,000	5,000
4752.280 Sewer UTILITIES	3,242	2,476	3,326	2,991	4,000	3,794	4,500	4,500
4752.310 Sewer PROFESSIONAL/TECHNICAL	989	1,069	530	201	1,200	100	750	14,250
4752.450 Sewer SAMPLES	398	0	0	0	500	0	0	0
4752.510 Sewer INSURANCE	240	4,000	15,000	0	15,000	0	15,000	15,000
4752.610 Sewer MISCELLANEOUS	169	1,935	914	513	2,000	385	750	1,000
4752.620 Sewer ADMINISTRATIVE FEE	15,000	15,100	15,000	0	15,000	0	15,000	15,000
4752.6205 Sewer CARES Act Utility Relief	0	0	0	945	0	50	50	0
4752.690 Sewer DEPRECIATION	54,960	60,618	59,199	57,825	75,000	0	60,250	58,790
4752.820 Sewer INTEREST EXPENSE	4,604	3,536	2,134	256	3,000	75	3,000	3,000
Total Operating expense	**148,341**	**212,497**	**228,606**	**177,700**	**241,100**	**118,868**	**227,551**	**255,640**
Total Income From Operations:	**101,459**	**43,918**	**32,486**	**89,654**	**9,400**	**94,871**	**22,449**	**110**
Non-operating income	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3794 Interest Income	1,153	1,811	1,385	330	1,500	139	1,500	1,000
3795 Sewer CARES Act Revenue	0	0	0	675	0	0	0	0
3797 Gain/loss on sale of assets	8,000	0	0	0	0	0	0	0
Total Non-operating income	**9,153**	**1,811**	**1,385**	**1,005**	**1,500**	**139**	**1,500**	**1,000**
Total Non-Operating Items:	**9,153**	**1,811**	**1,385**	**1,005**	**1,500**	**139**	**1,500**	**1,000**
Total Income or Expense	**110,612**	**45,729**	**33,871**	**90,659**	**10,900**	**95,010**	**23,949**	**1,110**

City of Monticello								
2022-2023 Tentative Budget								
Sanitation								
Operating income	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3690 Miscellaneous Revenue	0	0	0	(150)	0	0	0	0
3733 Charges for Services	279,207	300,416	315,340	337,605	335,000	292,193	335,000	360,000
3734 Salvage Income	632	0	0	0	750	0	0	0
3735 Landfill Use	10,727	13,859	17,057	35,222	32,500	14,708	22,000	40,000
Total Operating income	**290,566**	**314,275**	**332,397**	**372,677**	**368,250**	**306,901**	**357,000**	**400,000**
Operating expense	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4753.110 Sanitation SALARIES & WAGES	67,757	61,796	69,417	68,716	71,000	70,958	74,000	98,169
4753.130 SANITATION EMPLOYEE BENEFITS	48,678	44,345	49,736	50,058	41,000	41,520	48,000	59,000
4753.240 SANITATION OFFICE SUPPLIES	74	48	63	11	100	226	350	100
4753.250 SANITATION SUPP & MAINT - EQUI	18,997	21,214	19,201	58,403	20,000	13,598	20,000	253,000
4753.252 SANITATION FUEL	14,987	16,773	17,718	16,143	21,000	18,867	22,000	24,000
4753.255 SANITATION MAINTENANCE	3,195	2,652	5,605	6,968	35,000	4,594	6,500	8,000
4753.260 SANITATION POST CLOSURE	181	0	0	0	0	0	0	2,000
4753.267 SANITATION CONTRACTED SRVCS	8,380	9,424	11,132	10,457	8,000	4,702	8,000	8,000
4753.268 SANITATION TIPPAGE FEES	40,573	58,433	65,011	63,590	60,000	48,870	62,000	64,000
4753.280 SANITATION UTILITIES	0	0	0	0	0	0	0	0
4753.310 SANITATION PROFESSIONAL	972	2,380	467	0	0	509	650	500
4753.510 SANITATION INSURANCE	0	0	10,000	0	10,000	0	10,000	10,000
4753.610 MISCELLANEOUS	377	446	1,177	779	700	452	700	700
4753.6205 SANITATION ADMINISTRATIVE FE	15,000	15,000	15,000	0	15,000	0	15,000	15,000
4753.6205 SANITATION CARES Act Utility Reli	0	0	0	945	0	50	50	0
4753.690 SANITATION DEPRECIATION	55,306	53,701	32,910	333	35,000	0	35,000	65,000
Total Operating expense	**274,477**	**286,212**	**297,437**	**276,403**	**316,800**	**204,346**	**302,250**	**607,469**
Total Income From Operations:	**16,089**	**28,063**	**34,960**	**96,274**	**51,450**	**102,555**	**54,750**	**(207,469)**
Non-operating income	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3732 CARES ACT Revenue	0	0	0	675	0	0	0	0
3794 Interest Income	476	749	572	136	500	57	150	175
3797 Gain/loss on sale of assets	-	-	-	-	0	0	0	0
Total Non-operating income	**476**	**749**	**572**	**811**	**500**	**57**	**150**	**175**
Total Non-Operating Items:	**476**	**749**	**572**	**811**	**500**	**57**	**150**	**175**
Total Income or Expense	**16,565**	**28,812**	**35,532**	**97,085**	**51,950**	**102,612**	**54,900**	**(207,294)**

City of Monticello								
2022-2023 Tentative Budget								
MBA								
Intergovernmental revenue	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3660 UTILITY PAYMENT FROM COUNTY	0	27,032	16,236	13,417	15,000	13,871	15,000	15,000
3680 Debt Service/Loan Pmt from County	0	37,055	49,890	0	25,000	25,167	26,000	25,000
Total Intergovernmental revenue	**0**	**64,087**	**66,126**	**13,417**	**40,000**	**39,038**	**41,000**	**40,000**
Miscellaneous revenue	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
3620 Rent income	4,837	6,400	2,075	1,355	2,500	2,840	3,000	3,500
3640 Sale of Capital Assets	0	0	0	0	0	0	0	0
3690 Miscellaneous Revenue	0	0	0	0	0	0	0	0
3691 ZAP TAX REVENUE FOR POOL PMT	0	0	17,022	7,767	5,000	0	5,000	6,500
3735 Lease revenue	82,000	82,000	83,000	0	0	0	0	0
3794 Interest Income	7,009	11,879	9,218	972	8,000	398	1,200	4,500
3810 Transfer from General fund - Swimmin	0	0	0	0	45,000	0	45,000	45,000
3811 Transfer from General fund - Pro Shop	0	0	0	0	45,000	0	45,000	45,000
3840 Transfer from Water Fund	0	0	0	0	10,000	0	10,000	10,000
Total Miscellaneous revenue	**93,846**	**100,279**	**111,315**	**10,094**	**115,500**	**3,238**	**109,200**	**114,500**
Total Revenue:	**93,846**	**164,366**	**177,441**	**23,511**	**155,500**	**42,276**	**150,200**	**154,500**
Miscellaneous	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4600.110 Salaries and wages	4,796	4,667	5,167	4,591	5,500	4,563	5,750	5,800
4600.130 Benefit expense	3,803	3,779	3,493	2,850	3,500	2,037	3,600	3,700
4600.240 Office supplies	119	25	0	0	200	0	0	100
4600.250 Equipment and maintenance	309	743	416	0	1,000	0	0	750
4600.280 Utilities	20,487	20,582	20,244	16,389	22,000	13,716	20,000	21,000
4600.310 Professional and technical	0	0	525	0	1,000	0	0	750
4600.510 Insurance	1,017	2,686	693	693	5,000	693	700	700
Total Miscellaneous	**30,531**	**32,482**	**30,538**	**24,523**	**38,200**	**21,009**	**30,050**	**32,800**
Debt service	**2018 Actual**	**2019 Actual**	**2020 Actual**	**2021 Actual**	**2022 Budget**	**2022 YTD**	**2022 Amended**	**2023 Tentative**
4600.810 MBA Debt service - principal	142,000	60,000	143,000	55,000	145,000	0	145,000	145,000
4600.820 MBA Debt service - interest	14,190	15,057	13,365	0	15,000	12,945	15,000	15,000
Total Debt service	**156,190**	**75,057**	**156,365**	**55,000**	**160,000**	**12,945**	**160,000**	**160,000**
Total Expenditures:	**186,721**	**107,539**	**186,903**	**79,523**	**198,200**	**33,954**	**190,050**	**192,800**
Total Change In Net Position	**(92,875)**	**56,827**	**(9,462)**	**(56,012)**	**(42,700)**	**8,322**	**(39,850)**	**(38,300)**

Utah State Tax Commission - Property Tax Division **Resolution Adopting Final Tax Rates and Budgets**	Form PT-800 Rev. 02/15

County: **SAN JUAN** **Tax Year:** **2022**

It is hereby resolved that the governing body of:

MONTICELLO CEMETERY MAINTENANCE DISTRICT

approves the following property tax rate(s) and revenue(s) for the year: **2022**

1. Fund/Budget Type	2. Revenue	3. Tax Rate
100 Cemetery	46,757	0.000192
190 Discharge of Judgement		
	$46,757	**0.000192**

This resolution is adopted after proper notice and hearing in accordance with UCA 59-2-919 and shall be forwarded to the County Auditor and the Tax Commission in accordance with UCA 59-2-913 and 29-2-920.

Signature of Governing Chair

Signature: _____ Date: _____

Title: _____

Utah State Tax Commission - Property Tax Division **Resolution Adopting Final Tax Rates and Budgets**	Form PT-800 Rev. 02/15

County: **SAN JUAN** **Tax Year:** **2022**

It is hereby resolved that the governing body of:

MONTICELLO CITY

approves the following property tax rate(s) and revenue(s) for the year: **2022**

1. Fund/Budget Type	2. Revenue	3. Tax Rate
10 General Operations	279,208	0.001955
190 Discharge of Judgement		
	$279,208	**0.001955**

This resolution is adopted after proper notice and hearing in accordance with UCA 59-2-919 and shall be forwarded to the County Auditor and the Tax Commission in accordance with UCA 59-2-913 and 29-2-920.

Signature of Governing Chair

Signature: _____ Date: _____

Title: _____

Wednesday, June 22, 2022

DISCUSSION PAPER FOR PLANNING COMMISSION USE

TITLE 10
ZONING REGULATIONS

Red = Changes necessitated by Utah laws
Blue = Reorganization to make code easier to administer

CHAPTER 1
GENERAL PROVISIONS

SECTION:
10-1-1: Title, Intent And Purpose
10-1-2: Declaration
10-1-3: Interpretation
10-1-4: Definitions
10-1-5: Conflict
10-1-6: Severability
10-1-7: Responsibility For Violations
10-1-8: Penalty
10-1-9: Temporary Land Use Regulations

10-1-1: TITLE, INTENT AND PURPOSE:

A. This title shall be known as, and shall be entitled the AMENDED ZONING ORDINANCE OF THE CITY OF MONTICELLO, UTAH, dated >insert approval date<, and may be so cited and pleaded.

B. It is the intent and purpose of the city council of Monticello, Utah, to promote the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of the city by guiding development within said city in accordance with a comprehensive plan which plan has been designed:

1. To encourage and facilitate orderly growth and development in the area;
2. To promote safety from fires, floods, traffic hazards and other dangers;
3. To promote sanitation and health of the inhabitants;
4. To discourage undue scattering of population and unnecessary expenditures of the monies for excessive streets, water and sewer lines, and other public requirements;
5. To stabilize and improve property values;
6. To protect the residents from objectionable noise, odor, dust, fumes, and other deleterious substances or conditions;

7. To promote a more attractive and wholesome environment. It is also the intent and purpose of the city council of Monticello that the regulations and restrictions as set forth in this title shall be so interpreted and construed as to further the purposes of this title. (Ord. 2012-01, 7-10-2012)

10-1-2: DECLARATION:

In establishing the zones, the boundaries thereof and regulations and restrictions applying within each of the zones, due and careful consideration was given, among other things, to the suitability of the land for particular uses and to the character of the zone with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city. (Ord. 2012-01, 7-10-2012)

10-1-3: INTERPRETATION:

A. In interpreting and applying this title, the provisions thereof shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare.

B. Except as specifically herein provided, it is not intended by the adoption of the ordinance codified herein to repeal, abrogate, annul or in any way to impair or interfere with any existing provisions of law or ordinance, or any rules, regulations or permits previously adopted or issued, or which shall be adopted or issued, pursuant to law relating to the erection, construction, establishment, moving, alteration or enlargement of any building or improvement; nor is it intended by this title to interfere with, abrogate or annul any easement, covenant or other agreement between parties; provided, however, that in cases in which this title imposes a greater restriction than is imposed or required by other existing provisions of law or ordinance, the provisions of this title shall control. (Ord. 2012-01, 7-10-2012)

10-1-4: DEFINITIONS:

It is the intent of the city council to define certain words and phrases as a means of facilitating understanding of terms which may not be universally understood in the sense that the city council intends that they should be understood.

ACCESSORY BUILDING: See BUILDING, Accessory

ACCESSORY DWELLING UNIT: A habitable living unit added to, created within, or detached from a primary single-family dwelling and contained on one lot.

ADVERSELY AFFECTED PARTY: A person other than a land use applicant who:

A. Owns real property adjoining the property that is the subject of a land use application of land use decision; or
B. Will suffer a damage different in kind than, or an injury distinct from, that of the general community as a result of the land use decision.

AFFECTED ENTITY: A county, municipality, local district, ~~independent~~ special district under ~~Utah Code Annotated Title 17B; title 11, chapter 13~~,Title 17D, Chapter 1, Special Service District Act, school district; interlocal cooperation ~~act~~entity established under Title 11, Chapter 13, Interlocal Cooperation Act; specified public utility; a property owner; ~~a~~ property owners' association; or the Utah Department of Transportation, if:

A. The entity's services or facilities are likely to require expansion or significant modification because of an intended use of land;
B. The entity has filed with the municipality a copy of the entity's general or long-range plan; or
C. The entity has filed with the municipality a request for notice during the same calendar year and before the municipality provides notice to an affected entity in compliance with a requirement imposed under ~~state statute~~ this chapter.

AFFECTED OWNER; The owner of real property that is:

A. A single project;
B. The subject of a land use approval that sponsors of a referendum timely challenged in accordance with Subsection 20A-7-60(5)(a); and
C. Determined to be legally referable under Section 20!-7-602.8.

AGRICULTURE: The growing of soil crops in the customary manner in the open. It shall not include livestock raising activities; nor shall it include retailing of crops on the premises.

APARTMENT HOUSE (MULTIPLE DWELLING): Any building or portion thereof which is designed, built, rented or leased, let, or hired out to be occupied or which is occupied as the home or residence of three (3) or more families living independently of each other and doing their own cooking within the premises.

APPEAL AUTHORITY: "Appeal authority" means the person, board, commission, agency, or other body designated by ordinance to decide an appeal of a decision of a land use application or a variance.

APPROVED WATER SYSTEM, PUBLIC WATER SYSTEM: The Monticello city water system.

BUILDABLE AREA: That portion of a lot or parcel which will fit the construction of a structure under the provisions of the building codes adopted by the city and this title, either without grading and excavation or with grading and excavation, as specified in this title.

BUILDING: Any structure built for the support, shelter or enclosure of a person, animals, chattels or property of any kind.

A. Building, Accessory: A subordinate building, the use of which is incidental to that of the main building.

B. Building Line: A line designating the minimum distance which buildings must set back from a street or lot or parcel line.
C. Building, Main: The principal building ~~or buildings~~ upon a lot or parcel.

CARPORT: A structure for the shelter of automobiles that is not completely enclosed by walls.

CHARTER SCHOOL:
A. An operating charter school;
B. A charter school applicant that a charter school authorizer approves in accordance with Title 53G, Chapter 5, Part 3, Charter School Authorization; or
C. An entity that is working on behalf of a charter school or approved charter applicant to develop or construct a charter school building.

A Charter School does not include a therapeutic school.

CHILDCARE: Tending of children by family members or friends for which no compensation is received. Childcare services exempt from state regulation as specified in applicable Utah Code.

CITY ENGINEER: Until such time as the city hires a permanent registered engineer, the city engineer shall be a licensed surveyor, a registered engineer, or an engineering firm as designated by the city council on either a retainer or per job basis.

CIVIL ENGINEER: A professional engineer registered in the state of Utah to practice in the field of civil engineering work.

CLINIC: A building used for the diagnosis and treatment of ill, infirm, and injured persons which does not provide board, room or regular hospital care and services.

CLUB: A building used, occupied and operated by an organized association of persons for social, fraternal, religious or patriotic purposes, whose activities are confined to the members and their guests, but not including any building used principally to render a service usually and ordinarily carried on as a business.

COMMON AREA: An area designed to serve two (2) or more dwelling units which have convenient access to the area.

COMPREHENSIVE PLAN: A coordinated plan which has been prepared and adopted for the purpose of guiding development, including, but not limited to, a plan or plans of land use, circulation, housing and public facilities and grounds.

CONDITIONAL USE: A land use that, because of ~~its~~ the unique characteristics or potential impact of the land use on city, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

CONSTITUTIONAL TAKING: A governmental action that results in a taking of private property so that compensation to the owner of the property is required by the:

A. Fifth or Fourteenth Amendment of the Constitution of the United States; or
B. Utah Constitution Article I, Section 22.

CONVALESCENT HOME: See definition of Rest Home, Nursing Home, Convalescent Home.

CULINARY WATER AUTHORITY: The department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.

CURB CUT: A cut in the curb line for the passage of vehicles.

CUT: A process of excavation. See definition of Excavation.

DAYCARE, NURSERY, PRESCHOOL: A home or building in which children are tended or kept for compensation, and any similar use for which the State requires a license. Does not include overnight accommodations for children, as in a foster home or an orphanage.

DENSITY: Density of population, measured by the number of dwelling units per acre of land.

DESIGNATED FLOOD HAZARD AREA: Zone A on the flood hazard boundary map issued by the federal insurance administration for this community, dated December 24, 1976, with panel number H-01-02, community number 490212, and any officially published revision to this map.

DETACHED STRUCTURE: Any structure being secondary to the primary use of the parcel (i.e., a garage, storage sheds, barns, coops, etc.).

DEVELOPMENT ACTIVITY:

A. Any construction or expansion of a building, structure, or use that creates additional demand and need for public facilities;
B. Any change in use of a building or structure that creates additional demand and need for public facilities; or
C. Any change in the use of the land that creates additional demand and need for public facilities.

DEVELOPMENT AGREEMENT: A written agreement or amendment to a written agreement between a municipality and one or more parties that regulates or controls the use of development of a specific area of land. A development agreement does not include an improvement completion assurance.

DISABILITY: A physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment. Disability does not include current illegal use of, or addiction to, any federally controlled substance, as defined in Section 102 or the Controlled Substances Act, 21 U.S.C. 802.

DRIVE-IN RETAIL: Any form of merchandising, serving or dispensing of goods in which the customer is served while in his automobile.

DWELLING: A building designed or used for residential occupancy, including single-family, two-family, multi-family, manufactured homes, modular homes, and apartment structure. A dwelling shall not include boarding, rooming, or lodging houses, tents, trailers, recreational vehicles (RVs), mobile home parks, motels and hotels, motor courts, motor lodges, cottage camps, or any short-term rentals or uses primarily for transient residential uses.

A. Dwelling, Caretaker's: A dwelling which is occupied by a person whose function is to watch or take care of a business or industry which is located on the same premises as the dwelling.
B. Dwelling, Primary: A single-family dwelling that is
    1. Detached, and
    2. Occupied as the primary residence of the owner of an internal accessory dwelling unit.

A. Dwelling, Multiple-Family: A building containing three (3) or more separate dwelling units, each of which is designed for or occupied by one family.
B. Dwelling, Single-Family: A building containing one dwelling unit which is designed for or occupied by one family.
C. Dwelling, Two-Family: A building containing two (2) separate dwelling units, each of which is designed for or occupied by one family.
D. Dwelling, Rental: A building or portion of a building that is
    1. Used or designated for use as a residence by one or more persons; and
    2. Available to be rented, loaned, leased, or hired out for a period of one month of longer; or
    3. Arranged, designed, or built to be rented, loaned, leased, or hired out for a period of one month or longer.
E. Boarding House, Lodging House, Bed and Breakfast: A building containing not more than one kitchen where for compensation meals are provided pursuant to previous arrangements on a daily, weekly or monthly basis as distinguished from a motel, cafe,

or rooming house. These are considered short-term rental units if rented for less than 30 days.

F. Live-Work Unit: A dwelling unit that is part of a commercial building and
    1. Is located behind or above the commercial floor space of the building;
    2. Has its own utility connections separate from the commercial use;
    3. Has its own entry separate from the commercial space; and
    4. Conforms to applicable building codes for use as a dwelling.

EASEMENT: A land use right offered for a specific purpose or use over, upon, or beneath the land; its location and extent being accurately described in the letting process or by separate document using metes and bounds; distinct from land ownership and granted to the public, a particular party or public utility.

EDUCATIONAL FACILITY: A school district's 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; A structure or faciliity that is:

A. Located on the same property as a building described as an educational facility; and
B. Used in support of the use of that building;
C. A building or provide office and related space to a school district's administrative personnel;

An educational facility does not include land or structure including land or a structure for inventory storage, equipment storage, food processing or preparing, vehicle storage or maintenance, or similar use that is

A. Not located on the same property as the building described as an educational facility; and
B. Used in support of the purposes of a building described as an educational facility

An educational facility does not include a therapeutic school

EXCAVATION: Any act by which vegetation matter, earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated, or bulldozed, and shall include the conditions resulting from it.

FACILITY: A public service developed, owned and maintained by the city (i.e., water, sewer, etc.).

FAMILY: Related individuals living together in a single dwelling unit and maintaining a common household.

A. A family may include four (4), but not more than four (4), persons not related to the family.
B. The term "family" shall not be construed to mean a group of unrelated individuals, a fraternity, club or institutional group.

FENCE, SIGHT OBSCURING: A fence having a height of six feet (6') or more above grade, which permits vision through less than ten percent (10%) of each square foot that is more than eight inches (8") aboveground.

FILL: A deposit of earth material by artificial means.

FINAL PLAT: A permanent map or chart, accurately describing a division of land which has been surveyed and marked on the ground so that streets, blocks, lots and other divisions may be identified and located.

FINAL PLAT, RECORD OF SURVEY MAP: A plat or plats of survey of land within a subdivision or other large scale development which has been prepared in accordance with applicable city standards and/or state statutes for the purpose of recording in the office of the county recorder.

FIRE AUTHORITY: The department, agency, or public entity with responsibility to review and approve the feasibility of fire protection and suppression services for the subject property.

FLOOD PLAIN: Land that

A. Is within the 100-year flood plain designated by the Federal Emergency Management Agency, or
B. Has not been studied or designated by the Federal Emergency Management Agency but presents a likelihood of experiencing chronic flooding or a catastrophic flood event because the land has characteristics that are similar to those of a 100-year flood plain designated by the Federal Emergency Management Agency.

FLOOR AREA: The floor area of a building is the sum of the areas of headroom height on all floors of the building, including basements, mezzanines and penthouses, measured from the exterior walls or from the centerline of walls separating buildings. The floor area does not include unoccupied structures such as pipe trenches, exterior terraces, or steps, chimneys, roof overhangs, etc.

FOSTER HOME: A family dwelling that includes the care of non-related persons and is operated under state certification, license, or permit.

FRACTIONAL NUMBERS OF MEASUREMENTS: In determining the requirements of this title, whenever a fraction of a number or a unit is one-half (1/2) or more, and whenever a fraction of a number or a unit resulting from a computation is one-half (1/2) or more, said fraction shall be considered as a whole number or a unit. Where the fraction is less than one-half (1/2), said fraction shall not be included in determining requirements.

GARAGE, PRIVATE: A building or part thereof designed for the parking or temporary storage of automobiles of the occupants of the premises.

GENERAL PLAN: A document that a municipality adopts that sets forth general guidelines for proposed future development of land within the municipality.

GEOLOGIC HAZARD: Includes

A. A surface fault rupture;
B. Shallow groundwater;
C. Liquefaction;
D. A landslide;
E. A debris flow;
F. Unstable soil;
G. A rock fall; or
H. Any other geologic condition that presents a risk:
    1. To life;
    2. Of substantial loss of real property; or
    3. Of substantial damage to real property.

GRADE: The top of the foundation or stem wall must be a minimum of one foot (1') higher than the top of the curb. Grade shall be determined by:

A. For buildings fronting one street only, the elevation of the top of the curb, at right angles to the midpoint of the foundation.
B. For buildings fronting more than one street, the average of the elevations of the top of the curb, at right angles to the midpoint of the foundation.

GRADING: Any excavating or filling, or combination thereof, and shall include the conditions resulting from any excavation or fill.

HARD SURFACE: Hard surface is limited to concrete or asphalt only. Hard surface specifications are as approved by the city.

HEIGHT OF BUILDING: The vertical distance from the average grade to top of the building walls.

HILLSIDE AREA: Any lot or parcel with an average slope greater than eight percent (8%).

HOME OCCUPATION: Any occupation conducted within a dwelling and carried on by persons residing in the dwelling.

HOOKUP FEE: A fee for the installation and inspection of any pipe, line, meter, or appurtenance that connects to a municipal water, sewer, storm water, power, or other utility system.

IDENTICAL PLANS: Building plans submitted to a municipality that:

A. Are clearly marked as "identical plans";
B. Are substantially identical to building plans that were previously submitted to and reviewed and proved by the municipality; and
C. Describe a building that (1) Is located on land zoned the same as the land on which the building described in the previously approved plan is located; (2) Is subject to the same geological and meteorological conditions and the same law as the building described in the previously approved plans; (3) Has a floor plan identical to the building plan previously submitted to and reviewed and approved by the municipality; and (4) Does not require any additional engineering or analysis.

IMPACT FEE: A payment of money imposed under state Title 11, Chapter 36a, Impact Fees Act.

IMPROVEMENT COMPLETION ASSURANCE: A surety bond, letter of credit, financial institution bond, cash, assignment of rights, lien, or other equivalent security required by a municipality to guaranty the proper completion of landscaping or an infrastructure improvement required as a condition precedent to:

A. Recording a subdivision plat; or
B. Development of a commercial, industrial, mixed use, or multi-family project.

IMPROVEMENT WARRANTY: An applicant's unconditional warranty that the applicant's installed and accepted landscaping or infrastructure improvement:

A. Complies with the municipality's written standards for design, materials, and workmanship; and
B. Will not fail in any material respect, as a result of poor workmanship or materials, within the improvement warranty period.

IMPROVEMENT WARRANTY PERIOD: A period

A. No later than one year after a municipality's acceptance of required landscaping; or
B. No later than one year after a municipality's acceptance of required infrastructure, unless the municipality:
    1. Determines for good cause that a one-year period would be inadequate to protect the public health, safety, and welfare; and
    2. Has substantial evidence, on record:
        a. Of prior poor performance by the applicant; or
        b. That the area upon which the infrastructure will be constructed contains suspect soil and the municipality has not otherwise required the applicant to mitigate the suspect soil.

INFRASTRUCTURE IMPROVEMENT: Permanent infrastructure that is essential for the public health and safety or that:

A. Is required for human occupation; and
B. An applicant must install
    1. In accordance with published installation and inspection specifications for public improvements; and
    2. Whether the improvement is public or private, as a condition of:
        a. Recording a subdivision plat;
        b. Obtaining a building permit; or
        c. Development of a commercial, industrial, mixed us, condominium, or multi-family project.

INTERNAL ACCESSORY DWELLING UNIT: An accessory dwelling unit created

A. Within a primary dwelling;
B. Within the footprint of the primary dwelling at the time the internal accessory dwelling unit is created; and
C. For the purpose of offering a long-term rental of 30 consecutive days or longer.

INTERNAL LOT RESTRICTION: A platted note, platted demarcation, or platted designation that:

A. Runs with the land; and
B. Creates a restriction that is enclosed within the perimeter of a lot described on the plat; or
C. Designates a development condition that is enclosed within the perimeter of a lot described on the plat.

INTERVENING PROPERTY: Property located between an existing service facility and the property under development.

JUNK: Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris and tires, construction waste, waste, iron, steel, and other old or scrap ferrous or nonferrous materials in sufficient quantity to pose a public health or safety hazard, or to be aesthetically unattractive, and shall also include inoperable, unlicensed, junked, dismantled, or wrecked automobiles, or parts thereof.

JUNKYARD: A place where scrap, waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled or stored, including auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building

or where salvaged materials are kept incidental to manufacturing operations conducted on the premises.

KENNEL: Land or buildings used in the keeping of four (4) or more dogs over four (4) months old.

LAND USE APPLICANT: A property owner, or the property owner's designee, who submits a land use application regarding the property owner's land.

LAND USE APPLICATION: ~~An application that is required by the municipality's land use code.~~ An application that is:

A. Required by the municipality; and
B. Submitted by a land use applicant to obtain a land use decision; and
C. Does not mean an application to enact, amend, or repeal a land use regulation.

LAND USE AUTHORITY: A person, board, commission, agency, or ~~other~~ body, including the city council, designated by the city council to act upon a land use application; or if the city council has not designated a person, board, commission, agency, or body, then the city council itself.

LAND USE DECISION: An administrative decision of a land use authority or appeal authority regarding:

A. A land use permit;
B. A land use application; or
C. The enforcement of a land use regulation, land use permit, or development agreement.

~~LAND USE ORDINANCE: A planning, zoning, development, or subdivision ordinance of the municipality, but does not include the general plan.~~

LAND USE PERMIT: A permit issued by a land use authority.

LAND USE PLAN: A plan adopted and maintained by the City Council which shows how the land should be used; an element of the master plan.

LANDSCAPE PLAN, PLANTING PLAN: A plan showing the location and dimensions of plants, irrigation equipment, curbs and other protective features around the edge of the planting beds and the location and species of plants to be planted.

LAND USE REGULATION: A legislative decision enacted by ordinance, law, code, map, resolution, specification, fee or rule that governs the use or development of land including

the adoption or amendment of a zoning map or the text of the zoning code. A Land Use Regulation does not include:

A. A land use decision of the legislative body acting as the land use authority, even if the decision is expressed in a resolution or ordinance; or
B. A temporary revision to an engineering specification that does not materially (1) Increase a land use applicant's cost of development compared to the existing specification; or (2) Impact a land use applicant's use of land.

LANDSCAPING: The use and integration of a combination of planted trees, shrubs, vines, ground covers, lawns, rocks, fountains, pools, artworks, screens, walls, fences, benches or surfaced walkways set into an aesthetically pleasing arrangement as determined by the planning commission or their authorized representative.

LEGISLATIVE BODY: The city council.

LIVESTOCK CORRAL: A place or pen where livestock are kept on a seasonal basis as part of an agricultural enterprise or operation as distinguished from a livestock feed yard.

LIVING OPEN SPACE: That portion of the yard on a zoning lot which is not used by automotive vehicles, but reserved for outdoor living space, recreational space, and landscaping.

LODGING HOUSE: See definition of Boarding House, Lodging House.

~~LOT: A single parcel or tract of land.~~

~~A. A parcel of real property shown as a delineated parcel of land with a number and designation on the final plat of a subdivision recorded in the office of the San Juan County recorder; or~~
~~B. A parcel of land, the dimensions or boundaries of which are defined by record in the office of the San Juan County recorder.~~

LOT: A tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the office of the county recorder.

A. Lot, Corner: A lot situated at a junction of two (2) city streets or situated on a curved street or way, the radius of which is thirty-five feet (35') or less, and where the angle formed by the intersection of the tangent is one hundred five degrees (105°) or less.
B. Lot, Interior: A lot other than a corner lot.
~~C. Lot Of Record: A lot designated on a subdivision plat or deed, duly recorded pursuant to statute in the county recorder's office. A lot of record may or may not coincide with a zoning lot~~
D. Lot, Area: The total area measured on a horizontal plane included within the lot lines of the lot ~~or parcel of land~~.

E. Lot, Width: The distance across a lot of property, measured along a line parallel to the front lot line, or parallel to a straight line, connecting the ends of an arc which makes up the front lot line.

~~F. Lot, Zoning: A parcel tract of land which~~

~~A. Complies with all existing area frontage, width, and supplementary requirements of the zone in which it is located; and~~

~~B. Has frontage on a city street, which street has been accepted by the city council and has been improved in accordance with city standards and is in use by the public; and~~

~~C. Is shown as a separate lot in an approved subdivision plat or large scale development plan, which plat or plan has been approved in accordance with the applicable ordinances.~~

LOT LINE ADJUSTMENT: A relocation of a lot line boundary between adjoining lots or between a lot and adjoining parcels in accordance with state Section 10-9a-608:

A. Whether or not the lots are located in the same subdivision; and
B. With the consent of the owners of record.

Lot Line Adjustment does not mean a new boundary line that

A. Creates an additional lot; or
B. Constitutes a subdivision.

Lot Line Adjustment does not include a boundary line adjustment made by the Department of Transportation.

MANUFACTURED HOME: A transportable factory-built housing unit constructed on or after June 15, 1976, according to the National Manufactured Housing Construction and Safety Standards Art (HUD Code), in one or more sections, that:

A. In the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more square feet; and
B. Is built on a permanent chassis and designed to be used as a dwelling with a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

MAJOR TRANSIT INVESTMENT CORRIDOR: Public transit service that uses or occupies:

A. Public transit right-of-way;
B. Dedicated road right-of-way for the use of public transit, such as a bus rapid transit; or
C. Fixed-route bus corridors subject to an interlocal agreement or contract between a municipality or county and (1) A public transit district as defined in Section 17B-2a-802; or (2) An eligible political subdivision as defined in Section 59-12-2219.

METES AND BOUNDS: The description of a lot or parcel of land by courses and distances.

MOBILE HOME: A transportable factory-built housing unit built before June 15, 1976, in accordance with a state mobile home code which existed prior to the National Manufactured Housing Construction and Safety Standards Art (HUD Code).

MOBILE HOME PARK: An area or tract of land used to accommodate mobile homes, regulations and standards for which are found under chapter 13 of this title.

MODERATE INCOME HOUSING: Housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.

MODULAR UNIT: A structure:

A. Built from sections that are manufactured in accordance with the State Construction Code and transported to a building site; and
B. The purpose of which is for human habitation, occupancy, or use.

MUNICIPAL UTILITY EASEMENT: An easement that:

A. Is created or depicted on a plat recorded in a county recorder's office and is described as a municipal utility easement granted for public use;
B. Is not a protected utility easement or a public utility easement as defined in state Section 54-3-27;
C. The municipality or the municipality's affiliated governmental entity uses and occupies to provide a utility service, including sanitary sewer, culinary water, electrical, storm water, or communications or data line;
D. Is used or occupied with the consent of the municipality in accordance with an authorized franchise or other agreement;
E. Is Used or occupied by a specified public utility in accordance with an authorized franchise or other agreement and is located in a utility easement granted for public use; or
F. Is described in state Section 10-9a-529 and is used by a specified public utility.

NATURAL STATE: The description of a lot or parcel of land by courses and distances.

NOMINAL FEE: A fee that reasonably reimburses a municipality only for time spent and expenses incurred in

A. Verifying that building plans are identical plans; and
B. Reviewing and approving those minor aspects of identical plans that differ from the previously reviewed and approved building plans.

NONCOMPLYING STRUCTURE: A structure that:

A. Legally existed before the structure's 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.

NONCONFORMING BUILDING: A building, structure, or portion thereof, which does not conform to the regulations of this title applicable to the zone or district in which such building is situated, but which existed on the effective date hereof.

NONCONFORMING USE: A use of land that:

A. Legally existed before its current land use designation;
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.

OFF SITE IMPROVEMENTS: Improvements, as required by this title, installed outside the perimeter of the subdivision which are designed and located to serve the needs of the subdivision or adjacent properties, lying between the subdivision and existing improvements.

OFFICIAL MAP: A map drawn by municipal authorities and recorded in a county recorder's office that

A. Shows actual and proposed rights-of-way, centerline alignments, and setbacks for highways and other transportation facilities;
B. Provides a basis for restricting development in designated rights-of-way or between designated setbacks to allow the government authorities time to purchase or otherwise reserve the land; and
C. Has been adopted as an element of the municipality's general plan.

ON-SITE IMPROVEMENTS: Improvements, as required by this title, installed within or on the perimeter of the subdivision or development site.

OVERSIZED IMPROVEMENTS: Improvements with added capacity designed to serve other property in addition to the land within the boundaries of the subdivision or development.

PARCEL: Any real property that is not a lot.

A. Parcel, Corner: A parcel situated at a junction of two (2) city streets or situated on a curved street or way, the radius of which is thirty-five feet (35') or less, and where the angle formed by the intersection of the tangent is one hundred five degrees (105°) or less.
B. Parcel, Interior: A parcel other than a corner parcel.
C. Parcel, Area: The total area measured on a horizontal plane included within the parcel lines of the parcel.

D. Parcel, Width: The distance across a parcel of property, measured along a line parallel to the front parcel line, or parallel to a straight line, connecting the ends of an arc which makes up the front lot line.

PARCEL BOUNDARY ADJUSTMENT: A recorded agreement between owners of adjoining parcels adjusting the mutual boundary, either by deed or by a boundary line agreement in accordance with Section 10-9a-524, if no additional parcel is created and:

A. None of the property identified in the agreement is a lot; or
B. The adjustment is to the boundaries of a single person's parcels.

Parcel Boundary Adjustment does not mean an adjustment of a parcel boundary line that:

A. Creates an additional parcel; or
B. Constitutes a subdivision.

A Parcel Boundary Adjustment does not include a boundary line adjustment made by the Department of Transportation.

PARKING SPACE: Spaces within a building or parking area, exclusive of driveways, ramps, columns, office and working area, for the parking of a motor vehicle, not less than eighteen feet (18') in length and nine feet (9') in width. Exception: Spaces reserved for the disabled will be no less than twenty feet (20') in length and thirteen feet (13') in width.

PERSON: An individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity.

PLAN FOR MODERATE INCOME HOUSING: A written document adopted by a municipality's legislative body that includes:

A. An estimate of the existing supply of moderate income housing located within the municipality;
B. An estimate of the need for moderate income housing in the municipality for the next five years;
C. A survey of total residential land use;
D. An evaluation of how existing land uses and zones affect opportunities for moderate income housing; and
E. A description of the municipality's program to encourage an adequate supply of moderate income housing.

PLAT: An instrument subdividing property into lots as depicted on a map or other graphical representation of land that a licensed professional land surveyor makes and prepares in accordance with Section 10-9a-603 or 57-8-13.

POTENTIAL GEOLOGIC HAZARD AREA: An area that

A. Is designated by a Utah Geological Survey map, county geologist map, or other relevant map or report as needing further study to determine the area's potential for geologic hazard; or
B. Has not been studied by the Utah Geological Survey or a county geologist but presents the potential of geologic hazard because the area has characteristics similar to those of a designated geologic hazard area.

PRELIMINARY PLAT: A map or plan of a proposed land division, prepared in accordance with the regulations of this title.

PRIVATE DRIVE: An accessway from a city street or highway to private land that does not front a city street or highway. A private drive is owned and maintained by the landowner.

PUBLIC AGENCY: The federal government, state, county, municipality, school district, local district, special service district, or other political subdivision of the state; or a charter school.

PUBLIC HEARING: A hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

PUBLIC MEETING: A meeting that is required to be open to the public under ~~Utah Code Annotated title 52, chapter 4, open and public meetings act~~. Title 52, Chapter 4, Open and Public Meetings Act.

PUBLIC STREET: A public right-of-way, including a public highway, public avenue, public boulevard, public parkway, public road, public land, public alley, public viaduct, public subway, public tunnel, public bridge, public byway, other public transportation easement, or other public way.

RECEIVING ZONE: An area of a municipality that the municipality designates, by ordinance, as an area in which an owner of land may receive a transferable development right.

RECORD OF SURVEY MAP: A map of a survey of land prepared in accordance with Section 10-9a-603, 17-23-17, 17-27a-603, or 57-8-13.

RECREATIONAL VEHICLE:
A. A vehicular unit other than a mobile home primarily designed as a temporary dwelling for travel, recreational, or vacation use that is either self-propelled or pulled by another vehicle; Recreation vehicle includes a travel trailer, camping trailer, mother home, fifth-wheel trailer, park model home RV, and a van designed for overnight use.

B. Off highway vehicle (OHV), including, but not limited to, all-terrain vehicle (ATV), side by side utility task vehicle (UTV), recreational off highway vehicle (ROV), golf cart, and the trailer used to transport such vehicle;
C. Boat, other than canoe or kayak, and the trailer used to transport it.

RECREATIONAL VEHICLE PARK: A minimum three (3) acre area or tract of land used to accommodate two (2) or more recreational vehicles.

REMOVAL: The killing of vegetation by spraying, complete extraction or cutting of such vegetation to the ground, or down to trunks or stumps.

RESIDENTIAL FACILITY FOR PERSONS WITH A DISABILITY: A residence
A. In which more than one person with a disability resides; and
B. Which is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities; or
C. Which is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act.

RESIDENTIAL UNIT: A residential structure or any portion of a residential structure that is occupied as a residence.

REST HOME, NURSING HOME, CONVALESCENT HOME, ASSISTED LIVING HOME: A building for the care and keeping of elderly or infirm people ~~afflicted with infirmities or chronic illness~~.

RESUBDIVISION: The changing or amending of any existing lot or lots of any subdivision plat previously recorded in the records of the county recorder as provided in section 11-2-6 of this code.

RETENTION BASIN: An area recessed or designed to receive and retain stormwater discharge or runoff.

RIPRAP: A loose assemblage of broken stone placed on the surface of the ground to prevent erosion.

ROUGH GRADE: The state of excavation at which grading is within four inches (4") of the final grade as shown on the approved grading plan.

RULES OF ORDER AND PROCEDURE: A set of rules that govern and prescribe in a public meeting:
A. Parliamentary order and procedure;
B. Ethical behavior; and

C. Civil discourse.

SALVAGE YARD: See definition of Junkyard.

SANITARY SEWER AUTHORITY: The department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or on site wastewater systems.

SENDING ZONE: An area of a municipality that the municipality designates, by ordinance, as an area from which an owner of land may transfer a transferable development right.

SETBACK: The shortest distance between the property line and the foundation wall, or main frame of the building.

SHORT-TERM RENTAL UNIT: The renting of any structure or building for the purpose of overnight occupancy for a period less than 30 days by the renter.

SIGN: Any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including a flagpole.

A. Sign, Accessory: An on premises sign which directs attention to a business or profession.
B. Sign, Area Of: The area of a sign shall be considered to include all lettering, wording and accompanying designs or symbols, together with any background material, whether painted or applied. Where a sign consists of individual letters attached to or painted on a building or wall or window, the area of the sign shall be considered to be that of the smallest rectangle which encompasses all the letters or symbols.
C. Sign, Nonaccessory; Billboard~~:~~ A freestanding ground sign located on industrial, commercial, or residential property if the sign is designed or intended to direct attention to a business, product, or service that is not sold, offered, or existing on the property where the sign is located.

SINGLE-FAMILY LIMIT: No more than four (4) unrelated individuals may occupy each residential unit that is recognized by the City in a zone permitting occupancy by a single family.

SITE: Any lot or parcel of land.

SKETCH PLAN: A preliminary map or preapplication plat, showing the concept of the proposed development or subdivision, having sufficient detail to illustrate on site characteristics of the proposed subdivision and adjacent parcels.

SPECIAL DISTRICT: Any entity established under the authority of Utah Code Annotated title 17B, special districts, and any other governmental or quasi-governmental entity that is not a county, municipality, or school district.

SPECIFIED PUBLIC UTILITY: An electrical corporation, gas corporation, or telephone corporation, as those terms are defined in Section 54-2-1 of Utah Code.

STATE: Any department, division, or agency of the state.

STREET: Any street, avenue, boulevard, road, lane, parkway, viaduct or other way, for the movement of vehicular traffic which is an existing state, county, or city roadway, or a street or way shown upon a plat, formerly approved, pursuant to law, or approved by official action; and includes the land between street lanes, whether improved or unimproved and may comprise pavement, shoulders, gutter, sidewalks, parking areas, and other areas within the right of way. For the purpose of this title, streets shall be classified as follows:

A. City Street: Any street within the city's incorporated boundary that is recognized and maintained by the city.
B. Cul-De-Sac: A street open at one end with a designated vehicular turnaround area at the closed end.
C. Dead End: A street open at one end with no turnaround.
D. Major Highway: A major regional highway, including an expressway, freeway or interstate highway designed to carry vehicular traffic:
    1. Into, out of, or throughout the regional area (interregion); and
    2. From one political subdivision of the region to another, or from an interregional highway.
E. Service Road: A street or road paralleling and abutting major streets to provide access to adjacent property so that each adjacent lot or parcel will not have direct access to the major street.
F. Stub: A street or road extending from within a subdivision and which terminates at the subdivision boundary with no provision for a vehicular turnaround. Stub streets are normally required to connect to street systems of adjacent developments.

STREET RIGHT OF WAY: That portion of land dedicated to public use for street and utility purposes.

SUBDIVIDER: Any person or legal entity laying out or making a land division for the purpose of sale, offering for sale or selling for himself or others, any subdivision or any part of it.

SUBDIVISION: Any land that is divided, resubdivided or proposed to be divided into two (2) or more lots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

A. "Subdivision" includes:
   1. The division or development of land, whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument, regardless of whether the division includes all or a portion of a parcel or lot; and
   2. Except as provided in Subsection (65)(c), divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

B. "Subdivision" does not include:
   1. A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;
   2. A boundary line agreement recorded with the county recorder's office between owners of adjoining parcels adjusting the mutual boundary ~~in~~ in accordance with Section 10-9a-524 if no new parcel is created.
   3. A recorded document, executed by the landowner of record: (1) revising the legal descriptions of multiple parcels into one legal description encompassing all such parcels; or (2) joining a lot to a parcel;
   4. A boundary line agreement between owners of adjoining subdivided properties adjusting the mutual lot line boundary in accordance with Sections 10-9a-524 and 10-9a-608 if: (1) no new dwelling lot or housing unit will result from the adjustment; and (2) the adjustment will not violate any applicable land use ordinance; ~~or~~
   5. A bona fide division ~~or partition~~ of land by deed or other instrument if the deed or other instrument states in writing that the division
   6. Is in anticipation of future land use approvals on the parcel or parcels;
   7. Does not confer any land use approvals, and
   8. Has not been approved by the land use authority.
   9. A parcel boundary adjustment;
   10. A lot line adjustment;
   11. A road, street, or highway dedications plat;
   12. A deed or easement for a road, street, or highway purpose; or
   13. Any other division of land authorized by law.

SUBDIVISION AMENDMENT: An amendment of a recorded subdivision in accordance with Section 10-9a-608 that:

A. Vacates all or a portion of the subdivision;
B. Alters the outside boundary of the subdivision;
C. Changes the number of lots within the subdivision;
D. Alters a public right-of-way, a public easement, or public infrastructure within the subdivision; or
E. Alters a common area or other common amenity within the subdivision

SUBSTANTIAL EVIDENCE: Evidence that (1) is beyond a scintilla and (2) a reasonable mind would accept as adequate to support a conclusion.

SUSPECT SOIL: Soil that has

A. A High susceptibility for volumetric change, typically clay rich, having more than a 3% swell potential;
B. Bedrock units with high shrink or swell susceptibility; or
C. Gypsiferous silt and clay, gypsum, or bedrock units containing abundant gypsum commonly associated with dissolution and collapse features.

THERAPEUTIC SCHOOL: A residential group living facility

A. For four or more individuals who are not related to
    1. The owner of the facility or
    2. The primary service provider of the facility;
B. That serves students who have a history of failing to function:
    1. At home,
    2. In a public school, or
    3. In a nonresidential private school; and
C. That offers room and board, and
    1. An academic education integrated with a specialized structure and supervision; or
    2. Services or treatment related to a disability, emotional development, behavioral development, familial development, or a social development.

TRANSFERABLE DEVELOPMENT RIGHT: A right to develop and use land that originates by an ordinance and authorizes a land owner in a designated sending zone to transfer land use rights from a designated sending zone to a designated receiving zone.

UNINCORPORATED: The area outside of the incorporated area of a city or town.

VARIANCE: A waiver of specific regulations of this title granted by the board of adjustment in accordance with the provisions set forth in this code.

VICINITY PLAN: A map or chart, showing the relationship of streets and land within a proposed subdivision to the streets and lands in the surrounding area.

WATER INTEREST: Any right to the beneficial use of water, including

A. Each of the rights listed in Section 73-1-11; and
B. An ownership interest in the right to the beneficial use of water represented by (1) a contract or (2) a share in a water company, as defined in Section 73-3-3.5.

YARD: An open space on the same lot or parcel as a building, said space being unoccupied or unobstructed from the ground upward, except as otherwise provided in this title.

A. Yard, Front: The minimum horizontal distance between the street line and the front line of the building or any projection thereof, excluding nonenclosed steps. On a corner lot or parcel, the front yard may be applied to either street.

B. Yard, Rear: The area between the rear line of the building (exclusive of steps) and the rear lot or parcel line, and extending for the entire width of the lot or parcel. In case of a corner lot or parcel where the building facade faces on the side street, the rear yard may be established from the side of the house to the side property line.

C. Yard, Required: The open space around buildings which is required by the terms of this title.

D. Yard, Side: A yard between the building and the side line of the lot or parcel, and extending from the front yard to the rear yard. (Ord. 2012-01, 7-10-2012; amd. Ord. 2016-6, 6-28-2016)

ZONING MAP: A map, adopted as part of a land use ordinance, that depicts land use zones, overlays, or districts.

NOT YET IN EFFECT

TITLE 10
ZONING REGULATIONS

CHAPTER 1
GENERAL PROVISIONS

SECTION:

10-1-1: Title, Intent And Purpose
10-1-2: Declaration
10-1-3: Interpretation
10-1-4: Definitions
10-1-5: Conflict
10-1-6: Severability
10-1-7: Responsibility For Violations
10-1-8: Penalty
10-1-9: Temporary Land Use Regulations

10-1-1: TITLE, INTENT AND PURPOSE:

A. This title shall be known as, and shall be entitled the AMENDED ZONING ORDINANCE OF THE CITY OF MONTICELLO, UTAH, dated >insert approval date<, and may be so cited and pleaded.

B. It is the intent and purpose of the city council of Monticello, Utah, to promote the health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of the city by guiding development within said city in accordance with a comprehensive plan which plan has been designed:

1. To encourage and facilitate orderly growth and development in the area;
2. To promote safety from fires, floods, traffic hazards and other dangers;
3. To promote sanitation and health of the inhabitants;
4. To discourage undue scattering of population and unnecessary expenditures of the monies for excessive streets, water and sewer lines, and other public requirements;
5. To stabilize and improve property values;
6. To protect the residents from objectionable noise, odor, dust, fumes, and other deleterious substances or conditions;
7. To promote a more attractive and wholesome environment. It is also the intent and purpose of the city council of Monticello that the regulations and restrictions as set forth in this title shall be so interpreted and construed as to further the purposes of this title. (Ord. 2012-01, 7-10-2012)

10-1-2: DECLARATION:

In establishing the zones, the boundaries thereof and regulations and restrictions applying within each of the zones, due and careful consideration was given, among other things, to the suitability of the land for particular uses and to the character of the zone with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city. (Ord. 2012-01, 7-10-2012)

10-1-3: INTERPRETATION:

A. In interpreting and applying this title, the provisions thereof shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare.

B. Except as specifically herein provided, it is not intended by the adoption of the ordinance codified herein to repeal, abrogate, annul or in any way to impair or interfere with any existing provisions of law or ordinance, or any rules, regulations or permits previously adopted or issued, or which shall be adopted or issued, pursuant to law relating to the erection, construction, establishment, moving, alteration or enlargement of any building or improvement; nor is it intended by this title to interfere with, abrogate or annul any easement, covenant or other agreement between parties; provided, however, that in cases in which this title imposes a greater restriction than is imposed or required by other existing provisions of law or ordinance, the provisions of this title shall control. (Ord. 2012-01, 7-10-2012)

10-1-4: DEFINITIONS:

It is the intent of the city council to define certain words and phrases as a means of facilitating understanding of terms which may not be universally understood in the sense that the city council intends that they should be understood.

ACCESSORY BUILDING: See BUILDING, Accessory

ACCESSORY DWELLING UNIT: A habitable living unit added to, created within, or detached from a primary single-family dwelling and contained on one lot.

ADVERSELY AFFECTED PARTY: A person other than a land use applicant who:

A. Owns real property adjoining the property that is the subject of a land use application of land use decision; or
B. Will suffer a damage different in kind than, or an injury distinct from, that of the general community as a result of the land use decision.

AFFECTED ENTITY: A county, municipality, local district, special district under, Title 17D, Chapter 1, Special Service District Act, school district; interlocal cooperation entity established under Title 11, Chapter 13, Interlocal Cooperation Act; specified public utility; a

property owner; ~~a~~ property owners' association; or the Utah Department of Transportation, if:

A. The entity's services or facilities are likely to require expansion or significant modification because of an intended use of land;
B. The entity has filed with the municipality a copy of the entity's general or long-range plan; or
C. The entity has filed with the municipality a request for notice during the same calendar year and before the municipality provides notice to an affected entity in compliance with a requirement imposed under this chapter.

AFFECTED OWNER; The owner of real property that is:

A. A single project;
B. The subject of a land use approval that sponsors of a referendum timely challenged in accordance with Subsection 20A-7-60(5)(a); and
C. Determined to be legally referable under Section 20-7-602.8.

AGRICULTURE: The growing of soil crops in the customary manner in the open. It shall not include livestock raising activities; nor shall it include retailing of crops on the premises.

APARTMENT HOUSE (MULTIPLE DWELLING): Any building or portion thereof which is designed, built, rented or leased, let, or hired out to be occupied or which is occupied as the home or residence of three (3) or more families living independently of each other and doing their own cooking within the premises.

APPEAL AUTHORITY: "Appeal authority" means the person, board, commission, agency, or other body designated by ordinance to decide an appeal of a decision of a land use application or a variance.

APPROVED WATER SYSTEM, PUBLIC WATER SYSTEM: The Monticello city water system.

BUILDABLE AREA: That portion of a lot or parcel which will fit the construction of a structure under the provisions of the building codes adopted by the city and this title, either without grading and excavation or with grading and excavation, as specified in this title.

BUILDING: Any structure built for the support, shelter or enclosure of a person, animals, chattels or property of any kind.

A. Building, Accessory: A subordinate building, the use of which is incidental to that of the main building.
B. Building Line: A line designating the minimum distance which buildings must set back from a street or lot or parcel line.
C. Building, Main: The principal building upon a lot or parcel.

CARPORT: A structure for the shelter of automobiles that is not completely enclosed by walls.

CHARTER SCHOOL:

A. An operating charter school;
B. A charter school applicant that a charter school authorizer approves in accordance with Title 53G, Chapter 5, Part 3, Charter School Authorization; or
C. An entity that is working on behalf of a charter school or approved charter applicant to develop or construct a charter school building.

A Charter School does not include a therapeutic school.

CHILDCARE: Tending of children by family members or friends for which no compensation is received. Childcare services exempt from state regulation as specified in applicable Utah Code.

CITY ENGINEER: Until such time as the city hires a permanent registered engineer, the city engineer shall be a licensed surveyor, a registered engineer, or an engineering firm as designated by the city council on either a retainer or per job basis.

CIVIL ENGINEER: A professional engineer registered in the state of Utah to practice in the field of civil engineering work.

CLINIC: A building used for the diagnosis and treatment of ill, infirm, and injured persons which does not provide board, room or regular hospital care and services.

CLUB: A building used, occupied and operated by an organized association of persons for social, fraternal, religious or patriotic purposes, whose activities are confined to the members and their guests, but not including any building used principally to render a service usually and ordinarily carried on as a business.

COMMON AREA: An area designed to serve two (2) or more dwelling units which have convenient access to the area.

COMPREHENSIVE PLAN: A coordinated plan which has been prepared and adopted for the purpose of guiding development, including, but not limited to, a plan or plans of land use, circulation, housing and public facilities and grounds.

CONDITIONAL USE: A land use that, because of ~~its~~ the unique characteristics or potential impact of the land use on city, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

CONSTITUTIONAL TAKING: A governmental action that results in a taking of private property so that compensation to the owner of the property is required by the:

A. Fifth or Fourteenth Amendment of the Constitution of the United States; or
B. Utah Constitution Article I, Section 22.

CONVALESCENT HOME: See definition of Rest Home, Nursing Home, Convalescent Home.

CULINARY WATER AUTHORITY: The department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.

CURB CUT: A cut in the curb line for the passage of vehicles.

CUT: A process of excavation. See definition of Excavation.

DAYCARE, NURSERY, PRESCHOOL: A home or building in which children are tended or kept for compensation, and any similar use for which the State requires a license. Does not include overnight accommodations for children, as in a foster home or an orphanage.

DENSITY: Density of population, measured by the number of dwelling units per acre of land.

DESIGNATED FLOOD HAZARD AREA: Zone A on the flood hazard boundary map issued by the federal insurance administration for this community, dated December 24, 1976, with panel number H-01-02, community number 490212, and any officially published revision to this map.

DETACHED STRUCTURE: Any structure being secondary to the primary use of the parcel (i.e., a garage, storage sheds, barns, coops, etc.).

DEVELOPMENT ACTIVITY:

A. Any construction or expansion of a building, structure, or use that creates additional demand and need for public facilities;
B. Any change in use of a building or structure that creates additional demand and need for public facilities; or
C. Any change in the use of the land that creates additional demand and need for public facilities.

DEVELOPMENT AGREEMENT: A written agreement or amendment to a written agreement between a municipality and one or more parties that regulates or controls the use of

development of a specific area of land. A development agreement does not include an improvement completion assurance.

DISABILITY: A physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment. Disability does not include current illegal use of, or addiction to, any federally controlled substance, as defined in Section 102 or the Controlled Substances Act, 21 U.S.C. 802.

DRIVE-IN RETAIL: Any form of merchandising, serving, or dispensing of goods in which the customer is served while in his automobile.

DWELLING: A building designed or used for residential occupancy, including single-family, two-family, multi-family, manufactured homes, modular homes, and apartment structure. A dwelling shall not include boarding, rooming, or lodging houses, tents, trailers, recreational vehicles (RVs), mobile home parks, motels and hotels, motor courts, motor lodges, cottage camps, or any short-term rentals or uses primarily for transient residential uses.

A. Dwelling, Caretaker's: A dwelling which is occupied by a person whose function is to watch or take care of a business or industry which is located on the same premises as the dwelling.
B. Dwelling, Primary: A single-family dwelling that is
    1. Detached, and
    2. Occupied as the primary residence of the owner of an internal accessory dwelling unit.

A. Dwelling, Multiple-Family: A building containing three (3) or more separate dwelling units, each of which is designed for or occupied by one family.
B. Dwelling, Single-Family: A building containing one dwelling unit which is designed for or occupied by one family.
C. Dwelling, Two-Family: A building containing two (2) separate dwelling units, each of which is designed for or occupied by one family.
D. Dwelling, Rental: A building or portion of a building that is
    1. Used or designated for use as a residence by one or more persons; and
    2. Available to be rented, loaned, leased, or hired out for a period of one month of longer; or
    3. Arranged, designed, or built to be rented, loaned, leased, or hired out for a period of one month or longer.
E. Boarding House, Lodging House, Bed and Breakfast: A building containing not more than one kitchen where for compensation meals are provided pursuant to previous arrangements on a daily, weekly, or monthly basis as distinguished from a motel, cafe, or rooming house. These are considered short-term rental units if rented for less than 30 days.
F. Live-Work Unit: A dwelling unit that is part of a commercial building and

1. Is located behind or above the commercial floor space of the building;
2. Has its own utility connections separate from the commercial use;
3. Has its own entry separate from the commercial space; and
4. Conforms to applicable building codes for use as a dwelling.

EASEMENT: A land use right offered for a specific purpose or use over, upon, or beneath the land; its location and extent being accurately described in the letting process or by separate document using metes and bounds; distinct from land ownership and granted to the public, a particular party or public utility.

EDUCATIONAL FACILITY: A school district's 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; A structure or facility that is:

A. Located on the same property as a building described as an educational facility; and
B. Used in support of the use of that building;
C. A building or provide office and related space to a school district's administrative personnel;

An educational facility does not include land or structure including land or a structure for inventory storage, equipment storage, food processing or preparing, vehicle storage or maintenance, or similar use that is

A. Not located on the same property as the building described as an educational facility; and
B. Used in support of the purposes of a building described as an educational facility

An educational facility does not include a therapeutic school

EXCAVATION: Any act by which vegetation matter, earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated, or bulldozed, and shall include the conditions resulting from it.

FACILITY: A public service developed, owned, and maintained by the city (i.e., water, sewer, etc.).

FAMILY: Related individuals living together in a single dwelling unit and maintaining a common household.

A. A family may include four (4), but not more than four (4), persons not related to the family.
B. The term "family" shall not be construed to mean a group of unrelated individuals, a fraternity, club, or institutional group.

FENCE, SIGHT OBSCURING: A fence having a height of six feet (6') or more above grade, which permits vision through less than ten percent (10%) of each square foot that is more than eight inches (8") aboveground.

FILL: A deposit of earth material by artificial means.

FINAL PLAT: A permanent map or chart, accurately describing a division of land which has been surveyed and marked on the ground so that streets, blocks, lots, and other divisions may be identified and located.

FINAL PLAT, RECORD OF SURVEY MAP: A plat or plats of survey of land within a subdivision or other large-scale development which has been prepared in accordance with applicable city standards and/or state statutes for the purpose of recording in the office of the county recorder.

FIRE AUTHORITY: The department, agency, or public entity with responsibility to review and approve the feasibility of fire protection and suppression services for the subject property.

FLOOD PLAIN: Land that

A. Is within the 100-year flood plain designated by the Federal Emergency Management Agency, or
B. Has not been studied or designated by the Federal Emergency Management Agency but presents a likelihood of experiencing chronic flooding or a catastrophic flood event because the land has characteristics that are similar to those of a 100-year flood plain designated by the Federal Emergency Management Agency.

FLOOR AREA: The floor area of a building is the sum of the areas of headroom height on all floors of the building, including basements, mezzanines, and penthouses, measured from the exterior walls or from the centerline of walls separating buildings. The floor area does not include unoccupied structures such as pipe trenches, exterior terraces, or steps, chimneys, roof overhangs, etc.

FOSTER HOME: A family dwelling that includes the care of non-related persons and is operated under state certification, license, or permit.

FRACTIONAL NUMBERS OF MEASUREMENTS: In determining the requirements of this title, whenever a fraction of a number or a unit is one-half (1/2) or more, and whenever a fraction of a number or a unit resulting from a computation is one-half (1/2) or more, said fraction shall be considered as a whole number or a unit. Where the fraction is less than one-half (1/2), said fraction shall not be included in determining requirements.

GARAGE, PRIVATE: A building or part thereof designed for the parking or temporary storage of automobiles of the occupants of the premises.

GENERAL PLAN: A document that a municipality adopts that sets forth general guidelines for proposed future development of land within the municipality.

GEOLOGIC HAZARD: Includes

A. A surface fault rupture;
B. Shallow groundwater;
C. Liquefaction;
D. A landslide;
E. A debris flow;
F. Unstable soil;
G. A rock fall; or
H. Any other geologic condition that presents a risk:
    1. To life;
    2. Of substantial loss of real property; or
    3. Of substantial damage to real property.

GRADE: The top of the foundation or stem wall must be a minimum of one foot (1') higher than the top of the curb. Grade shall be determined by:

A. For buildings fronting one street only, the elevation of the top of the curb, at right angles to the midpoint of the foundation.
B. For buildings fronting more than one street, the average of the elevations of the top of the curb, at right angles to the midpoint of the foundation.

GRADING: Any excavating or filling, or combination thereof, and shall include the conditions resulting from any excavation or fill.

HARD SURFACE: Hard surface is limited to concrete or asphalt only. Hard surface specifications are as approved by the city.

HEIGHT OF BUILDING: The vertical distance from the average grade to top of the building walls.

HILLSIDE AREA: Any lot or parcel with an average slope greater than eight percent (8%).

HOME OCCUPATION: Any occupation conducted within a dwelling and carried on by persons residing in the dwelling.

HOOKUP FEE: A fee for the installation and inspection of any pipe, line, meter, or appurtenance that connects to a municipal water, sewer, storm water, power, or other utility system.

IDENTICAL PLANS: Building plans submitted to a municipality that:

A. Are clearly marked as "identical plans";
B. Are substantially identical to building plans that were previously submitted to and reviewed and proved by the municipality; and
C. Describe a building that (1) Is located on land zoned the same as the land on which the building described in the previously approved plan is located; (2) Is subject to the same geological and meteorological conditions and the same law as the building described in the previously approved plans; (3) Has a floor plan identical to the building plan previously submitted to and reviewed and approved by the municipality; and (4) Does not require any additional engineering or analysis.

IMPACT FEE: A payment of money imposed under state Title 11, Chapter 36a, Impact Fees Act.

IMPROVEMENT COMPLETION ASSURANCE: A surety bond, letter of credit, financial institution bond, cash, assignment of rights, lien, or other equivalent security required by a municipality to guaranty the proper completion of landscaping or an infrastructure improvement required as a condition precedent to:

A. Recording a subdivision plat; or
B. Development of a commercial, industrial, mixed use, or multi-family project.

IMPROVEMENT WARRANTY: An applicant's unconditional warranty that the applicant's installed and accepted landscaping or infrastructure improvement:

A. Complies with the municipality's written standards for design, materials, and workmanship; and
B. Will not fail in any material respect, as a result of poor workmanship or materials, within the improvement warranty period.

IMPROVEMENT WARRANTY PERIOD: A period

A. No later than one year after a municipality's acceptance of required landscaping; or
B. No later than one year after a municipality's acceptance of required infrastructure, unless the municipality:
    1. Determines for good cause that a one-year period would be inadequate to protect the public health, safety, and welfare; and
    2. Has substantial evidence, on record:
        a. Of prior poor performance by the applicant; or
        b. That the area upon which the infrastructure will be constructed contains suspect soil and the municipality has not otherwise required the applicant to mitigate the suspect soil.

INFRASTRUCTURE IMPROVEMENT: Permanent infrastructure that is essential for the public health and safety or that:

A. Is required for human occupation; and
B. An applicant must install
    1. In accordance with published installation and inspection specifications for public improvements; and
    2. Whether the improvement is public or private, as a condition of:
        a. Recording a subdivision plat;
        b. Obtaining a building permit; or
        c. Development of a commercial, industrial, mixed us, condominium, or multi-family project.

INTERNAL ACCESSORY DWELLING UNIT: An accessory dwelling unit created

A. Within a primary dwelling;
B. Within the footprint of the primary dwelling at the time the internal accessory dwelling unit is created; and
C. For the purpose of offering a long-term rental of 30 consecutive days or longer.

INTERNAL LOT RESTRICTION: A platted note, platted demarcation, or platted designation that:

A. Runs with the land; and
B. Creates a restriction that is enclosed within the perimeter of a lot described on the plat; or
C. Designates a development condition that is enclosed within the perimeter of a lot described on the plat.

INTERVENING PROPERTY: Property located between an existing service facility and the property under development.

JUNK: Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris and tires, construction waste, waste, iron, steel, and other old or scrap ferrous or nonferrous materials in sufficient quantity to pose a public health or safety hazard, or to be aesthetically unattractive, and shall also include inoperable, unlicensed, junked, dismantled, or wrecked automobiles, or parts thereof.

JUNKYARD: A place where scrap, waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled or stored, including auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building

or where salvaged materials are kept incidental to manufacturing operations conducted on the premises.

KENNEL: Land or buildings used in the keeping of four (4) or more dogs over four (4) months old.

LAND USE APPLICANT: A property owner, or the property owner's designee, who submits a land use application regarding the property owner's land.

LAND USE APPLICATION: An application that is:

A. Required by the municipality; and
B. Submitted by a land use applicant to obtain a land use decision; and
C. Does not mean an application to enact, amend, or repeal a land use regulation.

LAND USE AUTHORITY: A person, board, commission, agency, or ~~other~~ body, including the city council, designated by the city council to act upon a land use application; or if the city council has not designated a person, board, commission, agency, or body, then the city council itself.

LAND USE DECISION: An administrative decision of a land use authority or appeal authority regarding:

A. A land use permit;
B. A land use application; or
C. The enforcement of a land use regulation, land use permit, or development agreement.

LAND USE PERMIT: A permit issued by a land use authority.

LAND USE PLAN: A plan adopted and maintained by the City Council which shows how the land should be used; an element of the master plan.

LANDSCAPE PLAN, PLANTING PLAN: A plan showing the location and dimensions of plants, irrigation equipment, curbs and other protective features around the edge of the planting beds and the location and species of plants to be planted.

LAND USE REGULATION: A legislative decision enacted by ordinance, law, code, map, resolution, specification, fee or rule that governs the use or development of land including the adoption or amendment of a zoning map or the text of the zoning code. A Land Use Regulation does not include:

A. A land use decision of the legislative body acting as the land use authority, even if the decision is expressed in a resolution or ordinance; or

B. A temporary revision to an engineering specification that does not materially (1) Increase a land use applicant's cost of development compared to the existing specification; or (2) Impact a land use applicant's use of land.

LANDSCAPING: The use and integration of a combination of planted trees, shrubs, vines, ground covers, lawns, rocks, fountains, pools, artworks, screens, walls, fences, benches or surfaced walkways set into an aesthetically pleasing arrangement as determined by the planning commission or their authorized representative.

LEGISLATIVE BODY: The city council.

LIVESTOCK CORRAL: A place or pen where livestock are kept on a seasonal basis as part of an agricultural enterprise or operation as distinguished from a livestock feed yard.

LIVING OPEN SPACE: That portion of the yard on a zoning lot which is not used by automotive vehicles, but reserved for outdoor living space, recreational space, and landscaping.

LODGING HOUSE: See definition of Boarding House, Lodging House.

LOT: A tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the office of the county recorder.

A. Lot, Corner: A lot situated at a junction of two (2) city streets or situated on a curved street or way, the radius of which is thirty-five feet (35') or less, and where the angle formed by the intersection of the tangent is one hundred five degrees (105°) or less.
B. Lot, Interior: A lot other than a corner lot.
C. Lot, Area: The total area measured on a horizontal plane included within the lot lines of the lot.
D. Lot, Width: The distance across a lot of property, measured along a line parallel to the front lot line, or parallel to a straight line, connecting the ends of an arc which makes up the front lot line.

LOT LINE ADJUSTMENT: A relocation of a lot line boundary between adjoining lots or between a lot and adjoining parcels in accordance with state Section 10-9a-608:

A. Whether or not the lots are located in the same subdivision; and
B. With the consent of the owners of record.

Lot Line Adjustment does not mean a new boundary line that

A. Creates an additional lot; or
B. Constitutes a subdivision.

Lot Line Adjustment does not include a boundary line adjustment made by the Department of Transportation.

MANUFACTURED HOME: A transportable factory-built housing unit constructed on or after June 15, 1976, according to the National Manufactured Housing Construction and Safety Standards Art (HUD Code), in one or more sections, that:

A. In the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more square feet; and
B. Is built on a permanent chassis and designed to be used as a dwelling with a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

MAJOR TRANSIT INVESTMENT CORRIDOR: Public transit service that uses or occupies:

A. Public transit right-of-way;
B. Dedicated road right-of-way for the use of public transit, such as a bus rapid transit; or
C. Fixed-route bus corridors subject to an interlocal agreement or contract between a municipality or county and (1) A public transit district as defined in Section 17B-2a-802; or (2) An eligible political subdivision as defined in Section 59-12-2219.

METES AND BOUNDS: The description of a lot or parcel of land by courses and distances.

MOBILE HOME: A transportable factory-built housing unit built before June 15, 1976, in accordance with a state mobile home code which existed prior to the National Manufactured Housing Construction and Safety Standards Art (HUD Code).

MOBILE HOME PARK: An area or tract of land used to accommodate mobile homes, regulations and standards for which are found under chapter 13 of this title.

MODERATE INCOME HOUSING: Housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.

MODULAR UNIT: A structure:

A. Built from sections that are manufactured in accordance with the State Construction Code and transported to a building site; and
B. The purpose of which is for human habitation, occupancy, or use.

MUNICIPAL UTILITY EASEMENT: An easement that:

A. Is created or depicted on a plat recorded in a county recorder's office and is described as a municipal utility easement granted for public use;
B. Is not a protected utility easement or a public utility easement as defined in state Section 54-3-27;

C. The municipality or the municipality's affiliated governmental entity uses and occupies to provide a utility service, including sanitary sewer, culinary water, electrical, storm water, or communications or data line;
D. Is used or occupied with the consent of the municipality in accordance with an authorized franchise or other agreement;
E. Is Used or occupied by a specified public utility in accordance with an authorized franchise or other agreement and is located in a utility easement granted for public use; or
F. Is described in state Section 10-9a-529 and is used by a specified public utility.

NATURAL STATE: The description of a lot or parcel of land by courses and distances.

NOMINAL FEE: A fee that reasonably reimburses a municipality only for time spent and expenses incurred in

A. Verifying that building plans are identical plans; and
B. Reviewing and approving those minor aspects of identical plans that differ from the previously reviewed and approved building plans.

NONCOMPLYING STRUCTURE: A structure that:

A. Legally existed before the structure's 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.

NONCONFORMING BUILDING: A building, structure, or portion thereof, which does not conform to the regulations of this title applicable to the zone or district in which such building is situated, but which existed on the effective date hereof.

NONCONFORMING USE: A use of land that:

A. Legally existed before its current land use designation;
B. Has been maintained continuously since the time the land use ordinance 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.

OFF SITE IMPROVEMENTS: Improvements, as required by this title, installed outside the perimeter of the subdivision which are designed and located to serve the needs of the subdivision or adjacent properties, lying between the subdivision and existing improvements.

OFFICIAL MAP: A map drawn by municipal authorities and recorded in a county recorder's office that

A. Shows actual and proposed rights-of-way, centerline alignments, and setbacks for highways and other transportation facilities;
B. Provides a basis for restricting development in designated rights-of-way or between designated setbacks to allow the government authorities time to purchase or otherwise reserve the land; and
C. Has been adopted as an element of the municipality's general plan.

ON-SITE IMPROVEMENTS: Improvements, as required by this title, installed within or on the perimeter of the subdivision or development site.

OVERSIZED IMPROVEMENTS: Improvements with added capacity designed to serve other property in addition to the land within the boundaries of the subdivision or development.

PARCEL: Any real property that is not a lot.

A. Parcel, Corner: A parcel situated at a junction of two (2) city streets or situated on a curved street or way, the radius of which is thirty-five feet (35') or less, and where the angle formed by the intersection of the tangent is one hundred five degrees (105°) or less.
B. Parcel, Interior: A parcel other than a corner parcel.
C. Parcel, Area: The total area measured on a horizontal plane included within the parcel lines of the parcel.
D. Parcel, Width: The distance across a parcel of property, measured along a line parallel to the front parcel line, or parallel to a straight line, connecting the ends of an arc which makes up the front lot line.

PARCEL BOUNDARY ADJUSTMENT: A recorded agreement between owners of adjoining parcels adjusting the mutual boundary, either by deed or by a boundary line agreement in accordance with Section 10-9a-524, if no additional parcel is created and:

A. None of the property identified in the agreement is a lot; or
B. The adjustment is to the boundaries of a single person's parcels.

Parcel Boundary Adjustment does not mean an adjustment of a parcel boundary line that:

A. Creates an additional parcel; or
B. Constitutes a subdivision.

A Parcel Boundary Adjustment does not include a boundary line adjustment made by the Department of Transportation.

PARKING SPACE: Spaces within a building or parking area, exclusive of driveways, ramps, columns, office and working area, for the parking of a motor vehicle, not less than eighteen feet (18') in length and nine feet (9') in width. Exception: Spaces reserved for the disabled will be no less than twenty feet (20') in length and thirteen feet (13') in width.

PERSON: An individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity.

PLAN FOR MODERATE INCOME HOUSING: A written document adopted by a municipality's legislative body that includes:

A. An estimate of the existing supply of moderate-income housing located within the municipality;
B. An estimate of the need for moderate income housing in the municipality for the next five years;
C. A survey of total residential land use;
D. An evaluation of how existing land uses and zones affect opportunities for moderate income housing; and
E. A description of the municipality's program to encourage an adequate supply of moderate-income housing.

PLAT: An instrument subdividing property into lots as depicted on a map or other graphical representation of land that a licensed professional land surveyor makes and prepares in accordance with Section 10-9a-603 or 57-8-13.

POTENTIAL GEOLOGIC HAZARD AREA: An area that

A. Is designated by a Utah Geological Survey map, county geologist map, or other relevant map or report as needing further study to determine the area's potential for geologic hazard; or
B. Has not been studied by the Utah Geological Survey or a county geologist but presents the potential of geologic hazard because the area has characteristics similar to those of a designated geologic hazard area.

PRELIMINARY PLAT: A map or plan of a proposed land division, prepared in accordance with the regulations of this title.

PRIVATE DRIVE: An accessway from a city street or highway to private land that does not front a city street or highway. A private drive is owned and maintained by the landowner.

PUBLIC AGENCY: The federal government, state, county, municipality, school district, local district, special service district, or other political subdivision of the state; or a charter school.

PUBLIC HEARING: A hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

PUBLIC MEETING: A meeting that is required to be open to the public under. Title 52, Chapter 4, Open and Public Meetings Act.

PUBLIC STREET: A public right-of-way, including a public highway, public avenue, public boulevard, public parkway, public road, public land, public alley, public viaduct, public subway, public tunnel, public bridge, public byway, other public transportation easement, or other public way.

RECEIVING ZONE: An area of a municipality that the municipality designates, by ordinance, as an area in which an owner of land may receive a transferable development right.

RECORD OF SURVEY MAP: A map of a survey of land prepared in accordance with Section 10-9a-603, 17-23-17, 17-27a-603, or 57-8-13.

RECREATIONAL VEHICLE:

A. A vehicular unit other than a mobile home primarily designed as a temporary dwelling for travel, recreational, or vacation use that is either self-propelled or pulled by another vehicle; Recreation vehicle includes a travel trailer, camping trailer, mother home, fifth-wheel trailer, park model home RV, and a van designed for overnight use.
B. Off highway vehicle (OHV), including, but not limited to, all-terrain vehicle (ATV), side by side utility task vehicle (UTV), recreational off highway vehicle (ROV), golf cart, and the trailer used to transport such vehicle;
C. Boat, other than canoe or kayak, and the trailer used to transport it.

RECREATIONAL VEHICLE PARK: A minimum three (3) acre area or tract of land used to accommodate two (2) or more recreational vehicles.

REMOVAL: The killing of vegetation by spraying, complete extraction or cutting of such vegetation to the ground, or down to trunks or stumps.

RESIDENTIAL FACILITY FOR PERSONS WITH A DISABILITY: A residence

A. In which more than one person with a disability resides; and
B. Which is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities; or
C. Which is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act.

RESIDENTIAL UNIT: A residential structure or any portion of a residential structure that is occupied as a residence.

REST HOME, NURSING HOME, CONVALESCENT HOME, ASSISTED LIVING HOME: A building for the care and keeping of elderly or infirm people.

RESUBDIVISION: The changing or amending of any existing lot or lots of any subdivision plat previously recorded in the records of the county recorder as provided in section 11-2-6 of this code.

RETENTION BASIN: An area recessed or designed to receive and retain stormwater discharge or runoff.

RIPRAP: A loose assemblage of broken stone placed on the surface of the ground to prevent erosion.

ROUGH GRADE: The state of excavation at which grading is within four inches (4") of the final grade as shown on the approved grading plan.

RULES OF ORDER AND PROCEDURE: A set of rules that govern and prescribe in a public meeting:

A. Parliamentary order and procedure;
B. Ethical behavior; and
C. Civil discourse.

SALVAGE YARD: See definition of Junkyard.

SANITARY SEWER AUTHORITY: The department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or on site wastewater systems.

SENDING ZONE: An area of a municipality that the municipality designates, by ordinance, as an area from which an owner of land may transfer a transferable development right.

SETBACK: The shortest distance between the property line and the foundation wall, or main frame of the building.

SHORT-TERM RENTAL UNIT: The renting of any structure or building for the purpose of overnight occupancy for a period less than 30 days by the renter.

SIGN: Any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including a flagpole.

A. Sign, Accessory: An on-premises sign which directs attention to a business or profession.
B. Sign, Area Of: The area of a sign shall be considered to include all lettering, wording and accompanying designs or symbols, together with any background material, whether painted or applied. Where a sign consists of individual letters attached to

or painted on a building or wall or window, the area of the sign shall be considered to be that of the smallest rectangle which encompasses all the letters or symbols.

C. Sign, Nonaccessory; Billboard: A freestanding ground sign located on industrial, commercial, or residential property if the sign is designed or intended to direct attention to a business, product, or service that is not sold, offered, or existing on the property where the sign is located.

SINGLE-FAMILY LIMIT: No more than four (4) unrelated individuals may occupy each residential unit that is recognized by the City in a zone permitting occupancy by a single family.

SITE: Any lot or parcel of land.

SKETCH PLAN: A preliminary map or preapplication plat, showing the concept of the proposed development or subdivision, having sufficient detail to illustrate on site characteristics of the proposed subdivision and adjacent parcels.

SPECIAL DISTRICT: Any entity established under the authority of Utah Code Annotated title 17B, special districts, and any other governmental or quasi-governmental entity that is not a county, municipality, or school district.

SPECIFIED PUBLIC UTILITY: An electrical corporation, gas corporation, or telephone corporation, as those terms are defined in Section 54-2-1 of Utah Code.

STATE: Any department, division, or agency of the state.

STREET: Any street, avenue, boulevard, road, lane, parkway, viaduct or other way, for the movement of vehicular traffic which is an existing state, county, or city roadway, or a street or way shown upon a plat, formerly approved, pursuant to law, or approved by official action; and includes the land between street lanes, whether improved or unimproved and may comprise pavement, shoulders, gutter, sidewalks, parking areas, and other areas within the right of way. For the purpose of this title, streets shall be classified as follows:

A. City Street: Any street within the city's incorporated boundary that is recognized and maintained by the city.
B. Cul-De-Sac: A street open at one end with a designated vehicular turnaround area at the closed end.
C. Dead End: A street open at one end with no turnaround.
D. Major Highway: A major regional highway, including an expressway, freeway or interstate highway designed to carry vehicular traffic:
    1. Into, out of, or throughout the regional area (interregion); and
    2. From one political subdivision of the region to another, or from an interregional highway.

E. Service Road: A street or road paralleling and abutting major streets to provide access to adjacent property so that each adjacent lot or parcel will not have direct access to the major street.
F. Stub: A street or road extending from within a subdivision and which terminates at the subdivision boundary with no provision for a vehicular turnaround. Stub streets are normally required to connect to street systems of adjacent developments.

STREET RIGHT OF WAY: That portion of land dedicated to public use for street and utility purposes.

SUBDIVIDER: Any person or legal entity laying out or making a land division for the purpose of sale, offering for sale or selling for himself or others, any subdivision or any part of it.

SUBDIVISION: Any land that is divided, resubdivided or proposed to be divided into two (2) or more lots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

A. "Subdivision" includes:
    1. The division or development of land, whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument, regardless of whether the division includes all or a portion of a parcel or lot; and
    2. Except as provided in Subsection (65)(c), divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.
B. "Subdivision" does not include:
    1. A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;
    2. A boundary line agreement recorded with the county recorder's office between owners of adjoining parcels adjusting the mutual boundary ~~in~~ accordance with Section 10-9a-524 if no new parcel is created.
    3. A recorded document, executed by the landowner of record: (1) revising the legal descriptions of multiple parcels into one legal description encompassing all such parcels; or (2) joining a lot to a parcel;
    4. A boundary line agreement between owners of adjoining subdivided properties adjusting the mutual lot line boundary in accordance with Sections 10-9a-524 and 10-9a-608 if: (1) no new dwelling lot or housing unit will result from the adjustment; and (2) the adjustment will not violate any applicable land use ordinance; ~~or~~
    5. A bona fide division of land by deed or other instrument if the deed or other instrument states in writing that the division

6. Is in anticipation of future land use approvals on the parcel or parcels;
7. Does not confer any land use approvals, and
8. Has not been approved by the land use authority.
9. A parcel boundary adjustment;
10. A lot line adjustment;
11. A road, street, or highway dedications plat;
12. A deed or easement for a road, street, or highway purpose; or
13. Any other division of land authorized by law.

SUBDIVISION AMENDMENT: An amendment of a recorded subdivision in accordance with Section 10-9a-608 that:

A. Vacates all or a portion of the subdivision;
B. Alters the outside boundary of the subdivision;
C. Changes the number of lots within the subdivision;
D. Alters a public right-of-way, a public easement, or public infrastructure within the subdivision; or
E. Alters a common area or other common amenity within the subdivision

SUBSTANTIAL EVIDENCE: Evidence that (1) is beyond a scintilla and (2) a reasonable mind would accept as adequate to support a conclusion.

SUSPECT SOIL: Soil that has

A. A High susceptibility for volumetric change, typically clay rich, having more than a 3% swell potential;
B. Bedrock units with high shrink or swell susceptibility; or
C. Gypsiferous silt and clay, gypsum, or bedrock units containing abundant gypsum commonly associated with dissolution and collapse features.

THERAPEUTIC SCHOOL: A residential group living facility

A. For four or more individuals who are not related to
    1. The owner of the facility or
    2. The primary service provider of the facility;
B. That serves students who have a history of failing to function:
    1. At home,
    2. In a public school, or
    3. In a nonresidential private school; and
C. That offers room and board, and
    1. An academic education integrated with a specialized structure and supervision; or
    2. Services or treatment related to a disability, emotional development, behavioral development, familial development, or a social development.

TRANSFERABLE DEVELOPMENT RIGHT: A right to develop and use land that originates by an ordinance and authorizes a land owner in a designated sending zone to transfer land use rights from a designated sending zone to a designated receiving zone.

UNINCORPORATED: The area outside of the incorporated area of a city or town.

VARIANCE: A waiver of specific regulations of this title granted by the board of adjustment in accordance with the provisions set forth in this code.

VICINITY PLAN: A map or chart, showing the relationship of streets and land within a proposed subdivision to the streets and lands in the surrounding area.

WATER INTEREST: Any right to the beneficial use of water, including

A. Each of the rights listed in Section 73-1-11; and
B. An ownership interest in the right to the beneficial use of water represented by (1) a contract or (2) a share in a water company, as defined in Section 73-3-3.5.

YARD: An open space on the same lot or parcel as a building, said space being unoccupied or unobstructed from the ground upward, except as otherwise provided in this title.

A. Yard, Front: The minimum horizontal distance between the street line and the front line of the building or any projection thereof, excluding nonenclosed steps. On a corner lot or parcel, the front yard may be applied to either street.
B. Yard, Rear: The area between the rear line of the building (exclusive of steps) and the rear lot or parcel line, and extending for the entire width of the lot or parcel. In case of a corner lot or parcel where the building facade faces on the side street, the rear yard may be established from the side of the house to the side property line.
C. Yard, Required: The open space around buildings which is required by the terms of this title.
D. Yard, Side: A yard between the building and the side line of the lot or parcel, and extending from the front yard to the rear yard. (Ord. 2012-01, 7-10-2012; amd. Ord. 2016-6, 6-28-2016)

ZONING MAP: A map, adopted as part of a land use ordinance, that depicts land use zones, overlays, or districts.

DISCUSSION PAPER FOR PLANNING COMMISSION USE

TITLE 10
ZONING REGULATIONS

Red = Changes necessitated by Utah law
Blue = Reorganization & correction of existing code

CHAPTER 2
SUPPLEMENTARY REQUIREMENTS AND PROCEDURES
APPLICABLE WITHIN ZONES

SECTION:

10-2-1: Lots To Have Frontage On City Street
10-2-2: Uses Prohibited In Zones Unless Expressly Permitted
10-2-3: Property Boundary Adjustment
10-2-4: Boundary Line Agreement
10-2-5: Off Street Parking Requirements
10-2-6: Signs
10-2-7: Parking And Storage Of Recreational Vehicles
10-2-8: Conditional Uses
10-2-9: Concessions In Public Parks And Playgrounds
10-2-10: Temporary Uses
10-2-11: Portable Storage Container Regulations
10-2-12: Chickens
10-2-13: Diagonal Parking
10-2-14: Fences on Property used for Residential Purposes
10-2-15: Fences on Property used for Commercial or Industrial Purposes
10-2-16: Solar Electricity Systems
10-2-17: Rental of Dwelling Units

10-2-1: LOTS AND PARCELS TO HAVE FRONTAGE ON CITY STREET

A. Except as may be authorized through the approval of a large scale development, each lot or parcel shall abut upon a City maintained street.

1. The length of said abutting side as measured at the setback line shall be not less than the minimum frontage requirement of the zone;
2. The Planning Commission may authorize a reduction of the minimum frontage requirement subject to the following conditions:

a. The lot or parcel will abut the City maintained street for a minimum distance of thirty five feet (35');
b. The buildable portion of the lot or parcel shall comply with the minimum area, width and setback requirements of the zone;
c. The lot or parcel configuration created by the granting of the reduction will not result in an undue adverse condition for the proper development of adjacent properties;
d. In the opinion of the Planning Commission, the reduction of the frontage requirement is necessary to more fully promote the effective and proper development of the city.

B. All lots in an approved subdivision plat which have frontages of less than the minimum shall be considered as having qualified under the frontage reduction provisions of subsection 10-2-1A(2).

10-2-2: USES PROHIBITED IN ZONES UNLESS EXPRESSLY PERMITTED

Uses of land which are not expressly permitted within a zone are expressly prohibited therein, except as may be permitted by action of the appeal authority. The appeal authority shall not permit a use within a zone which is not expressly permitted by the terms of this title.

10-2-3: PROPERTY BOUNDARY ADJUSTMENT:

A. To make a parcel boundary adjustment, a property owner shall execute a boundary adjustment through
   1. A quitclaim deed; or
   2. A boundary line agreement under section 10-2-4; and
   3. Record the quitclaim deed or boundary line agreement in the office of the county recorder of the county in which each property is located.

B. To make a lot line adjustment, a property owner shall obtain approval of the boundary adjustment under section 10-2-4; and execute a boundary adjustment through:
   1. A quit claim deed or
   2. A boundary line agreement; and
   3. Record the quitclaim deed or boundary line agreement in the office of the county recorder of the county in which the property is located.

C. A parcel boundary adjustment under subsection 10-2-4 is not subject to review of the city unless:
   1. The parcel includes a dwelling;
   2. The city's approval is required under subsection 10-2-4(G);

3. If the adjustment includes property that is not a lot.

D. The recording of a boundary line agreement or other document used to adjust a mutual boundary line that is not subject to review by the city
   1. Does not constitute a land use approval; and
   2. Does not affect the validity of the boundary line agreement or other document used to adjust a mutual boundary line.

E. The city may withhold approval of a land use application for property that is subject to a recorded boundary line agreement or other document used to adjust a mutual boundary line if the city determines that the lots or parcels, as adjusted by the boundary line agreement or other document used to adjust the mutual boundary line, are not in compliance with the city's land use regulations in effect on the day on which the boundary line agreement or other document used to adjust the mutual boundary line is recorded.

10-2-4: BOUNDARY LINE AGREEMENT:

A. If property executed and acknowledged as required by law, an agreement between owners of adjoining property that designates the boundary line between the adjoining properties acts, upon recording in the office of the recorder in the county in which each property is located, as a quitclaim deed to convey all of each party's right, title, interest, and estate in property outside the agreed boundary line that had been the subject of the boundary line agreement or dispute that lead to the boundary line agreement.

B. Adjoining property owners executing a boundary line agreement described in this section shall ensure that the agreement includes:
   1. A legal description of the agreed upon boundary line and each parcel or lot after the boundary line changed;
   2. The name and signature of each grantor that is party to the agreement;
   3. A sufficient acknowledgement for each grantor's signature;
   4. The address of each grantee for assessment purposes;
   5. A legal description of the parcel or lot each grantor owns before the boundary line is changed; and
   6. The date of the agreement if the date is not included in the acknowledgement in a form substantially similar to a quitclaim deed as described in section ---.

C. If any of the property subject to the boundary line agreement is a lot, prepare an amended plat in accordance with city code 11-1-5 Subdivision Amendments before executing the boundary line agreement;

D. If none of the property subject to the boundary line agreement is a lot, ensure that the boundary line agreement includes a statement citing the file number of a record of

survey map in accordance with section ----------, unless the statement is exempted by the City.

E. A boundary line agreement described in subsection 1 that complies with subsection 2 presumptively:
   1. Has no detrimental effect on any easement on the property that is recorded before the day on which the agreement is executed unless the owner of the property benefitting from the easement specifically modifies the easement within the boundary line agreement or a separate recorded easement modification or relinquishment document; and
   2. Relocates the parties' common boundary line for an exchange of consideration.

F. Not withstanding Title 11, Subdivisions, a boundary line agreement that only affects parcels is not subject to:
   1. Any public notice, public hearing, or preliminary platting requirement;
   2. The review of a land use authority; or
   3. An engineering review or approval of the city, except as provided in subsection G(2)(e).

G. City review and approval of boundary-line adjustment containing a dwelling.
   1. The city shall review a boundary-line agreement containing a dwelling unit within fourteen (14) days of the date on which the property owner submits the boundary-line agreement for review.
   2. The city shall review the boundary-line agreement for compliance with the standards of the zone in which the property is located:
      a. The adjusted boundary line reduces the frontage of the lot or parcel containing the dwelling to less than required for the zone; or
      b. The adjusted boundary line reduces any setback of the lot or parcel containing the dwelling to less than required for the zone; or
      c. The adjusted boundary line reduces the area of the lot or parcel containing the dwelling to less than required; or
      d. The adjusted boundary line affects an existing or future city street; or
      e. The adjusted boundary line affects drainage corridors or requires engineering review, regardless of whether a dwelling is present.
      f. If the boundary-line agreement does not provide the city with sufficient information the city shall send a written notice to the property owner requesting the specific information needed. Said notice will be sent within the review period defined in subsection 3 of this section.
   3. The city shall issue a written decision to the property owner within fourteen (14) days of the date on which the property owner submits the boundary-line agreement for review.

a. If the city fails to send a written notice within the time period described in subsection 3 of this section, the property owner may record the boundary-line agreement as if no review was required.

10-2-5: OFF STREET PARKING REQUIREMENTS:

A. At the time any residence or any public or commercial building is erected, hard surfaced off street parking spaces of cement or asphalt shall be provided for automobiles on private property.

B. B. At the time any residence or building is enlarged or increased in capacity or any use is established or changed, thereby creating the need for additional parking, off street hard surfaced parking spaces of cement or asphalt shall be provided on private property.

C. Provision of off street parking shall be in accordance with the following requirements:
   1. Size:
      a. The dimensions of each off street parking space or stall shall be at least nine feet by eighteen feet (9' x 18'), for diagonal or ninety degree (90°) spaces; or nine by twenty two feet (9 x 22') for parallel spaces, exclusive of access drives or aisles.
      b. A parking stall may be reduced by two feet (2') lengthwise if landscaping separated from the paved area of the parking stall by a curb or tire bumper guard is provided in the remaining two feet (2') of the parking stall. All areas within the parking area not paved shall be landscaped.
   2. Access To Individual Parking Spaces: Except for single-family and two-family dwellings, access to each parking space shall be from a private driveway and not from a city street.
      a. One-way driveways shall be a minimum of twelve feet (12') in width.
      b. Two-way driveways shall be a minimum of twenty-five feet (25') in width.
      c. All garage and carport spaces shall be set back a minimum of twenty feet (20') from the private access drive serving them.
      d. Garage and carport spaces shall be counted as one parking space unless: a) such garage or carport is a minimum of four hundred eighty (480) square feet with a minimum width of twenty feet (20'); or b) the individual driveway to the garage or carport is at least twenty feet (20') in length, in which case such parking areas shall count as two (2) spaces. (Ord. 2012-01, 7-10-2012)
   3. Parking Spaces Required For Residential Areas: The number of off street parking spaces required for residential development shall be as follows:
      a. Single-Family Dwelling: Two (2) parking spaces per single- family dwelling. Tandem parking shall be allowed at single- family residences only.
      b. All Other Dwellings:

1) All other dwellings, including townhouses and condominiums, shall have two (2) parking spaces per dwelling unit. Covered parking may be located within the side and rear setback areas. No street parking shall be counted toward meeting the parking requirement. Tandem parking shall not count toward the parking requirement. No parking area shall be located within the required front setback facing a city street. All parking shall be on site.
2) Front yard setback from streets shall be twenty feet (20') minimum from property lines for garages or carports.
3) In residential zones, no recreational vehicle shall be parked or stored unless it conforms to the requirements of section 10-2-3 of this chapter. (Corner lots are considered to have 2 front yard areas.) (Ord. 2016-6, 6-28-2016)

4. Parking Spaces Required For Nonresidential Areas: The number of off street parking spaces required for all nonresidential developments shall be as follows:
    a. Business Or Professional Offices: One space for each two hundred fifty (250) square feet of gross floor area.
    b. Churches, Sports Arenas, Auditoriums, Theaters, Assembly Halls, Lodge Halls, Or Other Meeting Rooms: One space for each four (4) fixed seats of maximum seating capacity, or one space for each thirty five (35) square feet of seating area within the main auditorium where there are no fixed seats. Eighteen (18) linear inches of bench shall be considered a fixed seat.
    c. Stores, Appliance Stores And Lumberyards: One space for each six hundred (600) square feet of floor area.
    d. Hospitals: Two (2) parking spaces for each bed.
    e. Homes: One parking space for each five (5) beds.
    f. Hotels, Motels, Motor Hotels: One space for each living or sleeping unit, plus two (2) spaces for resident manager or owner.
    g. Retail Stores And Shops, Commercial Banks, Savings And Loan Offices, And Other Financial Institutions, General Retail Stores, Food Stores, Supermarkets, Drugstores And Other Similar Commercial Businesses: One space for each two hundred fifty (250) square feet of gross floor area.
    h. Mortuaries And Funeral Homes: Five (5) spaces plus one space for each thirty five (35) square feet of assembly room floor area.
    i. Automotive Repair And Supply: One space for each four hundred (400) square feet of gross floor area.
    j. Bowling Alleys And Billiard Halls: Five (5) spaces for each alley, plus two (2) spaces for each billiard table contained therein.
    k. Libraries: One space for each three hundred (300) square feet of gross floor area.
    l. Restaurants, Taverns, Lounges, Drive-In, Drive-Through, Take-Out Restaurants And Other Establishments Where Food Or Beverages Are Consumed: Ten (10) spaces minimum, or one space for each one hundred (100) square feet of gross floor area, whichever is greater.

m. Day Nurseries In Commercial Zones, Including Preschools And Nursery Schools: One space for each staff member, plus one space for each five (5) children for which said establishment is licensed.
n. Golf Courses: Six (6) spaces per hole.
o. Skating Rinks, Ice Or Roller: One for each three hundred (300) square feet of gross floor area.
p. Swimming Pools (Public): One space for each one hundred (100) square feet of water surface, or ten (10) stalls, whichever is greater.
q. Tennis, Handball And Racquetball Courts (Commercial): Six (6) spaces minimum, or three (3) spaces per court, whichever is greater.
r. Studios And Spas: One space for each two hundred fifty (250) square feet of gross floor area, or ten (10) spaces minimum, whichever is greater.
s. Educational Uses:
    1) Elementary: Two (2) spaces per classroom.
    2) Senior and junior high schools: One space for each member of the faculty and one space for each six (6) regularly enrolled students.
    3) College, universities, trade schools: One space for each faculty member, plus one space for each three (3) students.
    4) Schools having an arena or auditorium shall meet this requirement or the requirements of subsection C.4.b of this section, whichever is greater.
t. Veterinary Hospitals: Five (5) spaces for each doctor.
u. Manufacturing Plants, Warehouses, Storage Buildings Or Structures Especially For Storage Purposes: One space for each one thousand (1,000) square feet of gross floor area and one space for each two hundred fifty (250) square feet of office or sales area.
v. Service Commercial Businesses: Businesses such as electrical, plumbing, cabinets, printing and other similar shops shall have one space for each two hundred fifty (250) square feet of retail or office area and one space for each five hundred (500) square feet of additional building area.
w. Outdoor Sales Lots For Autos, Mobile Homes And Recreational Vehicles: One space for each seven (7) vehicles or items of equipment to be displayed, plus two (2) spaces for manager and employee parking.
x. Consideration By Planning Commission:
    1) Notwithstanding all provisions of this section the planning commission shall: Take into account in each instance of nonresidential parking the type of development, use, location, adjoining uses and possible future uses in setting parking requirements, and
    2) Recommend to the City Council a requirement of that number of spaces it deems reasonably necessary in each instance for all employees, business vehicles and equipment, customers, clients and patients of such nonresidential property.
y. Reduction: Where the applicant can demonstrate that adequate off street parking exists, the city council, upon recommendation of the planning

commission, may grant a parking reduction of up to twenty five percent (25%) of the listed parking requirement for new construction in the commercial zones.

D. Parking On Unimproved Lots; Vehicle Display:
   1. Parking of more than three (3) vehicles on any unimproved lot or parcel is prohibited.
   2. Parking of vehicles for display other than in designated and improved areas is prohibited.

E. Parking Lot Lights: Parking lots used during hours of darkness shall be lighted by standards a maximum of sixteen feet (16') in height above grade and using indirect, hooded light sources.

F. Development Standards: Every lot or parcel of land hereafter used as a parking lot shall:
   1. Be paved with an approved surfacing material of asphalt or concrete composition or some other all weather surfacing material approved by the Planning Commission;
   2. Have appropriate bumper guards where needed as determined by the Planning Commission; and
   3. Lights used to illuminate the lot shall be so arranged as to reflect the light away from the adjoining premises wherever those premises are used for residence or sleeping purposes.

H. Optional Provisions; Shared Parking Facilities:
   1. Shared parking facilities may be used jointly with parking facilities for other uses when operations are not normally conducted during the same hours, or when peak uses vary.
   2. Requests for shared parking are subject to the approval of the Planning Commission in accordance with the following guidelines:
      a. Sufficient evidence shall be presented to show that there will be no substantial conflict in the periods of peak demand of uses for which the joint use is proposed.
      b. number of parking stalls which may be credited against the requirements for the uses involved will not exceed the number of spaces that may normally be required for any one of the uses sharing the parking.
      c. Parking facilities should not be located further than two hundred fifty feet (250') from any use proposing to use such parking and should be contiguous to the businesses sharing the lot.
      d. A written agreement shall be executed by all parties concerned, assuring the continued availability of shared parking facilities in the event that one of the uses shall be sold or otherwise change ownership or management.

I. Uses Not Specifically Identified Above: For all parking uses not listed above, the Planning Commission shall determine the number of spaces required based upon the nearest comparable use standard available. (Ord. 2012-01, 7-10-2012)

J. Adjust Or Reduce Off Street Parking Requirements: The planning commission may approve substitute parking locations where sufficient off street parking is readily available within the vicinity and/or where acquisition of land for such use is not necessary to carry out the spirit of this title.

10-2-6: SIGNS:

A building permit shall be required for the placement, construction, and/or alterations of all signs, unless a sign qualifies as an exempt sign or an identified temporary sign. Nothing in this section shall be construed to limit a property owner's right to express a religious, political, or other protected right through speech.

A. Signs On Highway:
   1. Height Limitations: There shall be a thirty-five foot (35') height limitation for all signs that front on a highway (including freestanding, wall and roof signs).
   2. Size Limitations:
      a. Three hundred twenty (320) square feet maximum per lot.
      b. One hundred sixty (160) square feet per individual sign face.
      c. Square footage is two (2) square feet for each linear foot of frontage along a public right of way, not to exceed three hundred twenty (320) square feet.

B. Signs On City Streets In Zones C-1, C-2, I-1:
   1. Height Limitations: There shall be a twenty-foot (20') height limitation for all signs that front off a highway (including freestanding, wall and roof signs).
   2. Size Limitations On City Streets: Size limitations for signs that do not front a highway are as follows:
      a. One hundred sixty (160) square feet maximum per lot.
      b. Maximum square footage is one square foot for each linear foot of frontage along a public right of way, not to exceed one hundred sixty (160) square feet.
      c. The total square footage on a lot with two (2) tenants must be divided between the tenants with proportions decided by the tenants and/or landlords, and cannot exceed one hundred (100) square feet per individual sign face.
   3. Projecting And Suspended Signs:
      a. Height limit will be a maximum of thirty-five feet (35') or the height of the wall of the building, whichever is lower.
      b. There shall be an eight foot (8') minimum vertical clearance above sidewalks, walking areas, or rights of way, and thirty-six (36) square feet maximum size per sign face.

c. Owners of projecting signs over public rights of way must furnish proof of liability insurance for such signs before a permit will be issued.

4. Roof Signs:
    a. Shall not exceed five feet (5') above the wall line or top of the exterior wall; unless
    b. If the peak of the roof is over four feet (4') above the wall line, roof signs cannot exceed the height of the peak.
    c. All roof signs must adhere to a thirty-five foot (35') overall height limitation.
5. Lighted Signs:
    a. All lighted signs shall have stationary and constant lighting. Signs which use subtle lighting changes as part of a video screen, or electronic message center, are permitted.
    b. Lighted signs adjacent to A-1, R-1 and R-2 zones shall be subdued and shall not be allowed to penetrate beyond the property in such a manner as to annoy or interfere with the adjacent residential properties. Any complaints concerning lighted signs adjacent to residential properties can be taken before the city council. The city council has the authority to dismiss unreasonable complaints or require the sign(s) to be shielded.

C. Signs in Residential Zones (R-1, R-2):
1. No advertising signs of any kind shall be allowed in any residential zone, except signs pertaining to the sale or lease of residential property, nameplates, institutional signs, or signs indicating the existence of:
    a. An office of a professional person;
    b. A home occupation; or
    c. A guest apartment and/or bed and breakfast establishment.
2. Except for institutional signs as described below, no lighted signs will be permitted.
3. Residential signs, except for apartments and public and religious institutional signs, shall not exceed two (2) square feet in size.
    a. Apartments and guest apartments may be allowed up to sixteen (16) square feet of signage if they have more than four (4) units; quadriplexes, triplexes and duplexes may be allowed up to eight (8) square feet of signage. (See exempt and temporary sign subsections 1 for exceptions to the square foot rule.)
    b. Public, public educational, or religious institutional signs shall be located entirely upon the premises of that institution, shall not exceed an area of fifty (50) square feet per frontage, and will be permitted to have indirect lighting. If mounted on a building, these signs shall be flat wall signs and shall not project above the roofline. If ground mounted, the top shall be no more than six feet (6') above ground level.
    c. Nonprofit, charitable, and private institutional signs in residential zones shall not exceed two (2) square feet.

D. Flags: Flags other than government flags, i.e., country and state, shall be added toward the maximum allowable signage. Flagpoles that display government flags shall not exceed thirty-five feet (35') in height in commercial zones.

E. Computations:
   1. Height: The height of a sign shall be computed as the distance from the highest attached component of the sign to the nearest sidewalk, curb, or street crown, whichever is highest.
   2. Individual One Sided Sign: The area of the sign face that will encompass the extreme limits of the display, not including any supporting framework or other backdrop which is clearly incidental to the display, shall be measured.
   3. Multifaced Signs: The sign area shall be computed by adding together the area of all sign faces visible from any point. When two (2) identical sign faces are placed back to back and are part of the same sign structure, not more than forty two inches (42") apart, the sign area shall be computed by the measurement of one of the faces.

F. Number Of Freestanding Signs Per Lot or Parcel:
   1. Primary Frontage: One freestanding sign per lot; one additional freestanding sign is permitted if property has more than two hundred feet (200') of frontage (exception: shopping center restrictions). Two (2) freestanding signs on one property must be separated by one hundred feet (100'), and the second sign shall not be higher than fifty percent (50%) of the allowed height.
   2. Secondary Frontage: One freestanding sign is allowed for each additional frontage and shall not be higher than fifty percent (50%) of the allowed height. Two (2) freestanding signs on one property must be separated by one hundred feet (100'), and the second sign shall not be higher than fifty percent (50%) of the allowed height.

G. Setbacks:
   1. Signs may not block traffic visibility.
   2. If a sign is located at an intersection, the following rules apply:
      a. Signs located within a forty-five foot (45') triangle (measured 45 feet from the street corner both ways) must be under two and one-half feet (21/2') tall, or should have over eight feet (8') of clearance at the bottom of the sign.
      b. This triangle shall be maintained in an open manner so as to provide proper clear view area.
      c. All advertising signs shall be set back from city streets, a distance at least equal to the distance that buildings are located.

H. Shopping Centers; Office Building Complexes:
   1. Only one freestanding sign is allowed for shopping centers and office building complexes which lease to three (3) or more businesses on one lot of record.

2. The group freestanding sign identifying the shopping center/office building complexes and its businesses may use all sign area allowed for that lot.
3. In addition, individual businesses may have one square foot of signage for each front line of the building, up to a maximum of one hundred twenty-eight (128) square feet.

I. Off Premises Signs:
1. Off premises signs shall be limited to Highways ~~666~~ 491 and 191 and regulated the same as on premises signs.
2. Off premises signs may not exceed a maximum of one hundred twenty-eight (128) square feet.

J. Prohibited Signs:
1. It is prohibited for signs erected after adoption hereof to be in noncompliance with the provisions herein.
2. Parked Vehicle Signs: Parked vehicles with a sign painted or placed on them for the express intent of directing attention to a business are prohibited. This does not include vehicles used regularly in the course of conducting daily business activities.
3. Signs On Public Rights Of Way: No private sign shall be placed on public rights of way.
4. Signs Attached To Public Property: No private sign shall be attached to public property or public utility poles.
5. Flashing Signs: Signs which use flashing, blinking, or strobing lights are prohibited.

K. Temporary Signs:
1. Temporary signs shall be figured in the total square footage allowed per lot or parcel.
2. Sign owners must designate areas where temporary signs will be displayed.
3. Temporary signs displayed outside of designated areas require a permit.
4. Temporary signs must be maintained and in good condition while being displayed.
5. Signs less than six (6) square feet in size and associated with an event do not require a permit.
6. Mobile Changeable Copy Signs: Mobile changeable copy signs shall not exceed thirty two (32) square feet and shall not be displayed for more than thirty (30) consecutive days.
7. Balloon Signs: Balloon signs may be displayed for up to thirty (30) days per lot or parcel., per year.
8. Construction Signs:
    a. No more than one construction sign identifying a project to be built and the project participants shall be allowed per lot or parcel..
    b. Construction signs in residential zones shall not exceed six (6) square feet in area and five feet (5') in height.

c. In commercial zones, the sign area shall not exceed fifty (50) square feet and shall not exceed eight feet (8') in height.
d. Construction signs must not exceed the time period of construction and/or the day the business opens, whichever comes first, and shall be counted into the square footage of the total footage allowed for the lot or parcel..
e. An additional thirty two (32) square feet would be allowed in commercial zones for artist renditions of the project.
f. Proposed development signs may be allowed for ninety (90) days prior to groundbreaking. (Ord. 2012-01, 7-10-2012)

9. Political Campaign Signs:
   a. Political campaign signs shall pertain to a specific election.
   b. They shall not be located closer than one hundred fifty feet (150') to any designated polling place and shall not exceed thirty two (32) square feet in area.
   c. Political campaign signs shall be removed within one day after the election.
   d. The candidate or persons responsible for the placement of the sign shall be responsible for its removal. (Ord. 2014-6, 10-14-2014, eff. 10-14-2014)
10. Real Estate Signs:
   a. In residential zones, real estate signs shall not exceed six (6) square feet in area and five feet (5') in height.
   b. In commercial zones, real estate signs shall not exceed thirty two (32) square feet.
   c. Real estate signs must be placed on the premises of the property being sold.
   d. Only one sign per street frontage, per real estate company, is permitted.

L. Exempt Signs: Sign permits are not required for the following signs unless the limitation and requirements of this section cannot be met:
1. Public Signs: Signs of a noncommercial nature, erected by, or on the order of, a public officer in the performance of his duty.
2. Integral Signs: Names of buildings, dates of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or made of metal or other permanent type construction and made an integral part of the structure.
3. Private Traffic Direction Signs: Signs directing traffic movement into a premises or within a premises, not exceeding two (2) square feet in area for each sign. Horizontal directional signs on paved areas and flush with paved areas are exempt from these standards. Only one exempt directional sign is allowed per frontage, per lot or parcel..
4. Service Sign: A sign that is incidental to a use lawfully occupying the property upon which the sign is located, and which sign is necessary to provide information to the public, such as direction to parking lots, location of restrooms, entrance and exits, etc. These signs shall not exceed two (2) square feet in size.
5. Nameplates: A nameplate shall contain only the name of a resident.

6. Temporary Decorations: Temporary decorations or displays clearly incidental and associated with national or local holiday celebrations for a period not to exceed ninety (90) days per year, per lot or parcel.
7. Nonbusiness Temporary Signs: Temporary signs not associated with a business may be displayed not more than thirty (30) days per year or exceed six (6) square feet in size.
8. Rear Entrance Signs: Rear entrance signs, when associated with pedestrian walk through buildings. These signs shall not exceed sixteen (16) square feet in area and shall be flush mounted, identifying only the name of the establishment and containing directional information.
9. Menu Signs: Menu signs at drive-in restaurants which are not readable from the nearest public right of way; and signs not visible beyond the boundaries of the lot or parcel upon which they are located or from any public right of way.
10. Private Warning Or Instructional Signs: Private warning or instructional signs not exceeding two (2) square feet per sign.
11. Murals: Murals must be painted or attached to the wall of buildings and are exempt from the sign ordinance except for the lettering and logo portion of the mural.
12. Pennants, Window Dressings, Window Banners: Pennants, window dressings, window banners are exempt.

M. Design, Construction, Maintenance And Liability:
   1. All signs shall be designed, constructed, and maintained to comply with applicable provisions of the building codes adopted by the city.
   2. All signs shall be maintained and in good structural condition.
   3. Sign owners are liable for their signs.
   4. The city of Monticello, its officials and other agents, shall in no way be liable for damages caused by signs.

N. Abandoned Signs: Any of the following criteria shall be used to determine abandonment:
   1. A sign which identifies an establishment, service(s), goods or products no longer provided on the premises shall have its copy vacated within thirty (30) days of when the circumstance commenced. If the copy then remains vacant for six (6) months, the sign structure shall be removed by the owner within five (5) working days following expiration of the six (6) month period.
   2. A sign which identifies a time, event, or purpose which passed or no longer applies shall be removed by the sign owner within three (3) working days from the time the event or purpose passed or no longer applies.
   3. An off premises advertising sign which is vacant of copy or which advertises an establishment, service, goods, or product which no longer exists, shall be removed by the sign owner within five (5) working days after remaining in the defined condition for one month.

4. When building mounted and painted wall signs or murals are removed, the face of the structure shall be treated to conform to surrounding building conditions. Such removal shall not leave evidence of the sign's existence.

O. Permit Procedures And Enforcement:
   1. Permit Required: If a sign requiring a permit under the provisions of this title is to be placed, constructed, erected, or altered on a lot or parcel, the sign owner shall secure a building permit from the city prior to the construction, placement, erection, or alteration of such sign.
   2. Applications: One application and permit may include multiple signs on the same lot or parcel. An application for construction, creation, or installation of a new sign, or for the structural alteration of an existing sign, shall be accompanied by detailed drawings to scale of all existing and proposed signs on a lot and must show:
      a. The height of all signs on a lot;
      b. The square footage of all individual signs on a lot;
      c. The total combined square footage of all signs on a lot;
      d. Site plan indicating length of street frontage, location of buildings, parking lots, driveways, landscaped areas, and all existing and proposed signs on the site;
      e. Overall dimensions, design, structure, materials, proposed copy and illumination specifications of all signs;
      f. Photographs of the lot.
   3. Fees: Each application shall be accompanied by the applicable fee, which shall be established by resolution of the city council.
   4. Action: Within five (5) days of the date the application is submitted, it shall be reviewed by the zoning administrator. If the applicant complies to all sign ordinance regulations, a permit will be issued. If the application is found to be incomplete, the applicant shall be notified of the deficiencies.
   5. Inspections: The zoning administrator shall cause an inspection for each permit issued. If the signs do not comply, the applicant shall be notified and allowed thirty (30) days to correct the deficiencies. If the deficiencies are not corrected within thirty (30) days, the permit shall be rescinded.
   6. Renewal Of Sign Permits: If sign owners comply with the provisions of this title and make no structural alterations or changes to their existing signs, the city shall automatically renew sign permits at the end of every year when the business license is renewed, without an additional sign permit fee, if the sign owner has not constructed, placed, erected, or structurally altered existing signage. A new application must be processed and an applicable fee shall be charged for signs constructed, placed, erected, or structurally altered.
   7. Lapse Of Sign Permit: A sign permit shall lapse automatically if it is not renewed, if the business license for the premises lapses or is revoked, or if the sign is abandoned. If a sign permit elapses, a new permit and payment of applicable fees are required.
   8. Registration Of Existing Signs: All signs existing at the time the ordinance codified herein is passed must be registered with the city by the sign owner within a two (2)

year period and a permit obtained. Existing signs that do not comply with the ordinance codified herein will be issued a noncomplying sign permit.

9. Nonconforming Sign: A nonconforming sign may not be moved to a new location, structurally altered, enlarged, or replaced unless it be made to comply with the provisions of this title. If a nonconforming sign changes ownership, the sign must comply with the provisions of this title within six (6) months of close of purchase.
10. Violations: Any of the following shall be in violation of this title and subject to the enforcement remedies and penalties provided by this title, other applicable city ordinances, and state laws:
    a. To install, create, erect, alter, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the ~~zone~~ lot or parcel. on which the sign is located;
    b. To install, create, erect, alter, or maintain any sign requiring a permit without such a permit;
    c. To fail to remove any sign that is installed, created, erected, altered, or maintained in violation of this title, or for which the sign permit has lapsed; or
    d. To continue any such violation. Each day of continued violation shall be considered a separate violation when applying the penalty portions of this title.
11. Notice, Action And Penalty: The zoning administrator shall issue notice to sign owners who display signs without a permit and allow thirty (30) days from the date of notice for the deficiencies to be corrected. If the deficiencies are not corrected within the given time, the sign owner's business license may be revoked, a fine may be imposed, or the sign owner may be convicted of violating a class B misdemeanor.
12. Illegal And Nonmaintained Signs: The zoning administrator shall issue written notice of violation to the sign owner, for any sign found unsafe, illegal, or not maintained.
13. Removal Of Signs: If any unsafe sign is not repaired or made safe within five (5) days after the owner has been given notice, the zoning administrator shall have the sign removed. Within thirty (30) days after the owner has been given written notice of a sign which is found in violation of this title, is illegal, or not maintained, the zoning administrator shall have the sign removed. Costs incurred for removal of a sign will be the responsibility of the owner and shall be paid to the city within thirty (30) days.

P. Right Of Appeal: Any person who has been ordered by the zoning administrator to alter or remove any sign, or any person whose application for a sign permit has been refused, may appeal to the board of adjustment. The board of adjustment shall have power to review and allow or disallow variances to the sign ordinance based on powers and duties defined in section 2-2-4 of this code. (Ord. 2012-01, 7-10-2012)

10-2-7: PARKING AND STORAGE OF RECREATIONAL VEHICLES:

A. Intent: The intent of this section is to define locations for the parking and storage of recreational vehicles such that neighborhood quality and character are maintained.
   1. "Recreational vehicle" as defined in section 10-1-4 of this title.
   2. "Residential areas" as used in this section means property located within a residential zone and property used for residential purposes located in ~~a commercial zone.~~ any zone of the city.
   3. "Parking" as used in this section means the temporary parking of a recreational vehicle for a limited period of time as specified in subsection B or D of this section.
   4. "Storage" as used in this section means the parking of a recreational vehicle when it is not in use off site.
   5. Exemptions:
      a. Pickup or light truck of ten thousand (10,000) pounds' gross weight or less with or without a mounted camper unit that is used primarily by the property owner or tenant for transportation purposes.
      b. Travel trailer, camp trailer, or motor home when temporarily located on a lot or parcel on which a building is being constructed and said vehicle is connected to approved water and sewer facilities for a period of one year or less.

B. Parking Restrictions:
   1. No recreational vehicle may be parked upon a city street for longer than twenty four (24) consecutive hours.
   2. A recreational vehicle may not be parked on a city street in a manner that obstructs visibility from adjacent driveways or street corners.
   3. While parked on a city street no pop outs or other lateral extension of the recreational vehicle shall be deployed.
   4. No recreational vehicle parked on a city street may be used as a dwelling.
   5. A recreational vehicle may be parked in the front setback area of a residential dwelling for no more than fourteen (14) days per vehicle in any one calendar year, provided:
      a. The recreational vehicle is parked on a driveway.
      b. The residential parking requirement at subsection 10-2-5C of this chapter is still satisfied.
      c. No portion of the recreational vehicle may extend into the city street or sidewalk.
      d. No portion of the vehicle may extend beyond the property line of the lot or parcel upon which it is parked.
      e. No effluent, petroleum product, or wastewater is discharged from the recreational vehicle.

C. Storage Requirements:
   1. No recreational vehicle may be stored upon a city street or sidewalk.
   2. A recreational vehicle may be kept in a side or rear yard at the owner's residence, provided:

a. The vehicle is screened from adjacent properties by vegetation, or a fence built in compliance with section 10-2-14 of this chapter.
b. The vehicle is maintained in a clean, well kept condition that does not detract from the appearance of the surrounding area.
c. The vehicle is operational and currently registered and licensed.
d. No effluent, petroleum product, or wastewater is discharged from the vehicle.

D. Recreational Vehicle As A Temporary Dwelling Unit:
1. It is unlawful for any person to use any parked or stored recreational vehicle as a permanent dwelling.
2. A recreational vehicle may be used as a temporary dwelling when the vehicle is used by guests who travel in it, provided:
   a. The recreational vehicle is situated on the host's property in conformance with subsection B4 or C of this section.
   b. The vehicle is equipped for sleeping.
   c. The stay does not exceed fourteen (14) days per vehicle in any one calendar year.
3. A stored recreational vehicle may be used for temporary sleeping space, provided:
   a. The vehicle is stored on the owner's property in conformance with subsection C of this section.
   b. The vehicle is equipped for sleeping.
   c. No effluent or wastewater is discharged from the vehicle.
   d. No portion of the vehicle may extend beyond the property line of the lot or parcel on which it is situated.
   e. Use does not exceed thirty (30) days in any one calendar year. (Ord. 2016-6, 6-28-2016)

10-2-8: CONDITIONAL USES:

The City of Monticello's authority to approve or deny a conditional use is an administrative land use decision. The city will classify any use in a zoning district as either permitted or conditional use under this section.

A. A. The City May Issue A Conditional Use Permit When
1. The use complies with objective standards set forth in this section;
2. The use does not conflict with a provision of city code or other state or federal law;
3. If reasonable conditions are proposed or can be imposed to mitigate reasonably anticipated detrimental effects of the proposed used in accordance with applicable standards;
4. If the city imposes reasonable conditions on a proposed conditional use, the land use authority shall ensure that the conditions are stated on the record and

reasonably relate to mitigating the anticipated detrimental effects of a proposed conditional use; and

5. Reasonable mitigation of anticipated detrimental effects of the proposed conditional use does not require elimination of the detrimental effect.

~~B. If reasonably anticipated detrimental effects of the proposed conditional use cannot be substantially mitigated by the proposed imposition of reasonable conditions to achieve compliance with applicable standards, the city may deny the conditional use.~~

B. Conditional Use Standards Of Review: An applicant for a conditional use in the zone must demonstrate:

1. The proposed use complies with all applicable provisions of this chapter, state and federal law;
2. The structures associated with the use are compatible with surrounding structures in terms of use, scale, mass and circulation;
3. The use is not detrimental to the public health, safety and welfare;
4. The use is consistent with the city general plan as amended;
5. Traffic conditions are not adversely affected by the proposed use, including the existence or need for dedicated turn lanes, pedestrian access, and capacity of the existing streets;
6. There is sufficient utility capacity;
7. There is sufficient emergency vehicle access;
8. The location and design of off street parking complies with off street parking standards;
9. A plan for fencing, screening, and landscaping to separate the use from adjoining uses and mitigate the potential for conflict in uses;
10. Exterior lighting that complies with the lighting standards of the zone;
11. Within and adjoining the site, impacts on the aquifer, slope retention, and flood potential have been reasonably mitigated and are appropriate to the topography of the site.

C. Specific Review Criteria For Home Occupation Conditional Use:

In addition to the requirements at 10-2-8(C), the planning commission must evaluate the applicant's compliance with each of the following criteria when considering whether to approve, deny or conditionally approve an application for a home occupation.

1. The home occupation is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the building from that of a dwelling;
2. The physical appearance, traffic, and other activities in connection with the home occupation is not contrary to the objectives and characteristics of the zone in which the home occupation is located, and does not depreciate surrounding residential

values by creating a nuisance in a residential neighborhood including, but not limited to, generating increased traffic, excessive noise, offensive odors, etc;

3. The home occupation is conducted within the main residential dwelling and is carried on by residing members of the dwelling, except that individuals not residing in the dwelling may work at the home occupation, provided:
   a. No more than one non-residing employee shall be allowed to work in the home occupation at any given time; and
   b. The non-residing employee shall be given access to an on premises, hard surfaced parking space (see section 10-2-5, "Off Street Parking Requirements", of this chapter).
4. Less than twenty five percent (25%) of the ground floor area of the dwelling is devoted to the home occupation.
5. The home occupation may use an accessory building for business storage, provided the accessory building meets all city building and zoning codes including, but not limited to, setbacks designated for R-1 and R-2 residential zones (see sections 10-6-5 and 10-7-5 of this title).
6. The use of yard space for storage of business-related materials shall not be permitted.
7. Signs designating the home occupation shall conform to section 10-2-6(C) of this title.
8. Entrance to the home occupation shall be left to the discretion of the homeowner, and may be defined by a second small directional sign, limited to twelve inches by twelve inches (12" x 12") in size, at the predesignated entryway, except:
   a. The structure and entrance shall be compatible with the objectives and characteristics of the zone in which the home occupation is located, and
   b. When applicable, the entrance to the home occupation shall conform to regulations imposed by Utah state statute.
9. No commercial vehicles are used except one delivery truck which does not exceed three-fourths (3/4) ton rated capacity.
10. The home occupation shall be registered with the license division or department of the city

D. Small Lots or Parcels: Where a tract of land at the time of the adoption hereof is at least one and eight-tenths (1.8) times as wide and one and eight-tenths (1.8) times as large in area as required for a lot or parcel in the zone, the board of adjustment may permit the division of tract into two (2) lots, provided:
   1. Such division will not cause undue concentration of buildings;
   2. The characteristics of the zone in which the lot is located will be maintained;
   3. In the opinion of the board of adjustment, values in the area will be safeguarded.

E. Utility Buildings And Structures Permitted: Water, sewer and electric buildings and structures may be constructed in all residential zones, subject to the approval of the

board of adjustment. The planning commission may impose conditions which are reasonably necessary to protect surrounding property values and residential amenities.

F. Moved Buildings:
   1. No permit for the moving within the city of any residential, commercial or industrial building which has had prior use shall be issued, as required under section 10-16-1 of this title without first filing an application with the zoning administrator. Said application shall contain the following information:
      a. Location and address of the old and new site;
      b. Plot plan of the new location showing adjacent lots or parcels on all sides of the property and indicating all structures and improvements on said lots or parcels;
      c. Plans and specifications for the proposed improvements at the new location, including plans for landscaping treatment when required by the zoning administrator;
      d. Certification by the zoning administrator that the structure is sound enough to be moved and that the condition, location and use of the building will comply with this title and all other applicable codes and ordinances;
      e. Said building and the lot or parcel on which the building is to be located will conform to the requirements of this title and other applicable codes, ordinances and regulations;
      f. Its location on the lot or parcel does not, in any substantial way, adversely affect buildings or uses in abutting properties;
      g. All required dedications and improvements for streets, facilities and buildings shall be provided in conformity with the standards of the city;
      h. That adequate provision has been made through the posting of a bond or other assurance that the building and grounds shall be brought up to the standards of a new building before it is occupied and that the vacated site shall be restored to a safe and sightly condition.
   2. The requirements of this provision shall also apply to the moving of mobile homes, demountable homes, manufactured homes and similar movable structures, except when being moved from outside the city into a mobile home park.

G. Transitional Uses: Uses which are permitted on either portion of a lot or parcel which is divided by a zone boundary line, or which is coterminous with a zone boundary line, may be permitted to extend to the entire lot or parcel, but not more than one hundred feet (100') beyond the boundary line of such zone in which such use is permitted. Before a permit for such a use may be granted, however, the planning commission must find that the comprehensive plan of zoning will be maintained and that a more harmonious mixing of uses will be achieved thereby.

H. Applicant's Entitlement To Conditional Use Application Approval:
   1. An applicant is entitled to approval of a conditional use application if the application conforms to the requirements of the applicable land use regulations, land use

decisions, and development standards in effect when the applicant submits a complete application and pay application fees, unless:

a. The land use authority, on the record, formally finds that a compelling, countervailing public interest would be jeopardized by approving the application and specifies the compelling, countervailing public interest in writing; or
b. In the manner provided by local ordinance and before the applicant submits the application, the municipality formally initiates proceedings to amend the municipality's land use regulations in a manner than would prohibit approval of the application as submitted.

2. The city shall process an application without regard to proceedings the city initiated to amend the city's ordinances as described in this title if:
   a. 180 days have passed since the city initiated the proceedings; and
   b. The proceedings have not resulted in an enactment that prohibits approval of the conditional use application as submitted.
3. A conditional use application is considered submitted and complete when the applicant provides the application form that complies with the requirements of applicable ordinances and pays all applicable fees.
4. The continuing validity of an approval of a conditional use permit is conditioned upon the applicant proceeding after approval to implement the approval with reasonable diligence.

I. Permit Revocation:

1. The city council may revoke the conditional use permit of any person upon a finding that the holder of the permit has failed to comply with any of the conditions imposed at the time the permit was issued. The city council shall send notice of the revocation to the holder of the permit and the holder of the permit shall immediately cease any use of the property which was based on the conditional use permit.
2. If the city council revokes any permit under this section, the holder of the permit shall have a right to appeal the revocation of the permit. The holder must file the appeal with the city recorder within fifteen (15) days of the date of the notice that the city has revoked the conditional use permit.
3. Upon receipt of the appeal, the city council shall set a hearing on the appeal at its next regularly scheduled meeting which is more than fifteen (15) days after the time the city recorder received the appeal. The city shall supply the permit holder of the time, date and place of the hearing at least fifteen (15) days before the hearing. At the hearing, the permit holder shall have the right to be heard on the revocation.

J. Time Limit:

1. Action authorized by a conditional use permit must commence within one year of the time the permit is issued.
2. If the permit holder has not commenced action under the permit within this time, the permit shall expire and the holder must apply for a new permit.

3. The planning commission may grant an extension for good cause shown. Only one extension may be granted and the maximum extension shall be six (6) months. In order to obtain an extension, the permit holder must :
    a. Apply for an extension in writing before the expiration of the original permit;
    b. Submit the application to the city recorder; and
    c. Describe on the application the cause for requesting the extension.

10-2-9: CONCESSIONS IN PUBLIC PARKS AND PLAYGROUNDS:

Concessions including, but not limited to, amusement devices, recreational buildings and refreshment stands, shall be permitted on a public park or playground when approved by the city council as a conditional use permit. (Ord. 2012-01, 7-10-2012)

10-2-10: TEMPORARY USES:

A. Intent: The following regulations are provided to accommodate certain uses which are temporary or seasonal in nature.

B. Permitted Temporary Uses: Certain uses may be permitted on a temporary basis in any zone when approved by the city council. Said temporary uses may include, but will not be limited to:

Carnivals and circuses.
Christmas tree sales lots.
Construction storage yards, when required in connection with a primary construction project.
Flower stands.
Music festivals.
Political rallies.
Promotional displays.
Rummage sales.
Tents for religious services.

C. Application For Temporary Use:
    1. Prior to the establishment of any temporary use, an application for a temporary use permit shall be submitted to and approved by the city council. Said application shall contain the following information:
        a. A description of the proposed use;
        b. A description of the property to be used, rented, or leased for the temporary use, including all information necessary to accurately portray the property;
        c. Sufficient information to determine the yard requirements, sanitary facilities and availability of parking space to service the proposed use.

2. Approval Required: The city council may approve said application provided the council finds:
    a. The proposed use is listed as a permitted temporary use or, in the opinion of the city council, is similar to those uses permitted.
    b. The proposed use will not create excessive traffic hazards or other unsafe conditions in the area and, if traffic control is required, it will be provided at the expense of the applicant.
    c. The proposed use shall not occupy the site for more than ten (10) days, except for Christmas tree lots which shall not occupy the site for more than forty (40) days, and construction storage yards which shall be removed within thirty (30) days following completion of the primary construction project for which the temporary permit was issued.
    d. The applicant will have sufficient liability insurance for the requested use or event.
    e. The applicant shall provide, at his own expense, for the restoration of the site to its original conditions, including cleanup and replacement of facilities as may be necessary.

D. City Council May Delegate Approval Responsibility; Exceptions:
    1. The city council may authorize the zoning administrator to issue temporary use permits for certain temporary uses without council review. Where the request is for a temporary use which is not listed or where the characteristics of the proposed use are not in compliance with the above standards, the zoning administrator shall refer the application to the city council for its action.
    2. In granting approval, the city council may attach additional conditions as it deems appropriate to ensure that the use will not pose any detriment to persons or property. The Council may also require a bond to ensure that necessary cleanup or restoration work will be performed. (Ord. 2012-01, 7-10-2012)

10-2-11: PORTABLE STORAGE CONTAINER REGULATIONS:

A. Definition: A "portable storage container" includes any of the following types of buildings, structures, or vehicles:
    1. Metal shipping container of the type commonly marketed for storage and which can be delivered or removed by semitrailer, regardless of whether such structure is located on a foundation or slab.
    2. Semitrailer or other trailer whether such vehicle is parked on or off a City street, and which does not have a current Utah license and inspection.
    3. Box from a delivery truck when such has been removed from the chassis.

B. Appropriate Use Of Portable Storage Containers: No portable storage container may be placed in any zone unless it meets the following criteria:

1. The placement of the portable storage container cannot block traffic or interfere with access for public safety.
2. Used containers must have all prior identifying markings removed.
3. Advertising on such containers will be limited to the promotion of the commercial entity located on the same lot as the container and shall comply with the sign ordinance.
4. The container must be maintained to match the commercial building decor located on the same lot or it must be hidden from view by a fence.
5. Semitrailers or other trailers used as storage containers must also have axles removed.

1. Permanent placement is allowed within residential zones when it is authorized by City permit.
    a. Container cannot be placed in a front yard or within the twenty foot (20') side setback of a side yard that fronts on a street.
    b. The placement of the portable storage container cannot block traffic or interfere with access for public safety or utilities.
    c. Used containers must have all prior identifying markings removed.
    d. The container must be maintained to match the residential building decor located on the same lot. or parcel.
    e. Semitrailers or other trailers used as storage containers must also have axles removed.
2. Temporary placement is allowed for storage of tools, materials, and supplies at an active construction site in all zones, for a period not to exceed eight (8) months and when authorized by permit.
    a. Placement of the portable storage container cannot block traffic or interfere with access for public safety.
    b. Temporary placement is limited to one container per lot or parcel for any twelve (12) month period. (Ord. 2012-01, 7-10-2012)

C. Maximum Size:
1. The maximum size for any permitted portable storage container located in R-1, R-2, and C-2 Zones is three hundred sixty (360) square feet and cannot exceed ten feet (10') in height.
2. The maximum size for any permitted portable storage container located in C-1, I-1, and A-1 Zones is four hundred twenty-four (424) square feet, with the exception of residences located in C-1 and I-1 Zones; in which case, the maximum size for any permitted portable storage container is three hundred sixty (360) square feet.
3. Portable storage containers can be attached or detached from the main structure, provided that the location of the containers comply with setbacks for the zone in which the portable storage containers are placed. (Ord. 2018-4, 4-10-2018)

D. Permit Required: A permit is required for all portable storage containers.

1. Any portable storage container greater than or equal to two hundred (200) square feet is considered an accessory building and requires a separate building permit in addition to a portable storage container permit.
2. Any portable storage container less than two hundred (200) square feet requires only a portable storage container permit, unless electricity is proposed to be installed.

E. Prohibited Uses:
   1. No modular home, house trailer, vehicle, or camp trailer can be used for storage, whether permanent or temporary.
   2. All existing portable storage containers that do not meet the appropriate uses (above) will be removed at the owner's expense.
   3. No person may dwell in a container, nor shall a container be otherwise used for human occupation.

10-2-12: CHICKENS:

This section shall provide residents of the community the opportunity to maintain up to ten (10) hen chickens as pets and for the purpose of producing eggs, subject to the described restrictions and regulations. The objective is to cultivate localized self-supporting and sustainable behavior for the betterment of the local, regional, and world community.

A. General Conditions: In all A-1, R-1, R-2 Zones and planned unit developments in the City of Monticello, and only for those single-family residential uses in the commercial zones, up to and not exceeding more than ten (10) hen chickens for egg production as family food, shall be allowed.

B. Prohibited Uses:
   1. No roosters shall be allowed in the R-1, R-2, and any commercial zone or in planned unit developments. If chickens are purchased as chicks and any are determined at a later date to be roosters, they shall be removed immediately upon determination of gender;
   2. Fighting chickens are not allowed;
   3. Hen chickens shall not be raised for slaughter for commercial purposes.

C. Standards For Containment:
   1. Hens shall be securely fenced and confined to the rear yard of the property.
   2. Any permanent hen shelter must comply with the accessory structure requirements. (Ord. 2012-01, 7-10-2012)

10-2-13: DIAGONAL PARKING:

Diagonal parking will be permitted on any City street located in a C-1 or C-2 Zone so long as the following conditions are met:

A. Size/Marking:
   1. The dimensions of each diagonal parking space shall be at least nine feet by eighteen feet (9' x 18'), and set at an angle of sixty degrees (60°) from the curb.
   2. All diagonal parking spaces must be clearly marked with approved white marking paint, and must be four inches (4") wide.
   3. It is the responsibility of the property owner abutting the diagonal parking spaces to paint and maintain the markings of the parking spaces.

B. Street Width:
   1. The City street where the diagonal parking will be located must be at least sixty feet (60') wide.

C. Setbacks:
   1. Diagonal parking must be set back from any intersection not less than thirty feet (30').
   2. No diagonal parking space is permitted to encroach into a driveway access.
   3. Clear access to any fire hydrant shall be no less than three feet (3') on both sides of the fire hydrant. This clear space shall be striped as a no parking zone. (Ord. 2012-01, 7-10-2012)

10-2-14: FENCES ON PROPERTY USED FOR RESIDENTIAL PURPOSES:

A. Permit Required: A permit is required prior to fence construction.

B. Fences shall be erected on or within property lines.

C. Property owners shall be responsible for identifying property line locations

D. All heights of fences will be measured from the ground level.

E. Interior Lots or Parcels:
   1. Fences shall have a maximum height of four feet (4') in the required yard that fronts on a street.
   2. Side and back yard fences will have a maximum height of six feet (6') provided that the six foot high fence does not extend into the required yard that fronts a street.

F. Corner Lots or Parcels:
   1. Corner lot or parcel fences must maintain a forty-five degree (45°) clear view of intersecting streets, at a height of no more than four feet (4').

2. The height of the fence in the front yard on a corner lot or parcel will have a maximum height of four feet (4'). A front yard on a corner lot or parcel is the yard that contains the formal public entrance to the main building.
3. Side and back yard fences will have a maximum height of six feet (6') as long as it does not infringe upon the forty five degree (45°) clear view triangle space.

G. Clear View Of Intersecting Streets: In all zones which require a front yard, no obstruction which will obscure the view of automobile drivers shall be placed on any corner lot or parcel within a triangular area formed by the street property lines and a line connecting them at points of forty five feet (45') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

10-2-15: FENCES ON PROPERTY USED FOR COMMERCIAL OR INDUSTRIAL PURPOSES

A. Permit Required: A permit is required prior to fence construction.

B. Fences shall be erected on or within property lines.

C. Property owners shall be responsible for identifying property line locations

D. All heights of fences will be measured from the ground level.

10-2-16: SOLAR ELECTRICITY SYSTEMS

The purpose of this section is to allow the use of solar electricity systems within the city provided that:

A. A permit from the city is required prior to installation of any solar electricity system.

B. Structurally attached solar panels are subject to all applicable building codes and ordinances.

C. Solar electricity systems not mounted on a roof are prohibited within the setbacks required for the zone in which the solar installation will be erected.

D. Solar electricity systems not mounted on a roof are prohibited to be higher than the maximum height allowed for a structure or building within the zone in which the solar installation will be erected.

10-2-17: RENTAL UNITS:

A. Long-term rental unit means a building or structure that is used or designated for use as a residence by one or more persons, and is

1. Available to be rented, loaned, leased, or hired out for a period of 30 consecutive days or longer; or
2. Arranged, designated, or built to be rented, loaned, leased, or hired out for a period of 30 consecutive days or longer.

B. Internal accessory dwelling units shall:

1. Be designed in a manner that does not change the appearance of the primary dwelling unit;
2. Include one additional on-site parking space regardless of whether the primary dwelling unit is existing or new construction;
3. Meet all applicable building codes;
4. Not be created in a primary dwelling unit served by a failing septic tank;
5. Not be created on a lot or parcel of land containing the primary dwelling unit if the lot or parcel of land is 6,000 square feet or less in size;
6. Not be created within a zoning district covering an area that is equivalent to 25% or less of the total area in the city that is zoned primarily for residential use;
7. Not require a separate city utility meter;
8. Replace existing parking spaces if the internal accessory unit is created within a garage or carport;.

C. Short-term units shall:

1. Meet all applicable building codes;
2. Conform to standards as defined by the city codes Title 4-2 Nuisances, Title 4-2A Noise Control, and Title 5-2 Animal Control;
3. Include in a clear and prominent location within each short-term unit:
   a. A copy of the owner's business license;
   b. The name, address, and phone number of the owner or property manager;
   c. A statement of maximum occupancy for the short-term rental unit
4. Provide a minimum of four (4) off-street parking spaces with all-weather surface;
5. The owner of any short-term rental unit is required to collect and remit Transient Room Tax and any other tax deemed necessary by the State Tax Commission.

D. Business license required:

1. Owners of rental dwellings shall obtain a city license in advance of advertising for or renting, loaning, leasing, or hiring out the long-term rental unit.
2. Owners of primary dwelling units containing an internal accessory dwelling shall obtain a city license in advance of advertising for or renting, loaning, leasing, or hiring out the internal accessory dwelling unit.
3. Owners of short-term rental units shall obtain a city license in advance of advertising for or renting, loaning, leasing, or hiring out the internal accessory unit.
4. One city license may include more than one long-term rental and internal accessory dwelling unit owned by the same individual but shall not include short-term rental units.

5. One city license may include more than one short-term rental unit owned by the same individual but shall not include other rental units or internal accessory dwelling units.
6. A person managing any rental unit who is not the owner of said unit, shall obtain a city property management license in advance of managing the rental units.

NOT YET IN AFFECT

TITLE 10
ZONING REGULATIONS

CHAPTER 2
SUPPLEMENTARY REQUIREMENTS AND PROCEDURES
APPLICABLE WITHIN ZONES

SECTION:
10-2-1: Lots To Have Frontage On City Street
10-2-2: Uses Prohibited In Zones Unless Expressly Permitted
10-2-3: Property Boundary Adjustment
10-2-4: Boundary Line Agreement
10-2-5: Off Street Parking Requirements
10-2-6: Signs
10-2-7: Parking And Storage Of Recreational Vehicles
10-2-8: Conditional Uses
10-2-9: Concessions In Public Parks And Playgrounds
10-2-10: Temporary Uses
10-2-11: Portable Storage Container Regulations
10-2-12: Chickens
10-2-13: Diagonal Parking
10-2-14: Fences on Property used for Residential Purposes
10-2-15: Fences on Property used for Commercial or Industrial Purposes
10-2-16: Solar Electricity Systems
10-2-17: Rental of Dwelling Units

10-2-1: LOTS AND PARCELS TO HAVE FRONTAGE ON CITY STREET

A. Except as may be authorized through the approval of a large scale development, each lot or parcel shall abut upon a City maintained street.

1. The length of said abutting side as measured at the setback line shall be not less than the minimum frontage requirement of the zone;
2. The Planning Commission may authorize a reduction of the minimum frontage requirement subject to the following conditions:
    a. The lot or parcel will abut the City maintained street for a minimum distance of thirty five feet (35');

b. The buildable portion of the lot or parcel shall comply with the minimum area, width and setback requirements of the zone;
c. The lot or parcel configuration created by the granting of the reduction will not result in an undue adverse condition for the proper development of adjacent properties;
d. In the opinion of the Planning Commission, the reduction of the frontage requirement is necessary to more fully promote the effective and proper development of the city.

B. All lots in an approved subdivision plat which have frontages of less than the minimum shall be considered as having qualified under the frontage reduction provisions of subsection 10-2-1A(2).

10-2-2: USES PROHIBITED IN ZONES UNLESS EXPRESSLY PERMITTED

Uses of land which are not expressly permitted within a zone are expressly prohibited therein, except as may be permitted by action of the appeal authority. The appeal authority shall not permit a use within a zone which is not expressly permitted by the terms of this title.

10-2-3: PROPERTY BOUNDARY ADJUSTMENT:

A. To make a parcel boundary adjustment, a property owner shall execute a boundary adjustment through
   1. A quitclaim deed; or
   2. A boundary line agreement under section 10-2-4; and
   3. Record the quitclaim deed or boundary line agreement in the office of the county recorder of the county in which each property is located.

B. To make a lot line adjustment, a property owner shall obtain approval of the boundary adjustment under section 10-2-4; and execute a boundary adjustment through:
   1. A quit claim deed or
   2. A boundary line agreement; and
   3. Record the quitclaim deed or boundary line agreement in the office of the county recorder of the county in which the property is located.

C. A parcel boundary adjustment under subsection 10-2-4 is not subject to review of the city unless:
   1. The parcel includes a dwelling;
   2. The city's approval is required under subsection 10-2-4(G);
   3. If the adjustment includes property that is not a lot.

D. The recording of a boundary line agreement or other document used to adjust a mutual boundary line that is not subject to review by the city
   1. Does not constitute a land use approval; and
   2. Does not affect the validity of the boundary line agreement or other document used to adjust a mutual boundary line.

E. The city may withhold approval of a land use application for property that is subject to a recorded boundary line agreement or other document used to adjust a mutual boundary line if the city determines that the lots or parcels, as adjusted by the boundary line agreement or other document used to adjust the mutual boundary line, are not in compliance with the city's land use regulations in effect on the day on which the boundary line agreement or other document used to adjust the mutual boundary line is recorded.

10-2-4: BOUNDARY LINE AGREEMENT:

A. If property executed and acknowledged as required by law, an agreement between owners of adjoining property that designates the boundary line between the adjoining properties acts, upon recording in the office of the recorder in the county in which each property is located, as a quitclaim deed to convey all of each party's right, title, interest, and estate in property outside the agreed boundary line that had been the subject of the boundary line agreement or dispute that lead to the boundary line agreement.

B. Adjoining property owners executing a boundary line agreement described in this section shall ensure that the agreement includes:
   1. A legal description of the agreed upon boundary line and each parcel or lot after the boundary line changed;
   2. The name and signature of each grantor that is party to the agreement;
   3. A sufficient acknowledgement for each grantor's signature;
   4. The address of each grantee for assessment purposes;
   5. A legal description of the parcel or lot each grantor owns before the boundary line is changed; and
   6. The date of the agreement if the date is not included in the acknowledgement in a form substantially similar to a quitclaim deed as described in section ---.

C. If any of the property subject to the boundary line agreement is a lot, prepare an amended plat in accordance with city code 11-1-5 Subdivision Amendments before executing the boundary line agreement;

D. If none of the property subject to the boundary line agreement is a lot, ensure that the boundary line agreement includes a statement citing the file number of a record of survey map in accordance with section ----------, unless the statement is exempted by the City.

E. A boundary line agreement described in subsection 1 that complies with subsection 2 presumptively:
   1. Has no detrimental effect on any easement on the property that is recorded before the day on which the agreement is executed unless the owner of the property benefitting from the easement specifically modifies the easement within the boundary line agreement or a separate recorded easement modification or relinquishment document; and
   2. Relocates the parties' common boundary line for an exchange of consideration.

F. Not withstanding Title 11, Subdivisions, a boundary line agreement that only affects parcels is not subject to:
   1. Any public notice, public hearing, or preliminary platting requirement;
   2. The review of a land use authority; or
   3. An engineering review or approval of the city, except as provided in subsection G(2)(e).

G. City review and approval of boundary-line adjustment containing a dwelling.
   1. The city shall review a boundary-line agreement containing a dwelling unit within fourteen (14) days of the date on which the property owner submits the boundary-line agreement for review.
   2. The city shall review the boundary-line agreement for compliance with the standards of the zone in which the property is located:
      a. The adjusted boundary line reduces the frontage of the lot or parcel containing the dwelling to less than required for the zone; or
      b. The adjusted boundary line reduces any setback of the lot or parcel containing the dwelling to less than required for the zone; or
      c. The adjusted boundary line reduces the area of the lot or parcel containing the dwelling to less than required; or
      d. The adjusted boundary line affects an existing or future city street; or
      e. The adjusted boundary line affects drainage corridors or requires engineering review, regardless of whether a dwelling is present.
      f. If the boundary-line agreement does not provide the city with sufficient information the city shall send a written notice to the property owner requesting the specific information needed. Said notice will be sent within the review period defined in subsection 3 of this section.
   3. The city shall issue a written decision to the property owner within fourteen (14) days of the date on which the property owner submits the boundary-line agreement for review.
      a. If the city fails to send a written notice within the time period described in subsection 3 of this section, the property owner may record the boundary-line agreement as if no review was required.

10-2-5: OFF STREET PARKING REQUIREMENTS:

A. At the time any residence or any public or commercial building is erected, hard surfaced off street parking spaces of cement or asphalt shall be provided for automobiles on private property.

B. B. At the time any residence or building is enlarged or increased in capacity or any use is established or changed, thereby creating the need for additional parking, off street hard surfaced parking spaces of cement or asphalt shall be provided on private property.

C. Provision of off street parking shall be in accordance with the following requirements:
   1. Size:
      a. The dimensions of each off street parking space or stall shall be at least nine feet by eighteen feet (9' x 18'), for diagonal or ninety degree (90°) spaces; or nine by twenty two feet (9 x 22') for parallel spaces, exclusive of access drives or aisles.
      b. A parking stall may be reduced by two feet (2') lengthwise if landscaping separated from the paved area of the parking stall by a curb or tire bumper guard is provided in the remaining two feet (2') of the parking stall. All areas within the parking area not paved shall be landscaped.
   2. Access To Individual Parking Spaces: Except for single-family and two-family dwellings, access to each parking space shall be from a private driveway and not from a city street.
      a. One-way driveways shall be a minimum of twelve feet (12') in width.
      b. Two-way driveways shall be a minimum of twenty-five feet (25') in width.
      c. All garage and carport spaces shall be set back a minimum of twenty feet (20') from the private access drive serving them.
      d. Garage and carport spaces shall be counted as one parking space unless: a) such garage or carport is a minimum of four hundred eighty (480) square feet with a minimum width of twenty feet (20'); or b) the individual driveway to the garage or carport is at least twenty feet (20') in length, in which case such parking areas shall count as two (2) spaces. (Ord. 2012-01, 7-10-2012)
   3. Parking Spaces Required For Residential Areas: The number of off street parking spaces required for residential development shall be as follows:
      a. Single-Family Dwelling: Two (2) parking spaces per single- family dwelling. Tandem parking shall be allowed at single- family residences only.
      b. All Other Dwellings:
         1) All other dwellings, including townhouses and condominiums, shall have two (2) parking spaces per dwelling unit. Covered parking may be located within the side and rear setback areas. No street parking shall be counted toward meeting the parking requirement. Tandem parking shall not count toward the parking requirement. No parking area shall be located

within the required front setback facing a city street. All parking shall be on site.

2) Front yard setback from streets shall be twenty feet (20') minimum from property lines for garages or carports.
3) In residential zones, no recreational vehicle shall be parked or stored unless it conforms to the requirements of section 10-2-3 of this chapter. (Corner lots are considered to have 2 front yard areas.) (Ord. 2016-6, 6-28-2016)

4. Parking Spaces Required For Nonresidential Areas: The number of off street parking spaces required for all nonresidential developments shall be as follows:
    a. Business Or Professional Offices: One space for each two hundred fifty (250) square feet of gross floor area.
    b. Churches, Sports Arenas, Auditoriums, Theaters, Assembly Halls, Lodge Halls, Or Other Meeting Rooms: One space for each four (4) fixed seats of maximum seating capacity, or one space for each thirty five (35) square feet of seating area within the main auditorium where there are no fixed seats. Eighteen (18) linear inches of bench shall be considered a fixed seat.
    c. Stores, Appliance Stores And Lumberyards: One space for each six hundred (600) square feet of floor area.
    d. Hospitals: Two (2) parking spaces for each bed.
    e. Homes: One parking space for each five (5) beds.
    f. Hotels, Motels, Motor Hotels: One space for each living or sleeping unit, plus two (2) spaces for resident manager or owner.
    g. Retail Stores And Shops, Commercial Banks, Savings And Loan Offices, And Other Financial Institutions, General Retail Stores, Food Stores, Supermarkets, Drugstores And Other Similar Commercial Businesses: One space for each two hundred fifty (250) square feet of gross floor area.
    h. Mortuaries And Funeral Homes: Five (5) spaces plus one space for each thirty five (35) square feet of assembly room floor area.
    i. Automotive Repair And Supply: One space for each four hundred (400) square feet of gross floor area.
    j. Bowling Alleys And Billiard Halls: Five (5) spaces for each alley, plus two (2) spaces for each billiard table contained therein.
    k. Libraries: One space for each three hundred (300) square feet of gross floor area.
    l. Restaurants, Taverns, Lounges, Drive-In, Drive-Through, Take-Out Restaurants And Other Establishments Where Food Or Beverages Are Consumed: Ten (10) spaces minimum, or one space for each one hundred (100) square feet of gross floor area, whichever is greater.
    m. Day Nurseries In Commercial Zones, Including Preschools And Nursery Schools: One space for each staff member, plus one space for each five (5) children for which said establishment is licensed.
    n. Golf Courses: Six (6) spaces per hole.

o. Skating Rinks, Ice Or Roller: One for each three hundred (300) square feet of gross floor area.
p. Swimming Pools (Public): One space for each one hundred (100) square feet of water surface, or ten (10) stalls, whichever is greater.
q. Tennis, Handball And Racquetball Courts (Commercial): Six (6) spaces minimum, or three (3) spaces per court, whichever is greater.
r. Studios And Spas: One space for each two hundred fifty (250) square feet of gross floor area, or ten (10) spaces minimum, whichever is greater.
s. Educational Uses:
    1) Elementary: Two (2) spaces per classroom.
    2) Senior and junior high schools: One space for each member of the faculty and one space for each six (6) regularly enrolled students.
    3) College, universities, trade schools: One space for each faculty member, plus one space for each three (3) students.
    4) Schools having an arena or auditorium shall meet this requirement or the requirements of subsection C.4.b of this section, whichever is greater.
t. Veterinary Hospitals: Five (5) spaces for each doctor.
u. Manufacturing Plants, Warehouses, Storage Buildings Or Structures Especially For Storage Purposes: One space for each one thousand (1,000) square feet of gross floor area and one space for each two hundred fifty (250) square feet of office or sales area.
v. Service Commercial Businesses: Businesses such as electrical, plumbing, cabinets, printing and other similar shops shall have one space for each two hundred fifty (250) square feet of retail or office area and one space for each five hundred (500) square feet of additional building area.
w. Outdoor Sales Lots For Autos, Mobile Homes And Recreational Vehicles: One space for each seven (7) vehicles or items of equipment to be displayed, plus two (2) spaces for manager and employee parking.
x. Consideration By Planning Commission:
    1) Notwithstanding all provisions of this section the planning commission shall: Take into account in each instance of nonresidential parking the type of development, use, location, adjoining uses and possible future uses in setting parking requirements, and
    2) Recommend to the City Council a requirement of that number of spaces it deems reasonably necessary in each instance for all employees, business vehicles and equipment, customers, clients and patients of such nonresidential property.
y. Reduction: Where the applicant can demonstrate that adequate off street parking exists, the city council, upon recommendation of the planning commission, may grant a parking reduction of up to twenty five percent (25%) of the listed parking requirement for new construction in the commercial zones.

D. Parking On Unimproved Lots; Vehicle Display:
   1. Parking of more than three (3) vehicles on any unimproved lot or parcel is prohibited.
   2. Parking of vehicles for display other than in designated and improved areas is prohibited.

E. Parking Lot Lights: Parking lots used during hours of darkness shall be lighted by standards a maximum of sixteen feet (16') in height above grade and using indirect, hooded light sources.

F. Development Standards: Every lot or parcel of land hereafter used as a parking lot shall:
   1. Be paved with an approved surfacing material of asphalt or concrete composition or some other all weather surfacing material approved by the Planning Commission;
   2. Have appropriate bumper guards where needed as determined by the Planning Commission; and
   3. Lights used to illuminate the lot shall be so arranged as to reflect the light away from the adjoining premises wherever those premises are used for residence or sleeping purposes.

H. Optional Provisions; Shared Parking Facilities:
   1. Shared parking facilities may be used jointly with parking facilities for other uses when operations are not normally conducted during the same hours, or when peak uses vary.
   2. Requests for shared parking are subject to the approval of the Planning Commission in accordance with the following guidelines:
      a. Sufficient evidence shall be presented to show that there will be no substantial conflict in the periods of peak demand of uses for which the joint use is proposed.
      b. number of parking stalls which may be credited against the requirements for the uses involved will not exceed the number of spaces that may normally be required for any one of the uses sharing the parking.
      c. Parking facilities should not be located further than two hundred fifty feet (250') from any use proposing to use such parking and should be contiguous to the businesses sharing the lot.
      d. A written agreement shall be executed by all parties concerned, assuring the continued availability of shared parking facilities in the event that one of the uses shall be sold or otherwise change ownership or management.

I. Uses Not Specifically Identified Above: For all parking uses not listed above, the Planning Commission shall determine the number of spaces required based upon the nearest comparable use standard available. (Ord. 2012-01, 7-10-2012)

J. Adjust Or Reduce Off Street Parking Requirements: The planning commission may approve substitute parking locations where sufficient off street parking is readily available within the vicinity and/or where acquisition of land for such use is not necessary to carry out the spirit of this title.

10-2-6: SIGNS:

A building permit shall be required for the placement, construction, and/or alterations of all signs, unless a sign qualifies as an exempt sign or an identified temporary sign. Nothing in this section shall be construed to limit a property owner's right to express a religious, political, or other protected right through speech.

A. Signs On Highway:
   1. Height Limitations: There shall be a thirty-five foot (35') height limitation for all signs that front on a highway (including freestanding, wall and roof signs).
   2. Size Limitations:
      a. Three hundred twenty (320) square feet maximum per lot.
      b. One hundred sixty (160) square feet per individual sign face.
      c. Square footage is two (2) square feet for each linear foot of frontage along a public right of way, not to exceed three hundred twenty (320) square feet.

B. Signs On City Streets In Zones C-1, C-2, I-1:
   1. Height Limitations: There shall be a twenty-foot (20') height limitation for all signs that front off a highway (including freestanding, wall and roof signs).
   2. Size Limitations On City Streets: Size limitations for signs that do not front a highway are as follows:
      a. One hundred sixty (160) square feet maximum per lot.
      b. Maximum square footage is one square foot for each linear foot of frontage along a public right of way, not to exceed one hundred sixty (160) square feet.
      c. The total square footage on a lot with two (2) tenants must be divided between the tenants with proportions decided by the tenants and/or landlords, and cannot exceed one hundred (100) square feet per individual sign face.
   3. Projecting And Suspended Signs:
      a. Height limit will be a maximum of thirty-five feet (35') or the height of the wall of the building, whichever is lower.
      b. There shall be an eight foot (8') minimum vertical clearance above sidewalks, walking areas, or rights of way, and thirty-six (36) square feet maximum size per sign face.
      c. Owners of projecting signs over public rights of way must furnish proof of liability insurance for such signs before a permit will be issued.
   4. Roof Signs:

a. Shall not exceed five feet (5') above the wall line or top of the exterior wall; unless
b. If the peak of the roof is over four feet (4') above the wall line, roof signs cannot exceed the height of the peak.
c. All roof signs must adhere to a thirty-five foot (35') overall height limitation.

5. Lighted Signs:
   a. All lighted signs shall have stationary and constant lighting. Signs which use subtle lighting changes as part of a video screen, or electronic message center, are permitted.
   b. Lighted signs adjacent to A-1, R-1 and R-2 zones shall be subdued and shall not be allowed to penetrate beyond the property in such a manner as to annoy or interfere with the adjacent residential properties. Any complaints concerning lighted signs adjacent to residential properties can be taken before the city council. The city council has the authority to dismiss unreasonable complaints or require the sign(s) to be shielded.

C. Signs in Residential Zones (R-1, R-2):
   1. No advertising signs of any kind shall be allowed in any residential zone, except signs pertaining to the sale or lease of residential property, nameplates, institutional signs, or signs indicating the existence of:
      a. An office of a professional person;
      b. A home occupation; or
      c. A guest apartment and/or bed and breakfast establishment.
   2. Except for institutional signs as described below, no lighted signs will be permitted.
   3. Residential signs, except for apartments and public and religious institutional signs, shall not exceed two (2) square feet in size.
      a. Apartments and guest apartments may be allowed up to sixteen (16) square feet of signage if they have more than four (4) units; quadriplexes, triplexes and duplexes may be allowed up to eight (8) square feet of signage. (See exempt and temporary sign subsections 1 for exceptions to the square foot rule.)
      b. Public, public educational, or religious institutional signs shall be located entirely upon the premises of that institution, shall not exceed an area of fifty (50) square feet per frontage, and will be permitted to have indirect lighting. If mounted on a building, these signs shall be flat wall signs and shall not project above the roofline. If ground mounted, the top shall be no more than six feet (6') above ground level.
      c. Nonprofit, charitable, and private institutional signs in residential zones shall not exceed two (2) square feet.

D. Flags: Flags other than government flags, i.e., country and state, shall be added toward the maximum allowable signage. Flagpoles that display government flags shall not exceed thirty-five feet (35') in height in commercial zones.

E. Computations:
   1. Height: The height of a sign shall be computed as the distance from the highest attached component of the sign to the nearest sidewalk, curb, or street crown, whichever is highest.
   2. Individual One Sided Sign: The area of the sign face that will encompass the extreme limits of the display, not including any supporting framework or other backdrop which is clearly incidental to the display, shall be measured.
   3. Multifaced Signs: The sign area shall be computed by adding together the area of all sign faces visible from any point. When two (2) identical sign faces are placed back to back and are part of the same sign structure, not more than forty two inches (42") apart, the sign area shall be computed by the measurement of one of the faces.

F. Number Of Freestanding Signs Per Lot or Parcel:
   1. Primary Frontage: One freestanding sign per lot; one additional freestanding sign is permitted if property has more than two hundred feet (200') of frontage (exception: shopping center restrictions). Two (2) freestanding signs on one property must be separated by one hundred feet (100'), and the second sign shall not be higher than fifty percent (50%) of the allowed height.
   2. Secondary Frontage: One freestanding sign is allowed for each additional frontage and shall not be higher than fifty percent (50%) of the allowed height. Two (2) freestanding signs on one property must be separated by one hundred feet (100'), and the second sign shall not be higher than fifty percent (50%) of the allowed height.

G. Setbacks:
   1. Signs may not block traffic visibility.
   2. If a sign is located at an intersection, the following rules apply:
      a. Signs located within a forty-five foot (45') triangle (measured 45 feet from the street corner both ways) must be under two and one-half feet (21/2') tall, or should have over eight feet (8') of clearance at the bottom of the sign.
      b. This triangle shall be maintained in an open manner so as to provide proper clear view area.
      c. All advertising signs shall be set back from city streets, a distance at least equal to the distance that buildings are located.

H. Shopping Centers; Office Building Complexes:
   1. Only one freestanding sign is allowed for shopping centers and office building complexes which lease to three (3) or more businesses on one lot of record.
   2. The group freestanding sign identifying the shopping center/office building complexes and its businesses may use all sign area allowed for that lot.
   3. In addition, individual businesses may have one square foot of signage for each front line of the building, up to a maximum of one hundred twenty-eight (128) square feet.

I. Off Premises Signs:
   1. Off premises signs shall be limited to Highways 491 and 191 and regulated the same as on premises signs.
   2. Off premises signs may not exceed a maximum of one hundred twenty-eight (128) square feet.

J. Prohibited Signs:
   1. It is prohibited for signs erected after adoption hereof to be in noncompliance with the provisions herein.
   2. Parked Vehicle Signs: Parked vehicles with a sign painted or placed on them for the express intent of directing attention to a business are prohibited. This does not include vehicles used regularly in the course of conducting daily business activities.
   3. Signs On Public Rights Of Way: No private sign shall be placed on public rights of way.
   4. Signs Attached To Public Property: No private sign shall be attached to public property or public utility poles.
   5. Flashing Signs: Signs which use flashing, blinking, or strobing lights are prohibited.

K. Temporary Signs:
   1. Temporary signs shall be figured in the total square footage allowed per lot or parcel.
   2. Sign owners must designate areas where temporary signs will be displayed.
   3. Temporary signs displayed outside of designated areas require a permit.
   4. Temporary signs must be maintained and in good condition while being displayed.
   5. Signs less than six (6) square feet in size and associated with an event do not require a permit.
   6. Mobile Changeable Copy Signs: Mobile changeable copy signs shall not exceed thirty two (32) square feet and shall not be displayed for more than thirty (30) consecutive days.
   7. Balloon Signs: Balloon signs may be displayed for up to thirty (30) days per lot or parcel., per year.
   8. Construction Signs:
      a. No more than one construction sign identifying a project to be built and the project participants shall be allowed per lot or parcel..
      b. Construction signs in residential zones shall not exceed six (6) square feet in area and five feet (5') in height.
      c. In commercial zones, the sign area shall not exceed fifty (50) square feet and shall not exceed eight feet (8') in height.
      d. Construction signs must not exceed the time period of construction and/or the day the business opens, whichever comes first, and shall be counted into the square footage of the total footage allowed for the lot or parcel..

e. An additional thirty two (32) square feet would be allowed in commercial zones for artist renditions of the project.
f. Proposed development signs may be allowed for ninety (90) days prior to groundbreaking. (Ord. 2012-01, 7-10-2012)

9. Political Campaign Signs:
   a. Political campaign signs shall pertain to a specific election.
   b. They shall not be located closer than one hundred fifty feet (150') to any designated polling place and shall not exceed thirty two (32) square feet in area.
   c. Political campaign signs shall be removed within one day after the election.
   d. The candidate or persons responsible for the placement of the sign shall be responsible for its removal. (Ord. 2014-6, 10-14-2014, eff. 10-14-2014)
10. Real Estate Signs:
   a. In residential zones, real estate signs shall not exceed six (6) square feet in area and five feet (5') in height.
   b. In commercial zones, real estate signs shall not exceed thirty two (32) square feet.
   c. Real estate signs must be placed on the premises of the property being sold.
   d. Only one sign per street frontage, per real estate company, is permitted.

L. Exempt Signs: Sign permits are not required for the following signs unless the limitation and requirements of this section cannot be met:
   1. Public Signs: Signs of a noncommercial nature, erected by, or on the order of, a public officer in the performance of his duty.
   2. Integral Signs: Names of buildings, dates of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or made of metal or other permanent type construction and made an integral part of the structure.
   3. Private Traffic Direction Signs: Signs directing traffic movement into a premises or within a premises, not exceeding two (2) square feet in area for each sign. Horizontal directional signs on paved areas and flush with paved areas are exempt from these standards. Only one exempt directional sign is allowed per frontage, per lot or parcel.
   4. Service Sign: A sign that is incidental to a use lawfully occupying the property upon which the sign is located, and which sign is necessary to provide information to the public, such as direction to parking lots, location of restrooms, entrance and exits, etc. These signs shall not exceed two (2) square feet in size.
   5. Nameplates: A nameplate shall contain only the name of a resident.
   6. Temporary Decorations: Temporary decorations or displays clearly incidental and associated with national or local holiday celebrations for a period not to exceed ninety (90) days per year, per lot or parcel.
   7. Nonbusiness Temporary Signs: Temporary signs not associated with a business may be displayed not more than thirty (30) days per year or exceed six (6) square feet in size.

8. Rear Entrance Signs: Rear entrance signs, when associated with pedestrian walk through buildings. These signs shall not exceed sixteen (16) square feet in area and shall be flush mounted, identifying only the name of the establishment and containing directional information.
9. Menu Signs: Menu signs at drive-in restaurants which are not readable from the nearest public right of way; and signs not visible beyond the boundaries of the lot or parcel upon which they are located or from any public right of way.
10. Private Warning Or Instructional Signs: Private warning or instructional signs not exceeding two (2) square feet per sign.
11. Murals: Murals must be painted or attached to the wall of buildings and are exempt from the sign ordinance except for the lettering and logo portion of the mural.
12. Pennants, Window Dressings, Window Banners: Pennants, window dressings, window banners are exempt.

M. Design, Construction, Maintenance And Liability:
1. All signs shall be designed, constructed, and maintained to comply with applicable provisions of the building codes adopted by the city.
2. All signs shall be maintained and in good structural condition.
3. Sign owners are liable for their signs.
4. The city of Monticello, its officials and other agents, shall in no way be liable for damages caused by signs.

N. Abandoned Signs: Any of the following criteria shall be used to determine abandonment:
1. A sign which identifies an establishment, service(s), goods or products no longer provided on the premises shall have its copy vacated within thirty (30) days of when the circumstance commenced. If the copy then remains vacant for six (6) months, the sign structure shall be removed by the owner within five (5) working days following expiration of the six (6) month period.
2. A sign which identifies a time, event, or purpose which passed or no longer applies shall be removed by the sign owner within three (3) working days from the time the event or purpose passed or no longer applies.
3. An off premises advertising sign which is vacant of copy or which advertises an establishment, service, goods, or product which no longer exists, shall be removed by the sign owner within five (5) working days after remaining in the defined condition for one month.
4. When building mounted and painted wall signs or murals are removed, the face of the structure shall be treated to conform to surrounding building conditions. Such removal shall not leave evidence of the sign's existence.

O. Permit Procedures And Enforcement:
1. Permit Required: If a sign requiring a permit under the provisions of this title is to be placed, constructed, erected, or altered on a lot or parcel, the sign owner shall

secure a building permit from the city prior to the construction, placement, erection, or alteration of such sign.

2. Applications: One application and permit may include multiple signs on the same lot or parcel. An application for construction, creation, or installation of a new sign, or for the structural alteration of an existing sign, shall be accompanied by detailed drawings to scale of all existing and proposed signs on a lot and must show:
   a. The height of all signs on a lot;
   b. The square footage of all individual signs on a lot;
   c. The total combined square footage of all signs on a lot;
   d. Site plan indicating length of street frontage, location of buildings, parking lots, driveways, landscaped areas, and all existing and proposed signs on the site;
   e. Overall dimensions, design, structure, materials, proposed copy and illumination specifications of all signs;
   f. Photographs of the lot.
3. Fees: Each application shall be accompanied by the applicable fee, which shall be established by resolution of the city council.
4. Action: Within five (5) days of the date the application is submitted, it shall be reviewed by the zoning administrator. If the applicant complies to all sign ordinance regulations, a permit will be issued. If the application is found to be incomplete, the applicant shall be notified of the deficiencies.
5. Inspections: The zoning administrator shall cause an inspection for each permit issued. If the signs do not comply, the applicant shall be notified and allowed thirty (30) days to correct the deficiencies. If the deficiencies are not corrected within thirty (30) days, the permit shall be rescinded.
6. Renewal Of Sign Permits: If sign owners comply with the provisions of this title and make no structural alterations or changes to their existing signs, the city shall automatically renew sign permits at the end of every year when the business license is renewed, without an additional sign permit fee, if the sign owner has not constructed, placed, erected, or structurally altered existing signage. A new application must be processed and an applicable fee shall be charged for signs constructed, placed, erected, or structurally altered.
7. Lapse Of Sign Permit: A sign permit shall lapse automatically if it is not renewed, if the business license for the premises lapses or is revoked, or if the sign is abandoned. If a sign permit elapses, a new permit and payment of applicable fees are required.
8. Registration Of Existing Signs: All signs existing at the time the ordinance codified herein is passed must be registered with the city by the sign owner within a two (2) year period and a permit obtained. Existing signs that do not comply with the ordinance codified herein will be issued a noncomplying sign permit.
9. Nonconforming Sign: A nonconforming sign may not be moved to a new location, structurally altered, enlarged, or replaced unless it be made to comply with the provisions of this title. If a nonconforming sign changes ownership, the sign must comply with the provisions of this title within six (6) months of close of purchase.

10. Violations: Any of the following shall be in violation of this title and subject to the enforcement remedies and penalties provided by this title, other applicable city ordinances, and state laws:
    a. To install, create, erect, alter, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the lot or parcel. on which the sign is located;
    b. To install, create, erect, alter, or maintain any sign requiring a permit without such a permit;
    c. To fail to remove any sign that is installed, created, erected, altered, or maintained in violation of this title, or for which the sign permit has lapsed; or
    d. To continue any such violation. Each day of continued violation shall be considered a separate violation when applying the penalty portions of this title.
11. Notice, Action And Penalty: The zoning administrator shall issue notice to sign owners who display signs without a permit and allow thirty (30) days from the date of notice for the deficiencies to be corrected. If the deficiencies are not corrected within the given time, the sign owner's business license may be revoked, a fine may be imposed, or the sign owner may be convicted of violating a class B misdemeanor.
12. Illegal And Non maintained Signs: The zoning administrator shall issue written notice of violation to the sign owner, for any sign found unsafe, illegal, or not maintained.
13. Removal Of Signs: If any unsafe sign is not repaired or made safe within five (5) days after the owner has been given notice, the zoning administrator shall have the sign removed. Within thirty (30) days after the owner has been given written notice of a sign which is found in violation of this title, is illegal, or not maintained, the zoning administrator shall have the sign removed. Costs incurred for removal of a sign will be the responsibility of the owner and shall be paid to the city within thirty (30) days.

P. Right Of Appeal: Any person who has been ordered by the zoning administrator to alter or remove any sign, or any person whose application for a sign permit has been refused, may appeal to the board of adjustment. The board of adjustment shall have power to review and allow or disallow variances to the sign ordinance based on powers and duties defined in section 2-2-4 of this code. (Ord. 2012-01, 7-10-2012)

10-2-7: PARKING AND STORAGE OF RECREATIONAL VEHICLES:

A. Intent: The intent of this section is to define locations for the parking and storage of recreational vehicles such that neighborhood quality and character are maintained.
    1. "Recreational vehicle" as defined in section 10-1-4 of this title.
    2. "Residential areas" as used in this section means property located within a residential zone and property used for residential purposes located in any zone of the city.

3. "Parking" as used in this section means the temporary parking of a recreational vehicle for a limited period of time as specified in subsection B or D of this section.
4. "Storage" as used in this section means the parking of a recreational vehicle when it is not in use off site.
5. Exemptions:
    a. Pickup or light truck of ten thousand (10,000) pounds' gross weight or less with or without a mounted camper unit that is used primarily by the property owner or tenant for transportation purposes.
    b. Travel trailer, camp trailer, or motor home when temporarily located on a lot or parcel on which a building is being constructed and said vehicle is connected to approved water and sewer facilities for a period of one year or less.

B. Parking Restrictions:
1. No recreational vehicle may be parked upon a city street for longer than twenty four (24) consecutive hours.
2. A recreational vehicle may not be parked on a city street in a manner that obstructs visibility from adjacent driveways or street corners.
3. While parked on a city street no pop outs or other lateral extension of the recreational vehicle shall be deployed.
4. No recreational vehicle parked on a city street may be used as a dwelling.
5. A recreational vehicle may be parked in the front setback area of a residential dwelling for no more than fourteen (14) days per vehicle in any one calendar year, provided:
    a. The recreational vehicle is parked on a driveway.
    b. The residential parking requirement at subsection 10-2-5C of this chapter is still satisfied.
    c. No portion of the recreational vehicle may extend into the city street or sidewalk.
    d. No portion of the vehicle may extend beyond the property line of the lot or parcel upon which it is parked.
    e. No effluent, petroleum product, or wastewater is discharged from the recreational vehicle.

C. Storage Requirements:
1. No recreational vehicle may be stored upon a city street or sidewalk.
2. A recreational vehicle may be kept in a side or rear yard at the owner's residence, provided:
    a. The vehicle is screened from adjacent properties by vegetation, or a fence built in compliance with section 10-2-14 of this chapter.
    b. The vehicle is maintained in a clean, well kept condition that does not detract from the appearance of the surrounding area.
    c. The vehicle is operational and currently registered and licensed.

d. No effluent, petroleum product, or wastewater is discharged from the vehicle.

D. Recreational Vehicle As A Temporary Dwelling Unit:
1. It is unlawful for any person to use any parked or stored recreational vehicle as a permanent dwelling.
2. A recreational vehicle may be used as a temporary dwelling when the vehicle is used by guests who travel in it, provided:
   a. The recreational vehicle is situated on the host's property in conformance with subsection B4 or C of this section.
   b. The vehicle is equipped for sleeping.
   c. The stay does not exceed fourteen (14) days per vehicle in any one calendar year.
3. A stored recreational vehicle may be used for temporary sleeping space, provided:
   a. The vehicle is stored on the owner's property in conformance with subsection C of this section.
   b. The vehicle is equipped for sleeping.
   c. No effluent or wastewater is discharged from the vehicle.
   d. No portion of the vehicle may extend beyond the property line of the lot or parcel on which it is situated.
   e. Use does not exceed thirty (30) days in any one calendar year. (Ord. 2016-6, 6-28-2016)

10-2-8: CONDITIONAL USES:

The City of Monticello's authority to approve or deny a conditional use is an administrative land use decision. The city will classify any use in a zoning district as either permitted or conditional use under this section.

A. A. The City May Issue A Conditional Use Permit When
1. The use complies with objective standards set forth in this section;
2. The use does not conflict with a provision of city code or other state or federal law;
3. If reasonable conditions are proposed or can be imposed to mitigate reasonably anticipated detrimental effects of the proposed used in accordance with applicable standards;
4. If the city imposes reasonable conditions on a proposed conditional use, the land use authority shall ensure that the conditions are stated on the record and reasonably relate to mitigating the anticipated detrimental effects of a proposed conditional use; and
5. Reasonable mitigation of anticipated detrimental effects of the proposed conditional use does not require elimination of the detrimental effect.

B. Conditional Use Standards Of Review: An applicant for a conditional use in the zone must demonstrate:
   1. The proposed use complies with all applicable provisions of this chapter, state and federal law;
   2. The structures associated with the use are compatible with surrounding structures in terms of use, scale, mass and circulation;
   3. The use is not detrimental to the public health, safety and welfare;
   4. The use is consistent with the city general plan as amended;
   5. Traffic conditions are not adversely affected by the proposed use, including the existence or need for dedicated turn lanes, pedestrian access, and capacity of the existing streets;
   6. There is sufficient utility capacity;
   7. There is sufficient emergency vehicle access;
   8. The location and design of off street parking complies with off street parking standards;
   9. A plan for fencing, screening, and landscaping to separate the use from adjoining uses and mitigate the potential for conflict in uses;
   10. Exterior lighting that complies with the lighting standards of the zone;
   11. Within and adjoining the site, impacts on the aquifer, slope retention, and flood potential have been reasonably mitigated and are appropriate to the topography of the site.

C. Specific Review Criteria For Home Occupation Conditional Use:

   In addition to the requirements at 10-2-8(C), the planning commission must evaluate the applicant's compliance with each of the following criteria when considering whether to approve, deny or conditionally approve an application for a home occupation.
   1. The home occupation is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the building from that of a dwelling;
   2. The physical appearance, traffic, and other activities in connection with the home occupation is not contrary to the objectives and characteristics of the zone in which the home occupation is located, and does not depreciate surrounding residential values by creating a nuisance in a residential neighborhood including, but not limited to, generating increased traffic, excessive noise, offensive odors, etc;
   3. The home occupation is conducted within the main residential dwelling and is carried on by residing members of the dwelling, except that individuals not residing in the dwelling may work at the home occupation, provided:
      a. No more than one non-residing employee shall be allowed to work in the home occupation at any given time; and
      b. The non-residing employee shall be given access to an on premises, hard surfaced parking space (see section 10-2-5, "Off Street Parking Requirements", of this chapter).

4. Less than twenty five percent (25%) of the ground floor area of the dwelling is devoted to the home occupation.
5. The home occupation may use an accessory building for business storage, provided the accessory building meets all city building and zoning codes including, but not limited to, setbacks designated for R-1 and R-2 residential zones (see sections 10-6-5 and 10-7-5 of this title).
6. The use of yard space for storage of business-related materials shall not be permitted.
7. Signs designating the home occupation shall conform to section 10-2-6(C) of this title.
8. Entrance to the home occupation shall be left to the discretion of the homeowner, and may be defined by a second small directional sign, limited to twelve inches by twelve inches (12" x 12") in size, at the predesignated entryway, except:
    a. The structure and entrance shall be compatible with the objectives and characteristics of the zone in which the home occupation is located, and
    b. When applicable, the entrance to the home occupation shall conform to regulations imposed by Utah state statute.
9. No commercial vehicles are used except one delivery truck which does not exceed three-fourths (3/4) ton rated capacity.
10. The home occupation shall be registered with the license division or department of the city

D. Small Lots or Parcels: Where a tract of land at the time of the adoption hereof is at least one and eight-tenths (1.8) times as wide and one and eight-tenths (1.8) times as large in area as required for a lot or parcel in the zone, the board of adjustment may permit the division of tract into two (2) lots, provided:
    1. Such division will not cause undue concentration of buildings;
    2. The characteristics of the zone in which the lot is located will be maintained;
    3. In the opinion of the board of adjustment, values in the area will be safeguarded.

E. Utility Buildings And Structures Permitted: Water, sewer and electric buildings and structures may be constructed in all residential zones, subject to the approval of the board of adjustment. The planning commission may impose conditions which are reasonably necessary to protect surrounding property values and residential amenities.

F. Moved Buildings:
    1. No permit for the moving within the city of any residential, commercial or industrial building which has had prior use shall be issued, as required under section 10-16-1 of this title without first filing an application with the zoning administrator. Said application shall contain the following information:
        a. Location and address of the old and new site;
        b. Plot plan of the new location showing adjacent lots or parcels on all sides of the property and indicating all structures and improvements on said lots or parcels;

c. Plans and specifications for the proposed improvements at the new location, including plans for landscaping treatment when required by the zoning administrator;
d. Certification by the zoning administrator that the structure is sound enough to be moved and that the condition, location and use of the building will comply with this title and all other applicable codes and ordinances;
e. Said building and the lot or parcel on which the building is to be located will conform to the requirements of this title and other applicable codes, ordinances and regulations;
f. Its location on the lot or parcel does not, in any substantial way, adversely affect buildings or uses in abutting properties;
g. All required dedications and improvements for streets, facilities and buildings shall be provided in conformity with the standards of the city;
h. That adequate provision has been made through the posting of a bond or other assurance that the building and grounds shall be brought up to the standards of a new building before it is occupied and that the vacated site shall be restored to a safe and sightly condition.

2. The requirements of this provision shall also apply to the moving of mobile homes, demountable homes, manufactured homes and similar movable structures, except when being moved from outside the city into a mobile home park.

G. Transitional Uses: Uses which are permitted on either portion of a lot or parcel which is divided by a zone boundary line, or which is coterminous with a zone boundary line, may be permitted to extend to the entire lot or parcel, but not more than one hundred feet (100') beyond the boundary line of such zone in which such use is permitted. Before a permit for such a use may be granted, however, the planning commission must find that the comprehensive plan of zoning will be maintained and that a more harmonious mixing of uses will be achieved thereby.

H. Applicant's Entitlement To Conditional Use Application Approval:
1. An applicant is entitled to approval of a conditional use application if the application conforms to the requirements of the applicable land use regulations, land use decisions, and development standards in effect when the applicant submits a complete application and pay application fees, unless:
a. The land use authority, on the record, formally finds that a compelling, countervailing public interest would be jeopardized by approving the application and specifies the compelling, countervailing public interest in writing; or
b. In the manner provided by local ordinance and before the applicant submits the application, the municipality formally initiates proceedings to amend the municipality's land use regulations in a manner than would prohibit approval of the application as submitted.
2. The city shall process an application without regard to proceedings the city initiated to amend the city's ordinances as described in this title if:

a. 180 days have passed since the city initiated the proceedings; and
b. The proceedings have not resulted in an enactment that prohibits approval of the conditional use application as submitted.

3. A conditional use application is considered submitted and complete when the applicant provides the application form that complies with the requirements of applicable ordinances and pays all applicable fees.
4. The continuing validity of an approval of a conditional use permit is conditioned upon the applicant proceeding after approval to implement the approval with reasonable diligence.

I. Permit Revocation:

1. The city council may revoke the conditional use permit of any person upon a finding that the holder of the permit has failed to comply with any of the conditions imposed at the time the permit was issued. The city council shall send notice of the revocation to the holder of the permit and the holder of the permit shall immediately cease any use of the property which was based on the conditional use permit.
2. If the city council revokes any permit under this section, the holder of the permit shall have a right to appeal the revocation of the permit. The holder must file the appeal with the city recorder within fifteen (15) days of the date of the notice that the city has revoked the conditional use permit.
3. Upon receipt of the appeal, the city council shall set a hearing on the appeal at its next regularly scheduled meeting which is more than fifteen (15) days after the time the city recorder received the appeal. The city shall supply the permit holder of the time, date and place of the hearing at least fifteen (15) days before the hearing. At the hearing, the permit holder shall have the right to be heard on the revocation.

J. Time Limit:

1. Action authorized by a conditional use permit must commence within one year of the time the permit is issued.
2. If the permit holder has not commenced action under the permit within this time, the permit shall expire and the holder must apply for a new permit.
3. The planning commission may grant an extension for good cause shown. Only one extension may be granted and the maximum extension shall be six (6) months. In order to obtain an extension, the permit holder must :
   a. Apply for an extension in writing before the expiration of the original permit;
   b. Submit the application to the city recorder; and
   c. Describe on the application the cause for requesting the extension.

10-2-9: CONCESSIONS IN PUBLIC PARKS AND PLAYGROUNDS:

Concessions including, but not limited to, amusement devices, recreational buildings and refreshment stands, shall be permitted on a public park or playground when approved by the city council as a conditional use permit. (Ord. 2012-01, 7-10-2012)

10-2-10: TEMPORARY USES:

A. Intent: The following regulations are provided to accommodate certain uses which are temporary or seasonal in nature.

B. Permitted Temporary Uses: Certain uses may be permitted on a temporary basis in any zone when approved by the city council. Said temporary uses may include, but will not be limited to:

Carnivals and circuses.
Christmas tree sales lots.
Construction storage yards, when required in connection with a primary construction project.
Flower stands.
Music festivals.
Political rallies.
Promotional displays.
Rummage sales.
Tents for religious services.

C. Application For Temporary Use:
1. Prior to the establishment of any temporary use, an application for a temporary use permit shall be submitted to and approved by the city council. Said application shall contain the following information:
   a. A description of the proposed use;
   b. A description of the property to be used, rented, or leased for the temporary use, including all information necessary to accurately portray the property;
   c. Sufficient information to determine the yard requirements, sanitary facilities and availability of parking space to service the proposed use.
2. Approval Required: The city council may approve said application provided the council finds:
   a. The proposed use is listed as a permitted temporary use or, in the opinion of the city council, is similar to those uses permitted.
   b. The proposed use will not create excessive traffic hazards or other unsafe conditions in the area and, if traffic control is required, it will be provided at the expense of the applicant.
   c. The proposed use shall not occupy the site for more than ten (10) days, except for Christmas tree lots which shall not occupy the site for more than forty (40) days, and construction storage yards which shall be removed within thirty (30)

days following completion of the primary construction project for which the temporary permit was issued.

d. The applicant will have sufficient liability insurance for the requested use or event.

e. The applicant shall provide, at his own expense, for the restoration of the site to its original conditions, including cleanup and replacement of facilities as may be necessary.

D. City Council May Delegate Approval Responsibility; Exceptions:

1. The city council may authorize the zoning administrator to issue temporary use permits for certain temporary uses without council review. Where the request is for a temporary use which is not listed or where the characteristics of the proposed use are not in compliance with the above standards, the zoning administrator shall refer the application to the city council for its action.
2. In granting approval, the city council may attach additional conditions as it deems appropriate to ensure that the use will not pose any detriment to persons or property. The Council may also require a bond to ensure that necessary cleanup or restoration work will be performed. (Ord. 2012-01, 7-10-2012)

10-2-11: PORTABLE STORAGE CONTAINER REGULATIONS:

A. Definition: A "portable storage container" includes any of the following types of buildings, structures, or vehicles:

1. Metal shipping container of the type commonly marketed for storage and which can be delivered or removed by semitrailer, regardless of whether such structure is located on a foundation or slab.
2. Semitrailer or other trailer whether such vehicle is parked on or off a City street, and which does not have a current Utah license and inspection.
3. Box from a delivery truck when such has been removed from the chassis.

B. Appropriate Use Of Portable Storage Containers: No portable storage container may be placed in any zone unless it meets the following criteria:

1. The placement of the portable storage container cannot block traffic or interfere with access for public safety.
2. Used containers must have all prior identifying markings removed.
3. Advertising on such containers will be limited to the promotion of the commercial entity located on the same lot as the container and shall comply with the sign ordinance.
4. The container must be maintained to match the commercial building decor located on the same lot or it must be hidden from view by a fence.
5. Semitrailers or other trailers used as storage containers must also have axles removed.

1. Permanent placement is allowed within residential zones when it is authorized by City permit.
    a. Container cannot be placed in a front yard or within the twenty foot (20') side setback of a side yard that fronts on a street.
    b. The placement of the portable storage container cannot block traffic or interfere with access for public safety or utilities.
    c. Used containers must have all prior identifying markings removed.
    d. The container must be maintained to match the residential building decor located on the same lot. or parcel.
    e. Semitrailers or other trailers used as storage containers must also have axles removed.
2. Temporary placement is allowed for storage of tools, materials, and supplies at an active construction site in all zones, for a period not to exceed eight (8) months and when authorized by permit.
    a. Placement of the portable storage container cannot block traffic or interfere with access for public safety.
    b. Temporary placement is limited to one container per lot or parcel for any twelve (12) month period. (Ord. 2012-01, 7-10-2012)

C. Maximum Size:
1. The maximum size for any permitted portable storage container located in R-1, R-2, and C-2 Zones is three hundred sixty (360) square feet and cannot exceed ten feet (10') in height.
2. The maximum size for any permitted portable storage container located in C-1, I-1, and A-1 Zones is four hundred twenty-four (424) square feet, with the exception of residences located in C-1 and I-1 Zones; in which case, the maximum size for any permitted portable storage container is three hundred sixty (360) square feet.
3. Portable storage containers can be attached or detached from the main structure, provided that the location of the containers comply with setbacks for the zone in which the portable storage containers are placed. (Ord. 2018-4, 4-10-2018)

D. Permit Required: A permit is required for all portable storage containers.
1. Any portable storage container greater than or equal to two hundred (200) square feet is considered an accessory building and requires a separate building permit in addition to a portable storage container permit.
2. Any portable storage container less than two hundred (200) square feet requires only a portable storage container permit, unless electricity is proposed to be installed.

E. Prohibited Uses:
1. No modular home, house trailer, vehicle, or camp trailer can be used for storage, whether permanent or temporary.

2. All existing portable storage containers that do not meet the appropriate uses (above) will be removed at the owner's expense.
3. No person may dwell in a container, nor shall a container be otherwise used for human occupation.

10-2-12: CHICKENS:

This section shall provide residents of the community the opportunity to maintain up to ten (10) hen chickens as pets and for the purpose of producing eggs, subject to the described restrictions and regulations. The objective is to cultivate localized self-supporting and sustainable behavior for the betterment of the local, regional, and world community.

A. General Conditions: In all A-1, R-1, R-2 Zones and planned unit developments in the City of Monticello, and only for those single-family residential uses in the commercial zones, up to and not exceeding more than ten (10) hen chickens for egg production as family food, shall be allowed.

B. Prohibited Uses:
   1. No roosters shall be allowed in the R-1, R-2, and any commercial zone or in planned unit developments. If chickens are purchased as chicks and any are determined at a later date to be roosters, they shall be removed immediately upon determination of gender;
   2. Fighting chickens are not allowed;
   3. Hen chickens shall not be raised for slaughter for commercial purposes.

C. Standards For Containment:
   1. Hens shall be securely fenced and confined to the rear yard of the property.
   2. Any permanent hen shelter must comply with the accessory structure requirements. (Ord. 2012-01, 7-10-2012)

10-2-13: DIAGONAL PARKING:

Diagonal parking will be permitted on any City street located in a C-1 or C-2 Zone so long as the following conditions are met:

A. Size/Marking:
   1. The dimensions of each diagonal parking space shall be at least nine feet by eighteen feet (9' x 18'), and set at an angle of sixty degrees (60°) from the curb.
   2. All diagonal parking spaces must be clearly marked with approved white marking paint, and must be four inches (4") wide.
   3. It is the responsibility of the property owner abutting the diagonal parking spaces to paint and maintain the markings of the parking spaces.

B. Street Width:
   1. The City street where the diagonal parking will be located must be at least sixty feet (60') wide.

C. Setbacks:
   1. Diagonal parking must be set back from any intersection not less than thirty feet (30').
   2. No diagonal parking space is permitted to encroach into a driveway access.
   3. Clear access to any fire hydrant shall be no less than three feet (3') on both sides of the fire hydrant. This clear space shall be striped as a no parking zone. (Ord. 2012-01, 7-10-2012)

10-2-14: FENCES ON PROPERTY USED FOR RESIDENTIAL PURPOSES:

A. Permit Required: A permit is required prior to fence construction.

B. Fences shall be erected on or within property lines.

C. Property owners shall be responsible for identifying property line locations

D. All heights of fences will be measured from the ground level.

E. Interior Lots or Parcels:
   1. Fences shall have a maximum height of four feet (4') in the required yard that fronts on a street.
   2. Side and back yard fences will have a maximum height of six feet (6') provided that the six foot high fence does not extend into the required yard that fronts a street.

F. Corner Lots or Parcels:
   1. Corner lot or parcel fences must maintain a forty-five degree (45°) clear view of intersecting streets, at a height of no more than four feet (4').
   2. The height of the fence in the front yard on a corner lot or parcel will have a maximum height of four feet (4'). A front yard on a corner lot or parcel is the yard that contains the formal public entrance to the main building.
   3. Side and back yard fences will have a maximum height of six feet (6') as long as it does not infringe upon the forty five degree (45°) clear view triangle space.

G. Clear View of Intersecting Streets: In all zones which require a front yard, no obstruction which will obscure the view of automobile drivers shall be placed on any corner lot or parcel within a triangular area formed by the street property lines and a line connecting them at points of forty five feet (45') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

10-2-15: FENCES ON PROPERTY USED FOR COMMERCIAL OR INDUSTRIAL PURPOSES

A. Permit Required: A permit is required prior to fence construction.

B. Fences shall be erected on or within property lines.

C. Property owners shall be responsible for identifying property line locations

D. All heights of fences will be measured from the ground level.

10-2-16: SOLAR ELECTRICITY SYSTEMS

The purpose of this section is to allow the use of solar electricity systems within the city provided that:

A. A permit from the city is required prior to installation of any solar electricity system.

B. Structurally attached solar panels are subject to all applicable building codes and ordinances.

C. Solar electricity systems not mounted on a roof are prohibited within the setbacks required for the zone in which the solar installation will be erected.

D. Solar electricity systems not mounted on a roof are prohibited to be higher than the maximum height allowed for a structure or building within the zone in which the solar installation will be erected.

10-2-17: RENTAL UNITS:

A. Long-term rental unit means a building or structure that is used or designated for use as a residence by one or more persons, and is

1. Available to be rented, loaned, leased, or hired out for a period of 30 consecutive days or longer; or
2. Arranged, designated, or built to be rented, loaned, leased, or hired out for a period of 30 consecutive days or longer.

B. Internal accessory dwelling units shall:

1. Be designed in a manner that does not change the appearance of the primary dwelling unit;
2. Include one additional on-site parking space regardless of whether the primary dwelling unit is existing or new construction;

3. Meet all applicable building codes;
4. Not be created in a primary dwelling unit served by a failing septic tank;
5. Not be created on a lot or parcel of land containing the primary dwelling unit if the lot or parcel of land is 6,000 square feet or less in size;
6. Not be created within a zoning district covering an area that is equivalent to 25% or less of the total area in the city that is zoned primarily for residential use;
7. Not require a separate city utility meter;
8. Replace existing parking spaces if the internal accessory unit is created within a garage or carport;.

C. Short-term units shall:

1. Meet all applicable building codes;
2. Conform to standards as defined by the city codes Title 4-2 Nuisances, Title 4-2A Noise Control, and Title 5-2 Animal Control;
3. Include in a clear and prominent location within each short-term unit:
   a. A copy of the owner's business license;
   b. The name, address, and phone number of the owner or property manager;
   c. A statement of maximum occupancy for the short-term rental unit
4. Provide a minimum of four (4) off-street parking spaces with all-weather surface;
5. The owner of any short-term rental unit is required to collect and remit Transient Room Tax and any other tax deemed necessary by the State Tax Commission.

D. Business license required:

1. Owners of rental dwellings shall obtain a city license in advance of advertising for or renting, loaning, leasing, or hiring out the long-term rental unit.
2. Owners of primary dwelling units containing an internal accessory dwelling shall obtain a city license in advance of advertising for or renting, loaning, leasing, or hiring out the internal accessory dwelling unit.
3. Owners of short-term rental units shall obtain a city license in advance of advertising for or renting, loaning, leasing, or hiring out the internal accessory unit.
4. One city license may include more than one long-term rental and internal accessory dwelling unit owned by the same individual but shall not include short-term rental units.
5. One city license may include more than one short-term rental unit owned by the same individual but shall not include other rental units or internal accessory dwelling units.
6. A person managing any rental unit who is not the owner of said unit, shall obtain a city property management license in advance of managing the rental units.

D I S C U S S I O N P A P E R F O R P L A N N I N G C O M M I S S I O N U S E

TITLE 10
ZONING REGULATIONS

Red = Changes required by Utah law
Blue = Changes to be discussed by Planning Commission

CHAPTER 5
A-1 AGRICULTURAL ZONE

SECTION:

10-5-1: Regulations
10-5-2: Intent
10-5-3: Permitted Uses
10-5-4: Area And Frontage Requirements
10-5-5: Location Requirements
10-5-6: Height Of Buildings
10-5-7: Size Of Dwelling
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10-5-9: Yard Space For One Main Building Only
10-5-10: Every Dwelling To Be On A Lot or Parcel
10-5-11: Sale Or Lease Of Required Space Prohibited
10-5-12: Yards To Be Unobstructed; Exceptions
10-5-13: Accessory Buildings Prohibited As Living Quarters
10-5-14: Storage Of Junk, Debris, Or Unlicensed Inoperable Vehicles Prohibited
10-5-15: Sewage Disposal
10-5-16: Water Connections
10-5-17: Drainage
10-5-18: Clear View Of Intersecting Streets
10-5-19: Effect Of Street Plan
10-5-20: Motor Vehicle Access
10-5-21: Landscaping Required
10-5-22: Pollution Prevention
10-5-23: Special Provisions

10-5-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-5-2: INTENT:

A-1 agricultural zone covers certain fringe areas of the city where residential areas may be integrated with the raising of livestock for family food production and for the pleasure of the people who reside on the premises. (Ord. 2012-01, 7-10-2012)

10-5-3: PERMITTED USES:

A. The following buildings, structures and uses of land shall be permitted upon compliance with requirements set forth in this title:

Accessory buildings.

~~Accessory uses and structures shall be permitted in the C-2 zone, provided they are incidental to and do not substantially alter the character of the permitted principal use or structure.~~

Bunkhouses used by workers and staff.

Churches, not including temporary revival tents or buildings.

Fences, walls and hedges.

Foster care homes.

Grain bins and silos.

Household pets.

Landscape businesses, exclusive of gravel crushing and which do not violate dust, noise, or nuisance ordinances.

Machinery and equipment sheds used for storage of equipment in connection with agricultural activities performed on the premises.

Mobile home parks meeting the requirements of chapter 13 of this title.

Plant nursery.

Public agency arenas such as rodeo grounds, equestrian sports facilities, fairgrounds.

Public agency parks and playgrounds.

Public buildings and grounds, not including storage yards or repair shops.

Public, private and parochial schools and grounds.

Single- and two-family dwellings of conventional construction and manufactured homes.

The care and keeping of livestock and fowl. Also barns, corrals, pens and sheds for the care and keeping of the permitted animals and fowl.

The growing of field crops and fruit.

Veterinary clinics and animal boarding facilities. (Ord. 2012-01, 7-10-2012)

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:

All signs shall conform with section 10-2-6 of this title.
Conditional uses shall conform with section 10-2-8 of this title.
Temporary uses shall conform with section 10-2-10 of this title.
Portable Storage Containers shall conform with section 10-2-11 of this title
Fences shall conform with section 10-2-15 of this title.

C. The following uses are permitted as conditional uses.

Daycare, nursery, preschool.

Rest homes, nursing homes, convalescent homes, assisted living homes.

10-5-4: AREA AND FRONTAGE REQUIREMENTS:

A. Area and width requirements for all uses shall be a minimum of one acre.

B. Frontage at setback line shall be a minimum of one hundred twenty five feet (125'). (Ord. 2012-01, 7-10-2012)

10-5-5: LOCATION REQUIREMENTS:

A. Front Setback:

1. Main Setback: All dwellings and other structures shall be set back according to the special conditions noted below:
   a. Where the legal property line of the lot or parcel is located at the back of street curb or back of pavement and there is no curb, the front setback shall be fifty feet (50') from the front lot or parcel line.
   b. Where the legal property line of the lot or parcel is located within the street pavement or gravel area, the front setback shall be forth feet (40') from the front lot or parcel line.
   c. Where the legal property line of the lot or parcel is located more than ten feet (10') from the street pavement or gravel area, the front setback shall be twenty feet (20') from the front lot or parcel line.
   d. Where the legal property line of the lot or parcel line is angular to the roadway and there is less than twenty feet (20') between the legal property line and the street pavement or gravel area, then the front setback shall be a minimum of twenty feet (20') from the nearest point of the street pavement or gravel area.
2. Accessory Buildings: All accessory buildings shall be set back not less than twenty feet (20') to the rear of the closest rear wall line of the main building and not less than twelve feet (12') from any side wall of the main building. Accessory buildings which are located twelve feet (12') or closer to a main building shall be considered as part of the main building. Where no main building exists on a lot or parcel, a detached accessory building shall be set back not less than sixty feet (60') from the front lot line.

B. Side Setback; Interior Lot or Parcel:

1. Main Buildings: All dwellings and other main buildings shall be set back at least twenty feet (20') from the side lot or parcel line.
2. Accessory Buildings: All accessory buildings shall be set back at least twenty feet (20') from the lot or parcel line.

C. Side Setback; Corner Lot or Parcel:

1. Side Abutting Street: All dwellings and other main and accessory buildings shall be set back at least fifty feet (50') from the side lot or parcel line which abuts on a street.
2. Interior Side: Same as required for interior lots or parcels.

D. Rear Setback; Interior Lot or Parcel:
   1. Main Buildings: All dwellings or other main buildings shall be set back at least twenty feet (20') from the rear lot or parcel line.
   2. Accessory Building: Same as required under side setbacks for interior lots.

E. Rear Setback; Corner Lot:
   1. Main Buildings: All dwellings and other main buildings shall be set back at least thirty feet (30') from the rear lot or parcel line, except
      a. Where a carport or garage is attached to the rear of the dwelling, the required rear setback for said carport or garage may be reduced to twenty feet (20') or more as measured from the rear lot or parcel line to the closest part of the building.
   2. Accessory Building: All accessory buildings shall be set back at least thirty feet (30') from the rear lot or parcel line

10-5-6: HEIGHT OF BUILDINGS:
The maximum height of any building shall be measured from finished grade at the front of the building to the highest wall plate.

A. The maximum height of a dwelling building shall be as noted below:
   1. Level lot or parcel: Thirty feet (30').
   2. Uneven lot or parcel: Where the ground is uneven in height and the ground slopes downward from the front of the dwelling by more than ten feet (10') to the back of the dwelling the maximum height shall be thirty-three (33').

B. Minimum height of a dwelling building shall not be less than the height required by the applicable building code.

C. The maximum height of accessory buildings shall be no greater than forty-five feet (45') or two stories, whichever is the higher.

D. Additional Height Allowed For Public Buildings:
Public buildings and churches may be erected to any height, provided the building is set back from required building setback lines a distance of at least one foot (1') for each additional foot of building height above the maximum height otherwise permitted in the zone in which the building is located. (Ord. 2012-01, 7-10-2012)

10-5-7: SIZE OF DWELLING:
The ground floor area of any single-family dwelling shall be at least nine hundred (900) square feet of living area exclusive of open porches, carports, garages and similar add ons. (Ord. 2012-01, 7-10-2012)

10-5-8: WIDTH OF BUILDINGS:

The total length or total width of any dwelling or church shall be at least fourteen feet (14'), as measured from outside wall to outside wall, exclusive of any carport, garage, shed or similar add on. (Ord. 2012-01, 7-10-2012)

10-5-9: YARD SPACE FOR ONE MAIN BUILDING ONLY:
No required yard or other open space around an existing building, or which is hereafter provided around any building, which is needed to comply with the provisions of this title, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot or parcel be considered as providing the yard or open space on the lot or parcel whereon a building is to be erected or established. (Ord. 2012-01, 7-10-2012)

10-5-10: EVERY DWELLING TO BE ON A LOT OR PARCEL:
Only one building which contains a dwelling shall be located and maintained on a ~~"zoning lot"~~ lot or parcel as defined in this title, except bunkhouses and dwellings within a mobile home park or other large scale development. (Ord. 2012-01, 7-10-2012)

10-5-11: SALE OR LEASE OF REQUIRED SPACE PROHIBITED:
No space needed to meet the width, yard, area, coverage, parking, or other requirements of this title for a lot, parcel, or building may be sold or leased apart from such lot, parcel, or building unless other space so complying is provided. (Ord. 2012-01, 7-10-2012)

10-5-12: YARDS TO BE UNOBSTRUCTED; EXCEPTIONS:
Every part of a required yard shall be open to the sky and unobstructed except:
A. Permitted accessory buildings, and

B. Ordinary and customary projection of sills, belt courses, cornices and other ornamental features and unenclosed steps and unwalled stoops, porches and carports which may project up to three feet (3') into a required yard.

10-5-13: ACCESSORY BUILDINGS PROHIBITED AS LIVING QUARTERS:
Living and sleeping quarters in any building or structure other than the main residential building and bunkhouse are prohibited. (Ord. 2012-01, 7-10-2012)

10-5-14: STORAGE OF JUNK, DEBRIS, OR UNLICENSED INOPERABLE VEHICLES PROHIBITED:
A. No yard or other open space surrounding an existing building, or which is hereafter provided around any building in any zone, shall be used for the storage of junk, debris, or inoperable vehicles;

B. No land shall be used for such purposes, except as specifically provided by this title.

C. Storage of one restorable vehicle may be permitted in the backyard for a period of six (6) months, on a case by case basis, at the discretion of the zoning administrator. Restoration work shall comply with applicable noise and nuisance ordinances.

10-5-15: SEWAGE DISPOSAL:

A. Sewer connections shall comply with Title 8 of city code.

B. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. (Ord. 2012-01, 7-10-2012)

10-5-16: WATER CONNECTIONS:

A. Where municipal water is available all dwellings shall be connected in accordance with Title 8 of city code.

B. Where no municipal water is available, approval of such facilities shall be obtained from the state health department before a building permit or certificate of occupancy shall be issued therefore.

10-5-17: DRAINAGE:

A. The owners and users of ditches shall not divert more water into the ditch than it's carrying capacity.

B. Runoff from new rooftops or lots shall not exceed the carrying capacity of the natural or previous drainage system. (Ord. 2012-01, 7-10-2012)

C. Drainage corridors shall be protected in accordance with 10-12-2.

10-5-18: CLEAR VIEW OF INTERSECTING STREETS:

No obstruction which will obscure the view of automobile drivers shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points of forty five feet (45') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

10-5-19: EFFECT OF STREET PLAN:

A. Wherever a front or side yard is required for a building that abuts on a proposed street which has not been constructed, but which has been designated by the planning commission as a future street, the depth of such front or side yard shall be measured from the planned street lines. (Ord. 2012-01, 7-10-2012)

B. Before a building permit shall be issued for the building that abuts on a proposed street, the property owner shall
   1. Grant an easement for the proposed street to the city.
   2. Construct the street and underground utilities to the standards required by the city.
   3. Post a bond guaranteeing that all street and underground utility improvements will be completed to standards required by the city.

10-5-20: MOTOR VEHICLE ACCESS:
Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:

A. ~~Access shall be by not~~ No lot or parcel shall have more than two (2) driveways ~~from any one street~~.

B. Driveways shall not be closer to each other than twenty feet (20'). Where one driveway is shared by adjacent lots or parcels, a conditional use permit is required prior to constructing the driveway.

C. On corner lots or parcels, no driveways shall be closer than ~~fifteen feet (15')~~ twenty feet (20') to the point of intersection of the front property line with the side property line which abuts upon a street.

D. Where there is no existing curb and gutter or sidewalk, a curb or fence may be required by the city. (Ord. 2012-01, 7-10-2012)

10-5-21: LANDSCAPING REQUIRED:
Front yards and side yards of all dwellings and bunkhouses which front on city streets must be landscaped. (Ord. 2012-01, 7-10-2012)

10-5-22: POLLUTION PREVENTION:
Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air conservation board or the board of health, and any use which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering groundwater in amounts exceeding the standards prescribed by the Utah state water pollution control board or the board of health, shall be prohibited. (Ord. 2012-01, 7-10-2012)

10-5-23: SPECIAL PROVISIONS:
Special provisions shall apply in order to protect the intent of the zone.

A. All buildings used for human occupancy shall be furnished with a water supply in accordance with 10-5-15 of this title.

B. All buildings used for human occupancy shall be constructed in accordance with the adopted building, plumbing, electrical, fire prevention and similar codes.

C. All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title. (Ord. 2012-01, 7-10-2012)

NOT YET IN EFFECT

TITLE 10
ZONING REGULATIONS

CHAPTER 5
A-1 AGRICULTURAL ZONE

SECTION:

10-5-1: Regulations
10-5-2: Intent
10-5-3: Permitted Uses
10-5-4: Area And Frontage Requirements
10-5-5: Location Requirements
10-5-6: Height Of Buildings
10-5-7: Size Of Dwelling
10-5-8: Width Of Buildings
10-5-9: Yard Space For One Main Building Only
10-5-10: Every Dwelling To Be On A Lot or Parcel
10-5-11: Sale Or Lease Of Required Space Prohibited
10-5-12: Yards To Be Unobstructed; Exceptions
10-5-13: Accessory Buildings Prohibited As Living Quarters
10-5-14: Storage Of Junk, Debris, Or Unlicensed Inoperable Vehicles Prohibited
10-5-15: Sewage Disposal
10-5-16: Water Connections
10-5-17: Drainage
10-5-18: Clear View Of Intersecting Streets
10-5-19: Effect Of Street Plan
10-5-20: Motor Vehicle Access
10-5-21: Landscaping Required
10-5-22: Pollution Prevention
10-5-23: Special Provisions

10-5-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-5-2: INTENT:

A-1 agricultural zone covers certain fringe areas of the city where residential areas may be integrated with the raising of livestock for family food production and for the pleasure of the people who reside on the premises. (Ord. 2012-01, 7-10-2012)

10-5-3: PERMITTED USES:

A. The following buildings, structures and uses of land shall be permitted upon compliance with requirements set forth in this title:

Accessory buildings.

Bunkhouses used by workers and staff.

Churches, not including temporary revival tents or buildings.

Fences, walls and hedges.

Foster care homes.

Grain bins and silos.

Household pets.

Landscape businesses, exclusive of gravel crushing and which do not violate dust, noise, or nuisance ordinances.

Machinery and equipment sheds used for storage of equipment in connection with agricultural activities performed on the premises.

Mobile home parks meeting the requirements of chapter 13 of this title.

Plant nursery.

Public agency arenas such as rodeo grounds, equestrian sports facilities, fairgrounds.

Public agency parks and playgrounds.

Public buildings and grounds, not including storage yards or repair shops.

Public, private and parochial schools and grounds.

Single- and two-family dwellings of conventional construction and manufactured homes.

The care and keeping of livestock and fowl. Also barns, corrals, pens and sheds for the care and keeping of the permitted animals and fowl.

The growing of field crops and fruit.

Veterinary clinics and animal boarding facilities. (Ord. 2012-01, 7-10-2012)

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:

All signs shall conform with section 10-2-6 of this title.
Conditional uses shall conform with section 10-2-8 of this title.
Temporary uses shall conform with section 10-2-10 of this title.
Portable Storage Containers shall conform with section 10-2-11 of this title
Fences shall conform with section 10-2-15 of this title.

C. The following uses are permitted as conditional uses.

Daycare, nursery, preschool.
Rest homes, nursing homes, convalescent homes, assisted living homes.

10-5-4: AREA AND FRONTAGE REQUIREMENTS:

A. Area and width requirements for all uses shall be a minimum of one acre.

B. Frontage at setback line shall be a minimum of one hundred twenty five feet (125'). (Ord. 2012-01, 7-10-2012)

10-5-5: LOCATION REQUIREMENTS:

A. Front Setback:
   1. Main Setback: All dwellings and other structures shall be set back according to the special conditions noted below:
      a. Where the legal property line of the lot or parcel is located at the back of street curb or back of pavement and there is no curb, the front setback shall be fifty feet (50') from the front lot or parcel line.
      b. Where the legal property line of the lot or parcel is located within the street pavement or gravel area, the front setback shall be forth feet (40') from the front lot or parcel line.
      c. Where the legal property line of the lot or parcel is located more than ten feet (10') from the street pavement or gravel area, the front setback shall be twenty feet (20') from the front lot or parcel line.
      d. Where the legal property line of the lot or parcel line is angular to the roadway and there is less than twenty feet (20') between the legal property line and the street pavement or gravel area, then the front setback shall be a minimum of twenty feet (20') from the nearest point of the street pavement or gravel area.
   2. Accessory Buildings: All accessory buildings shall be set back not less than twenty feet (20') to the rear of the closest rear wall line of the main building and not less than twelve feet (12') from any side wall of the main building. Accessory buildings which are located twelve feet (12') or closer to a main building shall be considered as part of the main building. Where no main building exists on a lot or parcel, a detached accessory building shall be set back not less than sixty feet (60') from the front lot line.

B. Side Setback; Interior Lot or Parcel:
   1. Main Buildings: All dwellings and other main buildings shall be set back at least twenty feet (20') from the side lot or parcel line.
   2. Accessory Buildings: All accessory buildings shall be set back at least twenty feet (20') from the lot or parcel line.

C. Side Setback; Corner Lot or Parcel:
   1. Side Abutting Street: All dwellings and other main and accessory buildings shall be set back at least fifty feet (50') from the side lot or parcel line which abuts on a street.
   2. Interior Side: Same as required for interior lots or parcels.

D. Rear Setback; Interior Lot or Parcel:
   1. Main Buildings: All dwellings or other main buildings shall be set back at least twenty feet (20') from the rear lot or parcel line.
   2. Accessory Building: Same as required under side setbacks for interior lots.

E. Rear Setback; Corner Lot:

1. Main Buildings: All dwellings and other main buildings shall be set back at least thirty feet (30') from the rear lot or parcel line, except
    a. Where a carport or garage is attached to the rear of the dwelling, the required rear setback for said carport or garage may be reduced to twenty feet (20') or more as measured from the rear lot or parcel line to the closest part of the building.
2. Accessory Building: All accessory buildings shall be set back at least thirty feet (30') from the rear lot or parcel line

10-5-6: HEIGHT OF BUILDINGS:
The maximum height of any building shall be measured from finished grade at the front of the building to the highest wall plate.

A. The maximum height of a dwelling building shall be as noted below:
    1. Level lot or parcel: Thirty feet (30').
    2. Uneven lot or parcel: Where the ground is uneven in height and the ground slopes downward from the front of the dwelling by more than ten feet (10') to the back of the dwelling the maximum height shall be thirty-three (33').

B. Minimum height of a dwelling building shall not be less than the height required by the applicable building code.

C. The maximum height of accessory buildings shall be no greater than forty-five feet (45') or two stories, whichever is the higher.

D. Additional Height Allowed For Public Buildings:
Public buildings and churches may be erected to any height, provided the building is set back from required building setback lines a distance of at least one foot (1') for each additional foot of building height above the maximum height otherwise permitted in the zone in which the building is located. (Ord. 2012-01, 7-10-2012)

10-5-7: SIZE OF DWELLING:
The ground floor area of any single-family dwelling shall be at least nine hundred (900) square feet of living area exclusive of open porches, carports, garages and similar add ons. (Ord. 2012-01, 7-10-2012)

10-5-8: WIDTH OF BUILDINGS:
The total length or total width of any dwelling or church shall be at least fourteen feet (14'), as measured from outside wall to outside wall, exclusive of any carport, garage, shed or similar add on. (Ord. 2012-01, 7-10-2012)

10-5-9: YARD SPACE FOR ONE MAIN BUILDING ONLY:

No required yard or other open space around an existing building, or which is hereafter provided around any building, which is needed to comply with the provisions of this title, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot or parcel be considered as providing the yard or open space on the lot or parcel whereon a building is to be erected or established. (Ord. 2012-01, 7-10-2012)

10-5-10: EVERY DWELLING TO BE ON A LOT OR PARCEL**:**
Only one building which contains a dwelling shall be located and maintained on a lot or parcel as defined in this title, except bunkhouses and dwellings within a mobile home park or other large scale development. (Ord. 2012-01, 7-10-2012)

10-5-11: SALE OR LEASE OF REQUIRED SPACE PROHIBITED:
No space needed to meet the width, yard, area, coverage, parking, or other requirements of this title for a lot, parcel, or building may be sold or leased apart from such lot, parcel, or building unless other space so complying is provided. (Ord. 2012-01, 7-10-2012)

10-5-12: YARDS TO BE UNOBSTRUCTED; EXCEPTIONS:
Every part of a required yard shall be open to the sky and unobstructed except:
A. Permitted accessory buildings, and

B. Ordinary and customary projection of sills, belt courses, cornices and other ornamental features and unenclosed steps and unwalled stoops, porches and carports which may project up to three feet (3') into a required yard.

10-5-13: ACCESSORY BUILDINGS PROHIBITED AS LIVING QUARTERS:
Living and sleeping quarters in any building or structure other than the main residential building and bunkhouse are prohibited. (Ord. 2012-01, 7-10-2012)

10-5-14: STORAGE OF JUNK, DEBRIS, OR UNLICENSED INOPERABLE VEHICLES PROHIBITED:
A. No yard or other open space surrounding an existing building, or which is hereafter provided around any building in any zone, shall be used for the storage of junk, debris, or inoperable vehicles;

B. No land shall be used for such purposes, except as specifically provided by this title.

C. Storage of one restorable vehicle may be permitted in the backyard for a period of six (6) months, on a case by case basis, at the discretion of the zoning administrator. Restoration work shall comply with applicable noise and nuisance ordinances.

10-5-15: SEWAGE DISPOSAL:

A. Sewer connections shall comply with Title 8 of city code.

B. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. (Ord. 2012-01, 7-10-2012)

10-5-16: WATER CONNECTIONS:

A. Where municipal water is available all dwellings shall be connected in accordance with Title 8 of city code.

B. Where no municipal water is available, approval of such facilities shall be obtained from the state health department before a building permit or certificate of occupancy shall be issued therefore.

10-5-17: DRAINAGE:

A. The owners and users of ditches shall not divert more water into the ditch than it's carrying capacity.

B. Runoff from new rooftops or lots shall not exceed the carrying capacity of the natural or previous drainage system. (Ord. 2012-01, 7-10-2012)

C. Drainage corridors shall be protected in accordance with 10-12-2.

10-5-18: CLEAR VIEW OF INTERSECTING STREETS:

No obstruction which will obscure the view of automobile drivers shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points of forty five feet (45') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

10-5-19: EFFECT OF STREET PLAN:

A. Wherever a front or side yard is required for a building that abuts on a proposed street which has not been constructed, but which has been designated by the planning commission as a future street, the depth of such front or side yard shall be measured from the planned street lines. (Ord. 2012-01, 7-10-2012)

B. Before a building permit shall be issued for the building that abuts on a proposed street, the property owner shall
   1. Grant an easement for the proposed street to the city.
   2. Construct the street and underground utilities to the standards required by the city.
   3. Post a bond guaranteeing that all street and underground utility improvements will be completed to standards required by the city.

10-5-20: MOTOR VEHICLE ACCESS:
Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:

A. No lot or parcel shall have more than two (2) driveways.

B. Driveways shall not be closer to each other than twenty feet (20'). Where one driveway is shared by adjacent lots or parcels, a conditional use permit is required prior to constructing the driveway.

C. On corner lots or parcels, no driveways shall be closer than twenty feet (20') to the point of intersection of the front property line with the side property line which abuts upon a street.

D. Where there is no existing curb and gutter or sidewalk, a curb or fence may be required by the city. (Ord. 2012-01, 7-10-2012)

10-5-21: LANDSCAPING REQUIRED:
Front yards and side yards of all dwellings and bunkhouses which front on city streets must be landscaped. (Ord. 2012-01, 7-10-2012)

10-5-22: POLLUTION PREVENTION:
Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air conservation board or the board of health, and any use which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering groundwater in amounts exceeding the standards prescribed by the Utah state water pollution control board or the board of health, shall be prohibited. (Ord. 2012-01, 7-10-2012)

10-5-23: SPECIAL PROVISIONS:
Special provisions shall apply in order to protect the intent of the zone.

A. All buildings used for human occupancy shall be furnished with a water supply in accordance with 10-5-15 of this title.

B. All buildings used for human occupancy shall be constructed in accordance with the adopted building, plumbing, electrical, fire prevention and similar codes.

C. All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title. (Ord. 2012-01, 7-10-2012)

DISCUSSION PAPER FOR PLANNING COMMISSION USE

TITLE 10
ZONING REGULATIONS

Red = Changes required by Utah law
Blue = Changes previously rdiscussed by PC & CC but not yet submitted to CC

CHAPTER 6
R-1 RESIDENTIAL ZONE

SECTIONS:

10-6-1: Regulations
10-6-2: Intent
10-6-3: Permitted Uses
10-6-4: Area And Frontage Requirements
10-6-5: Location Requirements
10-6-6: Height Of Buildings
10-6-7: Size Of Dwelling
10-6-8: Width Of Buildings
10-6-9: Yard Space For One Main Building Only
10-6-10: Every Dwelling To Be On A ~~Zoning~~ Lot Or Parcel
10-6-11: Sale Or Lease Of Required Space Prohibited
10-6-12: Yards To Be Unobstructed; Exceptions
10-6-13: Accessory Buildings Prohibited As Living Quarters
10-6-14: Storage Of Commercial Or Oversized Vehicles Prohibited
10-6-15: Storage Of Junk, Debris, Or Unlicensed Inoperable Vehicles Prohibited
10-6-16: Sewage Disposal
10-6-17: Water Connections:
10-6-18: Drainage
10-6-19: Clear View Of Intersecting Streets
10-6-20: Effect Of Street Plan
10-6-21: Motor Vehicle Access
10-6-22: Landscaping Required
10-6-23: Pollution Prevention
10-6-24: Special Provisions

10-6-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-6-2: INTENT:
The R-1 residential zone has been established for the purpose of providing a place where single family detached dwellings can be constructed, having attractively landscaped yards and a favorable environment for family life. Uses such as multiple-family dwellings, apartment houses and commercial and industrial uses are not permitted in this zone. (Ord. 2012-01, 7-10-2012)

10-6-3: PERMITTED USES:

A. The following buildings, structures and uses of land shall be permitted upon compliance with requirements set forth in this title:

Accessory buildings
Childcare
Churches, not including temporary revival tents or buildings
Daycare, Nursery, Preschool
Foster homes
Growing of fruit and gardens for household use.
Household pets
Public agency parks and playgrounds.
~~Public buildings and grounds not including storage yards and repair shops.~~
Public, private and parochial schools and grounds.
Single-family dwellings of conventional construction and manufactured homes
Utility lines ~~and buildings~~
Walls and hedges

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:

Accessory signs conforming to section 10-2-6.
Fences in conformance with section 10-2-14.
Keeping of chickens as allowed in section 10-2-12.
Long-term rental of dwelling units subject to the provisions of section 10-2-17.
Solar electricity systems conforming to section 10-2-16.
Temporary uses subject to the provisions of section 10-2-10.

C. The following uses are permitted as conditional uses (see section 10-2-8).

Home occupations.
Machinery sheds used for storage of equipment used in connection with agricultural activities performed on the premises.
Growing of field crops, garden produce, and fruit for sale or trade.
Rest homes, nursing homes, convalescent homes, assisted living homes.
Other uses that conform to 10-2-8 when approved by city council.

10-6-4: AREA AND FRONTAGE REQUIREMENTS:
Area and frontage requirements shall be as follows:

Main Use	**Minimum Lot or Parcel Area**	**Minimum Frontage (at setback line)**

Single family dwelling	~~10,000~~ 5,445 square feet	~~80~~ 60 feet
Churches	1 acre	125 feet
Other uses	1 acre	80 feet

(Ord. 2012-01, 7-10-2012)

10-6-5: LOCATION REQUIREMENTS:

~~Setback distances shall be determined by measuring from the property line to the foundation of the building. All dwellings and other buildings and structures shall be set back according to the special conditions noted below:~~

A. Front Setback:

~~1.Main Buildings: All dwellings and other main buildings and structures shall be set back not less than twenty feet (20') from the front lot line back of curb.~~

~~a. If the narrowest distance from a resident's front property line and back of curb is greater than ten feet (10'), the owner's setback from property line may be reduced to ten feet (10'). Code exception only applicable to properties with curb to measure from. (Ord. 2014-4, 4-22-2014)~~

~~a. Where a curb is not present the setback shall be measured from the center of the city street as determined by the Public Works Department.~~

~~b. If a lot line is angled, a reduced setback requirement may be applied if all of the following conditions are met:~~

~~1. The narrowest distance from a resident's front property line and back of curb is greater than ten feet (10'), and~~

~~2. The greatest distance is over twenty feet (20'), and~~

~~3. The setback conforms with surrounding homes.~~

1. Main Setback: All dwellings and other structures shall be set back according to the special conditions noted below:
   a. Where the legal property line of the residential lot or parcel is located at the back of street curb or back of pavement and there is no curb, the front setback shall be twenty feet (20') from the front lot or parcel line.
   b. Where the legal property line of the residential lot or parcel is located within the street pavement or gravel area, the front setback shall be forty feet (40') from the front lot or parcel line.
   c. Where the legal property line of the residential lot or parcel is located more than ten feet (10') from the street pavement or gravel area, the front setback shall be ten feet (10') from the front lot or parcel line.
   d. Where the legal property line of the residential lot or parcel line is angular to the roadway and there is less than ten feet (10') between the legal property line and the street pavement or gravel area, then the front setback shall be a minimum of twenty feet (20') from the nearest point of the street pavement or gravel area.

2. Accessory Buildings: All accessory buildings shall be set back not less than twelve feet (12') to the rear of the closest rear wall line of the main building and not less

than twelve feet (12') from any side wall of the main building. Accessory buildings which are located twelve feet (12') or closer to a main building shall be considered as part of the main building. Where no main building exists on a lot or parcel, a detached accessory building shall be set back not less than sixty feet (60') from the front lot line.

B. Side Setback; Interior Lots:

1. Main Buildings: All dwellings and other main buildings shall be set back at least eight feet (8') from the side lot or parcel line.
2. Accessory Buildings: All accessory buildings shall be set back at least five feet (5') from the lot or parcel line~~, except that no minimum side setback shall be required when all the following conditions are met:~~
   a. ~~The accessory building is located more than twelve feet (12') from any existing dwelling on the same or an adjacent lot;~~
   b. ~~The accessory building contains no openings on the side contiguous to the lot line;~~
   c. ~~No drainage from the roof will be discharged onto an adjacent lot.~~

C. Side Setback; Corner Lot or Parcel:

1. Side Abutting A Street: All dwellings and other main and accessory buildings shall be set back at least twenty feet (20') from the side lot or parcel line which abuts on a street.
2. Interior Side: Same as required for interior lots or parcel.

D. Rear Setback; Interior Lots or Parcel:

1. Main Buildings: All dwellings or other main buildings shall be set back at least thirty feet (30') from the rear lot or parcel line.
2. Accessory building: Same as required under side setbacks; interior lots.

E. Rear Setback; Corner Lots or Parcel:

1. Main Buildings: All dwellings and other main buildings shall be set back at least thirty feet (30') from the rear lot or parcel line, except that where a carport or garage is attached to the rear of the dwelling, the required rear setback for said carport or garage may be reduced to twenty feet (20') or more as measured from the rear lot or parcel line to the closest part of the building.
2. Accessory Building: All accessory buildings shall be set back at least five feet (5') from the rear lot or parcel line~~., except that no minimum rear setback shall be required when all the following conditions are met:~~
   a. ~~The accessory building is located more than twelve feet (12') from any existing dwelling on the same or an adjacent lot;~~
   b. ~~The accessory building contains no openings on the side contiguous to the lot line;~~
   c. ~~No drainage from the roof will be discharged onto an adjacent lot;~~
   d. ~~The accessory building will be set back at least fifty feet (50') from the side lot line abutting the street.~~ (Ord. 2012-01, 7-10-2012)

~~F. 10-6-23: Exception To Front And Side Setback Requirements:~~
~~The setback from the street for any dwelling located between two (2) existing dwellings may be the same as the average for said two (2) existing dwellings, provided the existing dwellings are on the same side of the street and are located within one hundred fifty feet (150') of each other. (Ord. 2012-01, 7-10-2012)~~

10-6-6: HEIGHT OF BUILDINGS:

The maximum height of ~~any building (measured from finished grade to the square of the building) shall be twenty feet (20') or two (2) stories, whichever is the higher. Where the ground or the square of the building is uneven in height, the average elevation thereof shall apply. Roofs about the square, chimneys, flagpoles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height. (Ord. 2012-01, 7-10-2012)~~ a dwelling building shall be measured from finished grade at the front of the dwelling to the highest wall plate.

A. The maximum height of a dwelling building shall be as noted below:
1. Level lot or parcel: Twenty-four feet (24').
2. Uneven lot or parcel: Where the ground is uneven in height and the ground slopes downward from the front of the dwelling by more than ten feet (10') to the back of the dwelling the maximum height shall be twenty feet (20').

B. Minimum height of a dwelling building:
No dwelling shall be erected which has a ceiling height of less than ~~seven feet six inches (7'6")~~ the heigh required by the applicable building code.

C. The maximum height of accessory buildings shall be no greater than twenty feet (20') or two stories, whichever is the higher.

D. Additional Height Allowed For Public Buildings:
Public buildings and churches may be erected to any height, provided the building is set back from required building setback lines a distance of at least one foot (1') for each additional foot of building height above the maximum height otherwise permitted in the zone in which the building is located. (Ord. 2012-01, 7-10-2012)

10-6-7: SIZE OF DWELLING:
The ground floor area of any single-family dwelling shall be at least nine hundred (900) square feet of living area exclusive of open porches, carports, garages and similar add-ons. (Ord. 2012-01, 7-10-2012)

10-6-8: WIDTH OF BUILDINGS:

The total length or total width of any dwelling or church shall be at least twenty feet (20'), as measured from outside wall to outside wall, exclusive of any carport, garage, shed or similar add on. (Ord. 2012-01, 7-10-2012)

10-6-9: YARD SPACE FOR ONE MAIN BUILDING ONLY:

A. No required yard or other open space around an existing building, or which is hereafter provided around any building, that is needed to comply with the provisions of this title, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot or parcel be considered as providing the yard or open space on the lot or parcel whereon a building is to be erected or established. (Ord. 2012-01, 7-10-2012)

B. No required yard or other open space around an existing main building, or which is hereafter provided around any building that is needed to comply with provisions of this title, shall be used for parking or storage of operable vehicles unless in compliance with 10-2-1.

10-6-10: EVERY DWELLING TO BE ON A ~~ZONING~~ LOT OR PARCEL:

Only one building which contains a dwelling shall be located and maintained on a ~~"zoning lot" as defined in this title~~ lot or parcel, except dwellings within a mobile home park, or other large scale development.

10-6-11: SALE OR LEASE OF REQUIRED SPACE PROHIBITED:

No space needed to meet the width, yard, area, coverage, parking, or other requirements of this title for a lot, parcel, or building may be sold or leased apart from such lot, parcel, or building unless other space so complying is provided. (Ord. 2012-01, 7-10-2012)

10-6-12: YARDS TO BE UNOBSTRUCTED; EXCEPTIONS:

Every part of a required yard shall be open to the sky and unobstructed except:

A. Permitted accessory buildings, and

B. Ordinary and customary projection of sills, belt courses, cornices and other ornamental features and unenclosed steps and unwalled stoops, porches and carports which may project up to three feet (3') into a required yard. ~~No projection into a required court which is provided in connection with a court apartment shall be constructed except for customary sills, belt courses and cornices which may extend into a court not more than sixteen inches (16").~~ (Ord. 2012-01, 7-10-2012)

10-6-13: ACCESSORY BUILDINGS PROHIBITED AS LIVING QUARTERS:

Living and sleeping quarters in any building or structure other than the main residential building are prohibited. (Ord. 2012-01, 7-10-2012)

10-6-14: STORAGE OF COMMERCIAL OR OVERSIZED VEHICLES PROHIBITED:

A. The storage and/or continuous parking of trucks, buses, or a combination of vehicles exceeding thirty five feet (35') in length, or having a rated capacity of one ton or greater, and construction equipment such as bulldozers, graders, compressors, etc., shall not be permitted; provided, that construction equipment may be stored on a lot or parcel during construction of a building thereon for less than one year.

B. Trucks and equipment parked in residential areas for more than three (3) days in any one month are not allowed. (Ord. 2012-01, 7-10-2012)

C. Storage of recreational vehicles shall comply with 10-2-7 of this title.

10-6-15: STORAGE OF JUNK, DEBRIS, OR UNLICENSED INOPERABLE VEHICLES PROHIBITED:

A. No yard or other open space surrounding an existing building, or which is hereafter provided around any building in any zone, shall be used for the storage of junk, debris, or inoperable vehicles;

B. No land shall be used for such purposes, except as specifically provided by this title.

C. Storage of one restorable vehicle may be permitted in the backyard for a period of six (6) months, on a case by case basis, at the discretion of the zoning administrator. Restoration work shall comply with applicable noise and nuisance ordinances.

10-6-16: SEWAGE DISPOSAL:

A. Sewer connections shall comply with section 8-4-2.

B. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. (Ord. 2012-01, 7-10-2012)

10-6-17: WATER CONNECTIONS:

A. Where municipal water is available all single family dwellings shall be connected in accordance with 8-4-2.

B. Where no municipal water is available, approval of such facilities shall be obtained from the state health department before a building permit or certificate of occupancy shall be issued therefore.

10-6-18: DRAINAGE:

A. The owners and users of ditches shall not divert more water into the ditch than it's carrying capacity.

B. Runoff from new rooftops or lots shall not exceed the carrying capacity of the natural or previous drainage system. (Ord. 2012-01, 7-10-2012)

C. Drainage corridors shall be protected in accordance with 10-12-2.

10-6-19: CLEAR VIEW OF INTERSECTING STREETS:

No obstruction which will obscure the view of automobile drivers shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points of forty five feet (45') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

10-6-20: EFFECT OF STREET PLAN:

Wherever a front or side yard is required for a building that abuts on a proposed street which has not been constructed, but which has been designated by the planning commission as a future street, the depth of such front or side yard shall be measured from the planned street lines. (Ord. 2012-01, 7-10-2012)

10-6-21: MOTOR VEHICLE ACCESS:

Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:

A. ~~Access shall be by not~~ No lot or parcel shall have more than two (2) driveways ~~from any one street~~.

B. Driveways shall not be closer to each other than twenty feet (20').

C. On corner lots or parcels, no driveways shall be closer than ~~fifteen feet (15')~~ twenty feet (20') to the point of intersection of the front property line with the side property line which abuts upon a street.

D. Where there is no existing curb and gutter or sidewalk, a curb or fence may be required by the city. (Ord. 2012-01, 7-10-2012)

10-6-22: LANDSCAPING REQUIRED:

Front yards and side yards of all dwellings which front on city streets must be landscaped. (Ord. 2012-01, 7-10-2012)

10-6-23: POLLUTION PREVENTION:

Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air conservation board or the board of health, and any use which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering groundwater in amounts exceeding the standards prescribed by the Utah state water pollution control board or the board of health, shall be prohibited. (Ord. 2012-01, 7-10-2012)

10-6-24: SPECIAL PROVISIONS:

Special provisions shall apply in order to protect its essential characteristics.

A. All buildings used for human occupancy shall be furnished with a water supply in accordance with 10-6-19 of this title.

B. All buildings used for human occupancy shall be constructed in accordance with the adopted building, plumbing, electrical, fire prevention and similar codes.

C. All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title. (Ord. 2012-01, 7-10-2012)

TITLE 10
ZONING REGULATIONS

CHAPTER 6
R-1 RESIDENTIAL ZONE

SECTIONS:

10-6-1: Regulations
10-6-2: Intent
10-6-3: Permitted Uses
10-6-4: Area And Frontage Requirements
10-6-5: Location Requirements
10-6-6: Height Of Buildings
10-6-7: Size Of Dwelling
10-6-8: Width Of Buildings
10-6-9: Yard Space For One Main Building Only
10-6-10: Every Dwelling To Be On A Lot Or Parcel
10-6-11: Sale Or Lease Of Required Space Prohibited
10-6-12: Yards To Be Unobstructed; Exceptions
10-6-13: Accessory Buildings Prohibited As Living Quarters
10-6-14: Storage Of Commercial Or Oversized Vehicles Prohibited
10-6-15: Storage Of Junk, Debris, Or Unlicensed Inoperable Vehicles Prohibited
10-6-16: Sewage Disposal
10-6-17: Water Connections:
10-6-18: Drainage
10-6-19: Clear View Of Intersecting Streets
10-6-20: Effect Of Street Plan
10-6-21: Motor Vehicle Access
10-6-22: Landscaping Required
10-6-23: Pollution Prevention
10-6-24: Special Provisions

10-6-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-6-2: INTENT:

The R-1 residential zone has been established for the purpose of providing a place where single family detached dwellings can be constructed, having attractively landscaped yards and a

favorable environment for family life. Uses such as multiple-family dwellings, apartment houses and commercial and industrial uses are not permitted in this zone. (Ord. 2012-01, 7-10-2012)

10-6-3: PERMITTED USES:

A. The following buildings, structures and uses of land shall be permitted upon compliance with requirements set forth in this title:

Accessory buildings
Childcare
Churches, not including temporary revival tents or buildings
Daycare, Nursery, Preschool
Foster homes
Growing of fruit and gardens for household use.
Household pets
Public agency parks and playgrounds.
Public, private, and parochial schools and grounds.
Single-family dwellings of conventional construction and manufactured homes
Utility lines
Walls and hedges

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:

Accessory signs conforming to section 10-2-6.
Fences in conformance with section 10-2-14.
Keeping of chickens as allowed in section 10-2-12.
Long-term rental of dwelling units subject to the provisions of section 10-2-17.
Solar electricity systems conforming to section 10-2-16.
Temporary uses subject to the provisions of section 10-2-10.

C. The following uses are permitted as conditional uses (see section 10-2-8).

Home occupations.
Machinery sheds used for storage of equipment used in connection with agricultural activities performed on the premises.
Growing of field crops, garden produce, and fruit for sale or trade.
Rest homes, nursing homes, convalescent homes, assisted living homes.
Other uses that conform to 10-2-8 when approved by city council.

10-6-4: AREA AND FRONTAGE REQUIREMENTS:

Area and frontage requirements shall be as follows:

Main Use	**Minimum Lot or Parcel Area**	**Minimum Frontage (at setback line)**
Single family dwelling	5,445 square feet	60 feet
Churches	1 acre	125 feet
Other uses	1 acre	80 feet

(Ord. 2012-01, 7-10-2012)

10-6-5: LOCATION REQUIREMENTS:

A. Front Setback:

1. Main Setback: All dwellings and other structures shall be set back according to the special conditions noted below:
    a. Where the legal property line of the residential lot or parcel is located at the back of street curb or back of pavement and there is no curb, the front setback shall be twenty feet (20') from the front lot or parcel line.
    b. Where the legal property line of the residential lot or parcel is located within the street pavement or gravel area, the front setback shall be forty feet (40') from the front lot or parcel line.
    c. Where the legal property line of the residential lot or parcel is located more than ten feet (10') from the street pavement or gravel area, the front setback shall be ten feet (10') from the front lot or parcel line.
    d. Where the legal property line of the residential lot or parcel line is angular to the roadway and there is less than ten feet (10') between the legal property line and the street pavement or gravel area, then the front setback shall be a minimum of twenty feet (20') from the nearest point of the street pavement or gravel area.

2. Accessory Buildings: All accessory buildings shall be set back not less than twelve feet (12') to the rear of the closest rear wall line of the main building and not less than twelve feet (12') from any side wall of the main building. Accessory buildings which are located twelve feet (12') or closer to a main building shall be considered as part of the main building. Where no main building exists on a lot or parcel, a detached accessory building shall be set back not less than sixty feet (60') from the front lot line.

B. Side Setback; Interior Lots:
1. Main Buildings: All dwellings and other main buildings shall be set back at least eight feet (8') from the side lot or parcel line.
2. Accessory Buildings: All accessory buildings shall be set back at least five feet (5') from the lot or parcel line

C. Side Setback; Corner Lot or Parcel:
1. Side Abutting A Street: All dwellings and other main and accessory buildings shall be set back at least twenty feet (20') from the side lot or parcel line which abuts on a street.
2. Interior Side: Same as required for interior lots or parcel.

D. Rear Setback; Interior Lots or Parcel:
1. Main Buildings: All dwellings or other main buildings shall be set back at least thirty feet (30') from the rear lot or parcel line.

2. Accessory building: Same as required under side setbacks; interior lots.

E. Rear Setback; Corner Lots or Parcel:

1. Main Buildings: All dwellings and other main buildings shall be set back at least thirty feet (30') from the rear lot or parcel line, except that where a carport or garage is attached to the rear of the dwelling, the required rear setback for said carport or garage may be reduced to twenty feet (20') or more as measured from the rear lot or parcel line to the closest part of the building.
2. Accessory Building: All accessory buildings shall be set back at least five feet (5') from the rear lot or parcel line. (Ord. 2012-01, 7-10-2012)

10-6-6: HEIGHT OF BUILDINGS:

The maximum height of a dwelling building shall be measured from finished grade at the front of the dwelling to the highest wall plate.

A. The maximum height of a dwelling building shall be as noted below:

1.Level lot or parcel: Twenty-four feet (24’).

2.Uneven lot or parcel: Where the ground is uneven in height and the ground slopes downward from the front of the dwelling by more than ten feet (10’) to the back of the dwelling the maximum height shall be twenty feet (20’).

B. Minimum height of a dwelling building:
No dwelling shall be erected which has a ceiling height of less than the heigh required by the applicable building code.

C. The maximum height of accessory buildings shall be no greater than twenty feet (20') or two stories, whichever is the higher.

D. Additional Height Allowed For Public Buildings:
Public buildings and churches may be erected to any height, provided the building is set back from required building setback lines a distance of at least one foot (1') for each additional foot of building height above the maximum height otherwise permitted in the zone in which the building is located. (Ord. 2012-01, 7-10-2012)

10-6-7: SIZE OF DWELLING:
The ground floor area of any single-family dwelling shall be at least nine hundred (900) square feet of living area exclusive of open porches, carports, garages and similar add-ons. (Ord. 2012-01, 7-10-2012)

10-6-8: WIDTH OF BUILDINGS:

The total length or total width of any dwelling or church shall be at least twenty feet (20'), as measured from outside wall to outside wall, exclusive of any carport, garage, shed or similar add on. (Ord. 2012-01, 7-10-2012)

10-6-9: YARD SPACE FOR ONE MAIN BUILDING ONLY:

A. No required yard or other open space around an existing building, or which is hereafter provided around any building, that is needed to comply with the provisions of this title, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot or parcel be considered as providing the yard or open space on the lot or parcel whereon a building is to be erected or established. (Ord. 2012-01, 7-10-2012)

B. No required yard or other open space around an existing main building, or which is hereafter provided around any building that is needed to comply with provisions of this title, shall be used for parking or storage of operable vehicles unless in compliance with 10-2-1.

10-6-10: EVERY DWELLING TO BE ON A LOT OR PARCEL:

Only one building which contains a dwelling shall be located and maintained on a lot or parcel, except dwellings within a mobile home park, or other large-scale development.

10-6-11: SALE OR LEASE OF REQUIRED SPACE PROHIBITED:

No space needed to meet the width, yard, area, coverage, parking, or other requirements of this title for a lot, parcel, or building may be sold or leased apart from such lot, parcel, or building unless other space so complying is provided. (Ord. 2012-01, 7-10-2012)

10-6-12: YARDS TO BE UNOBSTRUCTED; EXCEPTIONS:

Every part of a required yard shall be open to the sky and unobstructed except:

A. Permitted accessory buildings, and

B. Ordinary and customary projection of sills, belt courses, cornices and other ornamental features and unenclosed steps and unwalled stoops, porches and carports which may project up to three feet (3') into a required yard. (Ord. 2012-01, 7-10-2012)

10-6-13: ACCESSORY BUILDINGS PROHIBITED AS LIVING QUARTERS:

Living and sleeping quarters in any building or structure other than the main residential building are prohibited. (Ord. 2012-01, 7-10-2012)

10-6-14: STORAGE OF COMMERCIAL OR OVERSIZED VEHICLES PROHIBITED:

A. The storage and/or continuous parking of trucks, buses, or a combination of vehicles exceeding thirty-five feet (35') in length or having a rated capacity of one ton or greater, and construction equipment such as bulldozers, graders, compressors, etc., shall not be permitted; provided, that construction equipment may be stored on a lot or parcel during construction of a building thereon for less than one year.

B. Trucks and equipment parked in residential areas for more than three (3) days in any one month are not allowed. (Ord. 2012-01, 7-10-2012)

C. Storage of recreational vehicles shall comply with 10-2-7 of this title.

10-6-15: STORAGE OF JUNK, DEBRIS, OR UNLICENSED INOPERABLE VEHICLES PROHIBITED:

A. No yard or other open space surrounding an existing building, or which is hereafter provided around any building in any zone, shall be used for the storage of junk, debris, or inoperable vehicles.

B. No land shall be used for such purposes, except as specifically provided by this title.

C. Storage of one restorable vehicle may be permitted in the backyard for a period of six (6) months, on a case-by-case basis, at the discretion of the zoning administrator. Restoration work shall comply with applicable noise and nuisance ordinances.

10-6-16: SEWAGE DISPOSAL:

A. Sewer connections shall comply with section 8-4-2.

B. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. (Ord. 2012-01, 7-10-2012)

10-6-17: WATER CONNECTIONS:

A. Where municipal water is available all single-family dwellings shall be connected in accordance with 8-4-2.

B. Where no municipal water is available, approval of such facilities shall be obtained from the state health department before a building permit or certificate of occupancy shall be issued, therefore.

10-6-18: DRAINAGE:

A. The owners and users of ditches shall not divert more water into the ditch than it's carrying capacity.

B. Runoff from new rooftops or lots shall not exceed the carrying capacity of the natural or previous drainage system. (Ord. 2012-01, 7-10-2012)

C. Drainage corridors shall be protected in accordance with 10-12-2.

10-6-19: CLEAR VIEW OF INTERSECTING STREETS:
No obstruction which will obscure the view of automobile drivers shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points of forty-five feet (45') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

10-6-20: EFFECT OF STREET PLAN:
Wherever a front or side yard is required for a building that abuts on a proposed street which has not been constructed, but which has been designated by the planning commission as a future street, the depth of such front or side yard shall be measured from the planned street lines. (Ord. 2012-01, 7-10-2012)

10-6-21: MOTOR VEHICLE ACCESS:
Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:
A. No lot or parcel shall have more than two (2) driveways.

B. Driveways shall not be closer to each other than twenty feet (20').

C. On corner lots or parcels, no driveways shall be closer than twenty feet (20’) to the point of intersection of the front property line with the side property line which abuts upon a street.

D. Where there is no existing curb and gutter or sidewalk, a curb or fence may be required by the city. (Ord. 2012-01, 7-10-2012)

10-6-22: LANDSCAPING REQUIRED:
Front yards and side yards of all dwellings which front on city streets must be landscaped. (Ord. 2012-01, 7-10-2012)

10-6-23: POLLUTION PREVENTION:
Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air conservation board or the board of health, and any use which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering groundwater in amounts exceeding the standards prescribed by the Utah state water pollution control board or the board of health, shall be prohibited. (Ord. 2012-01, 7-10-2012)

10-6-24: SPECIAL PROVISIONS:

Special provisions shall apply in order to protect its essential characteristics.

A. All buildings used for human occupancy shall be furnished with a water supply in accordance with 10-6-19 of this title.

B. All buildings used for human occupancy shall be constructed in accordance with the adopted building, plumbing, electrical, fire prevention and similar codes.

C. All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title. (Ord. 2012-01, 7-10-2012)

D I S C U S S I O N P A P E R F O R P L A N N I N G C O M M I S S I O N U S E

TITLE 10
ZONING REGULATIONS

Red = Changes required by Utah law
Blue = Changes previously discussed by PC & CC but not yet submitted to CC

CHAPTER 7
R-2 RESIDENTIAL ZONE

SECTION:

10-7-1: Regulations
10-7-2: Intent
10-7-3: Permitted Uses
10-7-4: Area And Frontage Requirements
10-7-5: Location Requirements
10-7-6: Height Of Buildings
10-7-7: Size Of Dwelling
10-7-8: Yard Space For One Main Building Only
10-7-9: Every Dwelling To Be On A Lot Or Parcel
10-7-10: Sale Or Lease Of Required Space Prohibited
10-7-11: Yards To Be Unobstructed; Exceptions
10-7-12: Accessory Buildings Prohibited As Living Quarters
10-7-13: Storage Of Commercial Or Oversized Vehicles Prohibited
10-7-14: Storage Of Junk, Debris, Or Unlicensed Inoperable Vehicles Prohibited
10-7-15: Sewage Disposal
10-7-16: Water Connection
10-7-18: Clear View Of Intersecting Streets
10-7-19: Effect Of Street Plan
10-7-20: Motor Vehicle Access
10-7-21: Landscaping Required
10-7-22: Pollution Prevention
10-7-23: Special Provisions

10-7-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-7-2: INTENT:

The R-2 zone has been established for the purpose of providing a place where single-, two- and multiple-family dwellings and small homes can be constructed. (Ord. 2012-01, 7-10-2012)

10-7-3: PERMITTED USES:

A. The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this title:

Accessory Buildings
~~All uses permitted in the R-1 residential zone, section 10-6-3 of this title.~~
Single-family dwellings of conventional construction and manufactured homes
Multi-family dwellings, townhouses and condominiums.
Small homes erected on foundations
~~Boarding house, hostel, inn, hotel, or motel~~
Boarding house, lodging house, bed and breakfast, rooming house
Childcare
Churches, not including temporary revival tents or buildings
Daycare, Nursery, Preschool
Foster care homes
Household pets
Mobile homes on foundations with tie down
Public agency parks and playgrounds
~~Rest homes and daycare centers, and senior assisted living facilities. In approving such uses when approved by the city council. In approving such uses, the council may attach reasonable conditions in excess to those required within the zone including, but not limited to, an increase in minimum lot size, additional setbacks, and increased parking. (Ord. 2012-01, 7-10-2012)~~
Utility lines and buildings
Walls and hedges

B. The following uses are permitted when in conformance with the specified sections of Title 10, Zoning Regulations:

Accessory signs conforming to section 10-2-6
Fences in conformance with section 10-2-14
Keeping of chickens in conformance with section 10-2-12
Long-term rental of a dwelling unit as permitted in 10-2-17
Short-term rental units as permitted in 10-2-17
Solar electricity systems in conformance with 10-2-16
Temporary uses subject to the provisions of section 10-2-10

C. The following uses are permitted as conditional uses (see section 10-2-8).

Home occupations
Machinery sheds used for storage of equipment used in connection with agricultural activities performed on the premises.
Growing of field crops, garden produce, and fruit for sale or trade.
Rest homes, nursing homes, convalescent homes, assisted living homes.
Other uses that conform to 10-2-8 when approved by city council.

10-7-4: AREA AND FRONTAGE REQUIREMENTS:

Area and frontage requirements shall be as follows

Main Use	Minimum Lot or Parcel Area	Minimum Frontage (At Setback Line)
Single-family dwelling	~~10,000~~ 5,445 square feet	~~80~~ 60 feet
Small home	3,000 square feet	60 feet
Two-family dwelling	~~10,000~~ 7,000 square feet	85 feet
Multiple-family dwelling	10,000 square feet for first 2 units plus 2,500 square feet for each additional unit	85 feet for first 2 units plus 7.5 feet width for each additional unit
Churches	1 acre	125 feet
Other uses	1 acre	80 feet

10-7-5: LOCATION REQUIREMENTS:

A. Front Setback:

1. ~~Main Buildings:~~ All single-family, small homes, and two-family dwellings and other main buildings and structures shall be set back according to the special conditions noted below:
    a. Where the legal property line of the residential lot or parcel is located at the back of street curb or back of pavement and there is no curb, the front setback shall be twenty feet (20') from the front lot or parcel line.
    b. Where the legal property line of the residential lot or parcel is located within the street pavement or gravel area, the front setback shall be forty feet (40') from the front lot or parcel line.
    c. Where the legal property line of the residential lot or parcel is located more than ten feet (10') from the street pavement or gravel area, the front setback shall be ten feet (10') from the front lot or parcel line.
    d. Where the legal property line of the residential lot or parcel line is angular to the roadway and there is less than ten feet (10') between the legal property line and the street pavement or gravel area, then the front setback shall be a minimum of twenty feet (20') from the nearest point of the street pavement or gravel area.

2. All multi-family dwellings shall be set back not less than forty feet (40') ~~from the front lot line~~ back of curb.
3. ~~Where a curb is not present the setback of a dwelling unit shall be measured from the center of the city street as determined by the Public Works Department.~~
4. ~~If a lot line is angled, a reduced setback requirement may be applied to the dwelling unit if all of the following conditions are met:~~

~~a. The narrowest distance from a resident's front property line and back of curb is greater than ten feet (10'), and~~
~~b. The greatest distance is over twenty feet (20'), and~~
~~c. The setback conforms with surrounding homes.~~ (Ord. 2014-4, 4-22-2014)

5. Accessory Buildings: All accessory buildings shall be set back not less than twelve feet (12') to the rear of the closest rear wall line of the main building and not less than twelve feet (12') from any side wall of the main building. Accessory buildings which are located twelve feet (12') or closer to a main building shall be considered as part of the main building. Where no main building exists on a lot or parcel, a detached accessory building shall be set back not less than sixty feet (60') from the front lot line.

B. Side Setback; Interior Lot or Parcel:

1. Main Buildings: All dwellings and other main buildings shall be set back at least eight feet (8') from the side lot or parcel line.
2. Accessory Buildings: All accessory buildings shall be set back at least five feet (5') from the lot or parcel line, except that no minimum side setback shall be required when all the following conditions are met:
   a. The accessory building is located more than ~~twelve feet (12')~~ five feet (5') from any existing dwelling on the same or an adjacent lot or parcel;
   b. The accessory building contains no openings on the side contiguous to the lot or parcel line;
   c. No drainage from the roof will be discharged onto an adjacent lot or parcel.
3. All accessory buildings when adjoining an R-2 zone shall be set back twenty feet (20').

C. Side Setback; Corner Lot or Parcel:

1. Side Abutting Street: All dwellings and other main and accessory buildings shall be set back at least twenty feet (20') from the side lot or parcel line which abuts on a street.
2. Interior Side: Same as required for interior lots.

D. Rear Setback; Interior Lot or Parcel:

1. Main Buildings: All dwellings or other main buildings shall be set back at least thirty feet (30') from the rear lot line.
2. Accessory Building: Same as required under subsection B, "Side Setback; Interior Lots", of this section.
3. All accessory buildings when adjoining an R-2 zone shall be set back twenty feet (20').

E. Rear Setback; Corner Lot or Parcel:

1. Main Buildings: All dwellings and other main buildings shall be set back at least thirty feet (30') from the rear lot or parcel line, except that where a carport or garage is attached to the rear of the dwelling, the required rear setback for said carport or

garage may be reduced to twenty feet (20') or more as measured from the rear lot or parcel line to the closest part of the building.

2. Accessory Building: All accessory buildings shall be set back at least five feet (5') from the rear lot or parcel line, except that no minimum rear setback shall be required when all the following conditions are met:
   a. The accessory building is located more than twelve feet (12') from any existing dwelling on the same or an adjacent lot or parcel;
   b. The accessory building contains no openings on the side contiguous to the lot or parcel line;
   c. No drainage from the roof will be discharged onto an adjacent lot or parcel;
   d. The accessory building will be set back at least fifty feet (50') from the side lot or parcel line abutting the street. (Ord. 2012-01, 7-10-2012)

~~F. Exception To Front And Side Setback Requirements:~~

~~The setback from the street for any dwelling located between two (2) existing dwellings may be the same as the average for said two (2) existing dwellings, provided the existing dwellings are on the same side of the street and are located within one hundred fifty feet (150') of each other. (Ord. 2012-01, 7-10-2012)~~

10-7-6: HEIGHT OF BUILDINGS:

~~A.~~ The maximum height of any building (measured from finished grade ~~to the square of the building)~~ shall be ~~twenty feet (20')~~ twenty-four feet (24') or two (2) stories, whichever is the higher. Where the ground or the square of the building is uneven in height, the average elevation thereof shall apply. Roofs about the square, chimneys, flagpoles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height. (Ord. 2012-01, 7-10-2012)~~.~~

B. Public buildings and churches may be erected to any height, provided the building is set back from required building setback lines a distance of at least one foot (1') for each additional foot of building height above the maximum height otherwise permitted in the zone in which the building is located. (Ord. 2012-01, 7-10-2012)

C. No dwelling shall be erected which has a ceiling height less than required by applicable building codes.

10-7-7: SIZE OF DWELLING:

All area shall be exclusive of open porches, carports, garages, sheds and similar add-ons. This requirement shall not apply to mobile homes located within an approved mobile home park. (Ord. 2012-01, 7-10-2012)

A. The ground floor area of a single-family dwelling shall be not less than eight hundred (800) square feet.

B. The ground floor area of a small home shall be not less than six hundred (600) square feet and not more than eight hundred (800) square feet.

C. A two-family dwelling shall contain a ground floor area of one thousand two hundred (1,200) square feet.

D. A multiple-family dwelling shall contain a ground floor area of one thousand two hundred (1,200) square feet for the first two (2) units, plus six hundred (600) square feet of living area for each unit over two (2).

~~**10-7-8: WIDTH OF BUILDING:**~~

~~The total width or total length of any dwelling or other main building shall be at least twenty feet (20'), as measured from outside wall to outside wall, exclusive of any carport, garage, shed, patio or similar add on. This requirement shall not apply to mobile homes located within an approved mobile home park. (Ord. 2012-01, 7-10-2012)~~

10-7-8: YARD SPACE FOR ONE MAIN BUILDING ONLY:

A. No required yard or other open space around an existing building, or which is hereafter provided around any building, which is needed to comply with the provisions of this title, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot or parcel be considered as providing the yard or open space on the lot or parcel whereon a building is to be erected or established. (Ord. 2012-01, 7-10-2012)

B. No required yard or other open space around an existing main building, or which is hereinafter provided around any building, that is needed to comply with provisions of this title, shall be used for parking or storage or operable vehicles unless in compliance with 10-2-5.

10-7-9: EVERY DWELLING TO BE ON A LOT OR PARCEL:

Only one building which contains a dwelling shall be located and maintained on a lot or parcel as defined in this title, except dwellings within a mobile home park, or other large scale development.

10-7-10: SALE OR LEASE OF REQUIRED SPACE PROHIBITED:

No space needed to meet the width, yard, area, coverage, parking or other requirements of this title for a lot or parcel or building may be sold or leased apart from such lot or building unless other space so complying is provided.

10-7-11: YARDS TO BE UNOBSTRUCTED; EXCEPTIONS:

Every part of a required yard shall be open to the sky and unobstructed except:

A. Permitted accessory buildings;

B. Ordinary and customary projection of sills, belt courses, cornices and other ornamental features and unenclosed steps and unwalled stoops, porches and carports which may project up to three feet (3') into a required yard;

C. No projection into a required court which is provided in connection with a court apartment shall be constructed except for customary sills, belt courses and cornices which may extend into a court not more than sixteen inches (16"). (Ord. 2012-01, 7-10-2012)

10-7-12: ACCESSORY BUILDINGS PROHIBITED AS LIVING QUARTERS
Living and sleeping quarters in any building other than the main residential building are prohibited. (Ord. 2012-01, 7-10-2012)

10-7-13: STORAGE OF COMMERCIAL OR OVERSIZED VEHICLES PROHIBITED:
A. The storage and/or continuous parking of trucks, buses, or a combination of vehicles exceeding thirty five feet (35') in length, or having a rated capacity of one ton or greater, and construction equipment such as bulldozers, graders, compressors, etc., shall not be permitted; provided, that construction equipment may be stored on a lot or parcel during construction of a building thereon for less than one year.

B. Trucks and equipment parked in residential areas for more than three (3) days in any one month are not allowed. (Ord. 2012-01, 7-10-2012)

C. Storage of recreational vehicles must conform with 10-2-7 of this title.

10-7-14: STORAGE OF JUNK, DEBRIS, OR UNLICENSED INOPERABLE VEHICLES PROHIBITED:
A. No yard or other open space surrounding an existing building, or which is hereafter provided around any building in any zone, shall be used for the storage of junk, debris or inoperable vehicles;

B. No land shall be used for such purposes, except as specifically provided by this title.

C. Storage of one restorable vehicle may be permitted in the backyard for a period of six (6) months, on a case by case basis, at the discretion of the zoning administrator. Restoration work shall comply with applicable noise and nuisance ordinances.

10-7-15: SEWAGE DISPOSAL:
A. Sewer connections shall comply with 8-4-2.

B. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. (Ord. 2012-01, 7-10-2012)

10-7-16: WATER CONNECTION:

A. Where municipal water is available, all users in this zone shall be connected.

B. Where no public water is available, approval of such facilities shall be obtained from the state health department before a building permit or certificate of occupancy is issued.

10-7-17: DRAINAGE:

A. The owners and users of ditches shall not divert more water into the ditch than it's carrying capacity.

B. Runoff from new rooftops or lots shall not exceed the carrying capacity of the natural or previous drainage system. (Ord. 2012-01, 7-10-2012)

C. Drainage corridors shall be protected in accordance with 10-12-2.

10-7-18: CLEAR VIEW OF INTERSECTING STREETS:

No obstruction which will obscure the view of automobile drivers shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points of ~~forty five feet (45')~~ forty feet (40') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

10-7-19: EFFECT OF STREET PLAN:

Wherever a front or side yard is required for a building that abuts on a proposed street which has not been constructed, but which has been designated by the planning commission as a future street, the depth of such front or side yard shall be measured from the planned street lines. (Ord. 2012-01, 7-10-2012)

10-7-20: MOTOR VEHICLE ACCESS:

Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:

A. No lot or parcel shall have more than two (2) driveways ~~from any one street~~.

B. Driveways shall be not closer to each other than twenty feet (20').

C. On corner lots or parcels, no driveways shall be closer than ~~fifteen feet (15')~~ twenty feet (20') to the point of intersection of the front property line with the side property line which abuts upon a street.

D. Where there is no existing curb and gutter or sidewalk, a curb or fence may be required by the city. (Ord. 2012-01, 7-10-2012)

10-7-21: LANDSCAPING REQUIRED:
Front yards and side yards of all dwellings which front on city streets must be landscaped. (Ord. 2012-01, 7-10-2012)

10-7-22: POLLUTION PREVENTION:
Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air conservation board or the board of health, and any use which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering groundwater in amounts exceeding the standards prescribed by the Utah state water pollution control board or the board of health, shall be prohibited. (Ord. 2012-01, 7-10-2012)

10-7-23: SPECIAL PROVISIONS:
Special provisions shall apply in order to protect its essential characteristics.

A. All buildings used for human occupancy shall be furnished with a water supply in accordance with 10-6-19 of this title.

B. All buildings used for human occupancy shall be constructed in accordance with the adopted building, plumbing, electrical, fire prevention and similar codes.

C. All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title. (Ord. 2012-01, 7-10-2012)

Not Yet In Affect

TITLE 10
ZONING REGULATIONS

CHAPTER 7
R-2 RESIDENTIAL ZONE

SECTION:

10-7-1: Regulations
10-7-2: Intent
10-7-3: Permitted Uses
10-7-4: Area And Frontage Requirements
10-7-5: Location Requirements
10-7-6: Height Of Buildings
10-7-7: Size Of Dwelling
10-7-8: Yard Space For One Main Building Only
10-7-9: Every Dwelling To Be On A Lot Or Parcel
10-7-10: Sale Or Lease Of Required Space Prohibited
10-7-11: Yards To Be Unobstructed; Exceptions
10-7-12: Accessory Buildings Prohibited As Living Quarters
10-7-13: Storage Of Commercial Or Oversized Vehicles Prohibited
10-7-14: Storage Of Junk, Debris, Or Unlicensed Inoperable Vehicles Prohibited
10-7-15: Sewage Disposal
10-7-16: Water Connection
10-7-18: Clear View Of Intersecting Streets
10-7-19: Effect Of Street Plan
10-7-20: Motor Vehicle Access
10-7-21: Landscaping Required
10-7-22: Pollution Prevention
10-7-23: Special Provisions

10-7-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-7-2: INTENT:

The R-2 zone has been established for the purpose of providing a place where single-, two- and multiple-family dwellings and small homes can be constructed. (Ord. 2012-01, 7-10-2012)

10-7-3: PERMITTED USES:

A. The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this title:

Accessory Buildings
Single-family dwellings of conventional construction and manufactured homes
Multi-family dwellings, townhouses and condominiums.
Small homes erected on foundations
Boarding house, lodging house, bed and breakfast, rooming house
Childcare
Churches, not including temporary revival tents or buildings
Daycare, Nursery, Preschool
Foster care homes
Household pets
Mobile homes on foundations with tie down
Public agency parks and playgrounds
Utility lines and buildings
Walls and hedges

B. The following uses are permitted when in conformance with the specified sections of Title 10, Zoning Regulations:

Accessory signs conforming to section 10-2-6
Fences in conformance with section 10-2-14
Keeping of chickens in conformance with section 10-2-12
Long-term rental of a dwelling unit as permitted in 10-2-17
Short-term rental units as permitted in 10-2-17
Solar electricity systems in conformance with 10-2-16
Temporary uses subject to the provisions of section 10-2-10

C. The following uses are permitted as conditional uses (see section 10-2-8).

Home occupations
Machinery sheds used for storage of equipment used in connection with agricultural activities performed on the premises.
Growing of field crops, garden produce, and fruit for sale or trade.
Rest homes, nursing homes, convalescent homes, assisted living homes.
Other uses that conform to 10-2-8 when approved by city council.

10-7-4: AREA AND FRONTAGE REQUIREMENTS:

Area and frontage requirements shall be as follows

Main Use	Minimum Lot or Parcel Area	Minimum Frontage (At Setback Line)
Single-family dwelling	5,445 square feet	60 feet
Small home	3,000 square feet	60 feet
Two-family dwelling	7,000 square feet	85 feet

Multiple-family dwelling	10,000 square feet for first 2 units plus 2,500 square feet for each additional unit	85 feet for first 2 units plus 7.5 feet width for each additional unit
Churches	1 acre	125 feet
Other uses	1 acre	80 feet

10-7-5: LOCATION REQUIREMENTS:

A. Front Setback:

1. All single-family, small homes, and two-family dwellings and other main buildings and structures shall be set back according to the special conditions noted below:
    a. Where the legal property line of the residential lot or parcel is located at the back of street curb or back of pavement and there is no curb, the front setback shall be twenty feet (20') from the front lot or parcel line.
    b. Where the legal property line of the residential lot or parcel is located within the street pavement or gravel area, the front setback shall be forty feet (40') from the front lot or parcel line.
    c. Where the legal property line of the residential lot or parcel is located more than ten feet (10') from the street pavement or gravel area, the front setback shall be ten feet (10') from the front lot or parcel line.
    d. Where the legal property line of the residential lot or parcel line is angular to the roadway and there is less than ten feet (10') between the legal property line and the street pavement or gravel area, then the front setback shall be a minimum of twenty feet (20') from the nearest point of the street pavement or gravel area.

2. All multi-family dwellings shall be set back not less than forty feet (40') back of curb. (Ord. 2014-4, 4-22-2014)

3. Accessory Buildings: All accessory buildings shall be set back not less than twelve feet (12') to the rear of the closest rear wall line of the main building and not less than twelve feet (12') from any side wall of the main building. Accessory buildings which are located twelve feet (12') or closer to a main building shall be considered as part of the main building. Where no main building exists on a lot or parcel, a detached accessory building shall be set back not less than sixty feet (60') from the front lot line.

B. Side Setback; Interior Lot or Parcel:

1. Main Buildings: All dwellings and other main buildings shall be set back at least eight feet (8') from the side lot or parcel line.
2. Accessory Buildings: All accessory buildings shall be set back at least five feet (5') from the lot or parcel line, except that no minimum side setback shall be required when all the following conditions are met:

a. The accessory building is located more than five feet (5’) from any existing dwelling on the same or an adjacent lot or parcel.
b. The accessory building contains no openings on the side contiguous to the lot or parcel line;
c. No drainage from the roof will be discharged onto an adjacent lot or parcel.

3. All accessory buildings when adjoining an R-2 zone shall be set back twenty feet (20’).

C. Side Setback; Corner Lot or Parcel:

1. Side Abutting Street: All dwellings and other main and accessory buildings shall be set back at least twenty feet (20') from the side lot or parcel line which abuts on a street.
2. Interior Side: Same as required for interior lots.

D. Rear Setback; Interior Lot or Parcel:

1. Main Buildings: All dwellings or other main buildings shall be set back at least thirty feet (30') from the rear lot line.
2. Accessory Building: Same as required under subsection B, "Side Setback; Interior Lots", of this section.
3. All accessory buildings when adjoining an R-2 zone shall be set back twenty feet (20’).

E. Rear Setback; Corner Lot or Parcel:

1. Main Buildings: All dwellings and other main buildings shall be set back at least thirty feet (30') from the rear lot or parcel line, except that where a carport or garage is attached to the rear of the dwelling, the required rear setback for said carport or garage may be reduced to twenty feet (20') or more as measured from the rear lot or parcel line to the closest part of the building.
2. Accessory Building: All accessory buildings shall be set back at least five feet (5') from the rear lot or parcel line, except that no minimum rear setback shall be required when all the following conditions are met:
   a. The accessory building is located more than twelve feet (12') from any existing dwelling on the same or an adjacent lot or parcel;
   b. The accessory building contains no openings on the side contiguous to the lot or parcel line;
   c. No drainage from the roof will be discharged onto an adjacent lot or parcel;
   d. The accessory building will be set back at least fifty feet (50') from the side lot or parcel line abutting the street. (Ord. 2012-01, 7-10-2012)

10-7-6: HEIGHT OF BUILDINGS:

A. The maximum height of any building (measured from finished grade be twenty-four feet (24’) or two (2) stories, whichever is the higher. Where the ground or the square of the building is uneven in height, the average elevation thereof shall apply. Roofs about the

square, chimneys, flagpoles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height. (Ord. 2012-01, 7-10-2012).

B. Public buildings and churches may be erected to any height, provided the building is set back from required building setback lines a distance of at least one foot (1') for each additional foot of building height above the maximum height otherwise permitted in the zone in which the building is located. (Ord. 2012-01, 7-10-2012)

C. No dwelling shall be erected which has a ceiling height less than required by applicable building codes.

10-7-7: SIZE OF DWELLING:

All area shall be exclusive of open porches, carports, garages, sheds and similar add-ons. This requirement shall not apply to mobile homes located within an approved mobile home park. (Ord. 2012-01, 7-10-2012)

A. The ground floor area of a single-family dwelling shall be not less than eight hundred (800) square feet.

B. The ground floor area of a small home shall be not less than six hundred (600) square feet and not more than eight hundred (800) square feet.

C. A two-family dwelling shall contain a ground floor area of one thousand two hundred (1,200) square feet.

D. A multiple-family dwelling shall contain a ground floor area of one thousand two hundred (1,200) square feet for the first two (2) units, plus six hundred (600) square feet of living area for each unit over two (2).

10-7-8: YARD SPACE FOR ONE MAIN BUILDING ONLY:

A. No required yard or other open space around an existing building, or which is hereafter provided around any building, which is needed to comply with the provisions of this title, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot or parcel be considered as providing the yard or open space on the lot or parcel whereon a building is to be erected or established. (Ord. 2012-01, 7-10-2012)

B. No required yard or other open space around an existing main building, or which is hereinafter provided around any building, that is needed to comply with provisions of this title, shall be used for parking or storage or operable vehicles unless in compliance with 10-2-5.

10-7-9: EVERY DWELLING TO BE ON A LOT OR PARCEL:
Only one building which contains a dwelling shall be located and maintained on a lot or parcel as defined in this title, except dwellings within a mobile home park, or other large scale development.

10-7-10: SALE OR LEASE OF REQUIRED SPACE PROHIBITED:
No space needed to meet the width, yard, area, coverage, parking or other requirements of this title for a lot or parcel or building may be sold or leased apart from such lot or building unless other space so complying is provided.

10-7-11: YARDS TO BE UNOBSTRUCTED; EXCEPTIONS:
Every part of a required yard shall be open to the sky and unobstructed except:

A. Permitted accessory buildings;

B. Ordinary and customary projection of sills, belt courses, cornices and other ornamental features and unenclosed steps and unwalled stoops, porches and carports which may project up to three feet (3') into a required yard;

C. No projection into a required court which is provided in connection with a court apartment shall be constructed except for customary sills, belt courses and cornices which may extend into a court not more than sixteen inches (16"). (Ord. 2012-01, 7-10-2012)

10-7-12: ACCESSORY BUILDINGS PROHIBITED AS LIVING QUARTERS
Living and sleeping quarters in any building other than the main residential building are prohibited. (Ord. 2012-01, 7-10-2012)

10-7-13: STORAGE OF COMMERCIAL OR OVERSIZED VEHICLES PROHIBITED:
A. The storage and/or continuous parking of trucks, buses, or a combination of vehicles exceeding thirty five feet (35') in length, or having a rated capacity of one ton or greater, and construction equipment such as bulldozers, graders, compressors, etc., shall not be permitted; provided, that construction equipment may be stored on a lot or parcel during construction of a building thereon for less than one year.

B. Trucks and equipment parked in residential areas for more than three (3) days in any one month are not allowed. (Ord. 2012-01, 7-10-2012)

C. Storage of recreational vehicles must conform with 10-2-7 of this title.

10-7-14: STORAGE OF JUNK, DEBRIS, OR UNLICENSED INOPERABLE VEHICLES PROHIBITED:

A. No yard or other open space surrounding an existing building, or which is hereafter provided around any building in any zone, shall be used for the storage of junk, debris or inoperable vehicles;

B. No land shall be used for such purposes, except as specifically provided by this title.

C. Storage of one restorable vehicle may be permitted in the backyard for a period of six (6) months, on a case by case basis, at the discretion of the zoning administrator. Restoration work shall comply with applicable noise and nuisance ordinances.

10-7-15: SEWAGE DISPOSAL:

A. Sewer connections shall comply with 8-4-2.

B. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. (Ord. 2012-01, 7-10-2012)

10-7-16: WATER CONNECTION:

A. Where municipal water is available, all users in this zone shall be connected.

B. Where no public water is available, approval of such facilities shall be obtained from the state health department before a building permit or certificate of occupancy is issued.

10-7-17: DRAINAGE:

A. The owners and users of ditches shall not divert more water into the ditch than it's carrying capacity.

B. Runoff from new rooftops or lots shall not exceed the carrying capacity of the natural or previous drainage system. (Ord. 2012-01, 7-10-2012)

C. Drainage corridors shall be protected in accordance with 10-12-2.

10-7-18: CLEAR VIEW OF INTERSECTING STREETS:

No obstruction which will obscure the view of automobile drivers shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points of forty feet (40') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

10-7-19: EFFECT OF STREET PLAN:

Wherever a front or side yard is required for a building that abuts on a proposed street which has not been constructed, but which has been designated by the planning commission as a future

street, the depth of such front or side yard shall be measured from the planned street lines. (Ord. 2012-01, 7-10-2012)

10-7-20: MOTOR VEHICLE ACCESS:
Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:

A. No lot or parcel shall have more than two (2) driveways.

B. Driveways shall be not closer to each other than twenty feet (20').

C. On corner lots or parcels, no driveways shall be closer than twenty feet (20') to the point of intersection of the front property line with the side property line which abuts upon a street.

D. Where there is no existing curb and gutter or sidewalk, a curb or fence may be required by the city. (Ord. 2012-01, 7-10-2012)

10-7-21: LANDSCAPING REQUIRED:
Front yards and side yards of all dwellings which front on city streets must be landscaped. (Ord. 2012-01, 7-10-2012)

10-7-22: POLLUTION PREVENTION:
Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air conservation board or the board of health, and any use which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering groundwater in amounts exceeding the standards prescribed by the Utah state water pollution control board or the board of health, shall be prohibited. (Ord. 2012-01, 7-10-2012)

10-7-23: SPECIAL PROVISIONS:
Special provisions shall apply in order to protect its essential characteristics.
A. All buildings used for human occupancy shall be furnished with a water supply in accordance with 10-6-19 of this title.

B. All buildings used for human occupancy shall be constructed in accordance with the adopted building, plumbing, electrical, fire prevention and similar codes.

C. All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title. (Ord. 2012-01, 7-10-2012)

DISCUSSION PAPER FOR PLANNING COMMISSION USE

TITLE 10
ZONING REGULATIONS

Blue = Changes discussed by Planning Commission

CHAPTER 8
C-1 COMMERCIAL ZONE

SECTION:
10-8-1: Regulations
10-8-2: Intent
10-8-3: Permitted Uses
10-8-4: Area, Width And Location Requirements
10-8-5: Location Of Gasoline Pumps
10-8-6: Motor Vehicle Access
10-8-7: Pollution Prevention
10-8-8: Special Provisions

10-8-1: REGULATIONS:
The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-8-2: INTENT:
The intent of the C-1 commercial zone is to provide a centralized place where retail and service uses can be constructed and maintained which will serve the needs of the citizens of the city and surrounding areas. It is the further intent in establishing this zone to maintain the central business district as the "heart of the city" and, to these ends, to promote its development in step with the increase in population within the trading area. ~~The uses characteristic of this zone are retail stores, banks, office buildings, theaters, motels and a wide variety of specialty shops. Conversely, uses~~ Uses which tend to create business dead spots, cause undue scattering of business, and generally tend to thwart the use of the land for its primary purpose have been excluded from this zone. (Ord. 2012-01, 7-10-2012)

10-8-3: PERMITTED USES:
A. The following buildings, structures, and uses of land shall be permitted upon compliance with the requirements set forth in this title:

Accessory buildings and structures such as garages, carports, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in this zone.

Automobile and truck repair establishments, provided all repair activities will be conducted within an enclosed structure and that there will be no outside storage of parts or nonoperative vehicles.
Automobile, motorcycle, ATV, and snowmobile sales and rental structures and lots (for both new and used units). Also, the related repair facilities when such facilities are included as an integral part of the sales structure and that there will be no outside storage of parts or nonoperative vehicles.
Automotive service establishments, including gasoline stations, car washes, parking lots and storage garages, and minor automotive repair establishments.
Cabinet, taxidermy, and welding and metalsmithing shops.
Convenience goods stores (minimarkets) for the sale of food and variety products.
Establishments for the sale of hardware, lumber, plumbing and heating equipment and similar building products. All storage activities shall be within a building or within an enclosure surrounded by a fence not less than six feet (6') in height.
General retail stores and shops providing goods and services for sale at retail in the customary manner.
Hotels and motels.
Laundries and dry cleaning establishments, and laundromats.
Live-work units.
Office buildings, medical clinics, banks, insurance, and financial services.
Personal service establishments, such as barber and beauty shops, reception centers, and similar establishments.
Public parks and buildings, not including storage yards or repair shops.
Recreational enterprises including bowling alleys, recreation centers, motion picture theaters (indoor only), athletic clubs, private clubs, sororities, and fraternal lodges.
Restaurants, food drive-ins bars, taverns, pubs.
Shopping centers, supermarkets, clothing stores.
Veterinary clinics for the treatment of household pets and the enclosed temporary boarding of same while receiving care.

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:
All signs shall conform with section 10-2-6 of this title.
Conditional uses shall conform with section 10-2-8 of this title.
Temporary uses shall conform with section 10-2-10 of this title.
Portable Storage Containers shall conform with section 10-2-11 of this title.
Diagonal parking shall conform with section 10-2-13 of this title.
Fences shall conform with section 10-2-15 of this title.
Recreational vehicle (RV) parks that conform to Title 10 Chapter 15 of city code

C. The following uses are permitted as conditional uses (see section 10-2-8).
All R-1 uses that conform to section 10-6-3 of this title, except rest homes, nursing homes, convalescent homes, and assisted living homes.
All R-2 uses that conform to section 10-703 of this title, except rest homes, nursing homes, convalescent homes, assisted living homes, growing of field crops, growing of

garden produce and fruit for sale or trade and machinery sheds used for storage of agricultural equipment.

10-8-4: AREA, WIDTH AND LOCATION REQUIREMENTS:

A. There shall be no area, width and location requirements for commercial buildings and structures constructed, provided
   1. All buildings and structures conform with the building code adopted by the city; and
   2. An area sufficient to accommodate parking, loading, unloading, and vehicular access shall be provided and maintained.

B. No space needed to meet the parking or other requirements of this title may be sold or leased apart from such lot or parcel or building unless other space is provided to comply with section 10-8-4A.

10-8-5: LOCATION OF GASOLINE PUMPS:

A. Gasoline pump islands shall be set back not less than twenty feet (20') from any property line.
B. Lots from which gasoline is dispensed to customers at retail shall be not less than seventy five by one hundred feet (75 x 100') in size.
C. Canopies over pump islands may extend to within five feet (5') of the property lines. (Ord. 2012-01, 7-10-2012)

10-8-6: MOTOR VEHICLE ACCESS:

A. Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:
   1. Access shall be by not more than two (2) driveways from any one street.
   2. Driveways shall be not closer to each other than twenty feet (20').
   3. On corner lots, no driveways shall be less than fifteen feet (15') to the point of intersection of the front property line with the side property line which abuts upon a street.
   4. Where there is no existing curb and gutter or sidewalk, a curb or fence may be required by the city. (Ord. 2012-01, 7-10-2012)

10-8-7: POLLUTION PREVENTION:

Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air conservation board or the board of health, and any use which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering groundwater in amounts exceeding the standards prescribed by the Utah state water pollution control board or the board of health, shall be prohibited. (Ord. 2012-01, 7-10-2012)

10-8-8: SEWAGE DISPOSAL:

A. Sewer connections shall comply with Title 8-4-2 of city code.
B. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. (Ord. 2012-01, 7-10-2012)

10-8-9: WATER CONNECTION:

All users shall be connected to the municipal water supply.

10-8-10: DRAINAGE:

A. The owners and users of ditches shall not divert more water into the ditch than it's carrying capacity.
B. Runoff from new rooftops or lots shall not exceed the carrying capacity of the natural or previous drainage system. (Ord. 2012-01, 7-10-2012)
C. Drainage corridors shall be protected in accordance with 10-12-2.

10-8-11: CLEAR VIEW OF INTERSECTING STREETS:

No obstruction which will obscure the view of automobile drivers shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points of ~~forty five feet (45')~~ forty feet (40') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

10-8-12: SPECIAL PROVISIONS:

A. All material, merchandise and equipment (except vehicles in running order) shall be stored within an enclosed building or surrounded by a fence not less than six feet (6') in height.
B. All display, sale and repair activities shall be conducted within a fully enclosed building, except those activities that are customarily and appropriately conducted in the open, including, but not limited to, automobile sales lots and automobile service stations.
C. Temporary sales of Christmas trees and nursery stock shall be permitted outside a building unless otherwise prohibited under the terms of this title.
D. No dust, odor, smoke, vibration or intermittent light, glare or noise shall be emitted which is discernible beyond the premises except for normal traffic movements.
E. All off street parking shall be hard surfaced. See section 10-2-1, "Off Street Parking Requirements", of this title.
F. All buildings located adjacent to a major street shall have at least one entranceway facing onto said street. (Ord. 2012-01, 7-10-2012)
G. All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title.
H. No accessory structures shall be used as living quarters.

NOT YET IN AFFECT

TITLE 10
ZONING REGULATIONS

CHAPTER 8
C-1 COMMERCIAL ZONE

SECTION:

10-8-1: Regulations
10-8-2: Intent
10-8-3: Permitted Uses
10-8-4: Area, Width And Location Requirements
10-8-5: Location Of Gasoline Pumps
10-8-6: Motor Vehicle Access
10-8-7: Pollution Prevention
10-8-8: Special Provisions

10-8-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-8-2: INTENT:

The intent of the C-1 commercial zone is to provide a centralized place where retail and service uses can be constructed and maintained which will serve the needs of the citizens of the city and surrounding areas. It is the further intent in establishing this zone to maintain the central business district as the "heart of the city" and, to these ends, to promote its development in step with the increase in population within the trading area. Uses which tend to create business dead spots, cause undue scattering of business, and generally tend to thwart the use of the land for its primary purpose have been excluded from this zone. (Ord. 2012-01, 7-10-2012)

10-8-3: PERMITTED USES:

A. The following buildings, structures, and uses of land shall be permitted upon compliance with the requirements set forth in this title:

Accessory buildings and structures such as garages, carports, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in this zone.

Automobile and truck repair establishments provided all repair activities will be conducted within an enclosed structure and that there will be no outside storage of parts or nonoperative vehicles.

Automobile, motorcycle, ATV, and snowmobile sales and rental structures and lots (for both new and used units). Also, the related repair facilities when such facilities are included as an integral part of the sales structure and that there will be no outside storage of parts or nonoperative vehicles.
Automotive service establishments, including gasoline stations, car washes, parking lots and storage garages, and minor automotive repair establishments.
Cabinet, taxidermy, and welding and metalsmithing shops.
Convenience goods stores (minimarkets) for the sale of food and variety products.
Establishments for the sale of hardware, lumber, plumbing and heating equipment and similar building products. All storage activities shall be within a building or within an enclosure surrounded by a fence not less than six feet (6') in height.
General retail stores and shops providing goods and services for sale at retail in the customary manner.
Hotels and motels.
Laundries and dry cleaning establishments, and laundromats.
Live-work units.
Office buildings, medical clinics, banks, insurance, and financial services.
Personal service establishments, such as barber and beauty shops, reception centers, and similar establishments.
Public parks and buildings, not including storage yards or repair shops.
Recreational enterprises including bowling alleys, recreation centers, motion picture theaters (indoor only), athletic clubs, private clubs, sororities, and fraternal lodges.
Restaurants, food drive-ins bars, taverns, pubs.
Shopping centers, supermarkets, clothing stores.
Veterinary clinics for the treatment of household pets and the enclosed temporary boarding of same while receiving care.

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:
All signs shall conform with section 10-2-6 of this title.
Conditional uses shall conform with section 10-2-8 of this title.
Temporary uses shall conform with section 10-2-10 of this title.
Portable Storage Containers shall conform with section 10-2-11 of this title.
Diagonal parking shall conform with section 10-2-13 of this title.
Fences shall conform with section 10-2-15 of this title.
Recreational vehicle (RV) parks that conform to Title 10 Chapter 15 of city code

C. The following uses are permitted as conditional uses (see section 10-2-8).
All R-1 uses that conform to section 10-6-3 of this title, except rest homes, nursing homes, convalescent homes, and assisted living homes.
All R-2 uses that conform to section 10-703 of this title, except rest homes, nursing homes, convalescent homes, assisted living homes, growing of field crops, growing of garden produce and fruit for sale or trade and machinery sheds used for storage of agricultural equipment.

10-8-4: AREA, WIDTH AND LOCATION REQUIREMENTS:

A. There shall be no area, width and location requirements for commercial buildings and structures constructed, provided
   1. All buildings and structures conform with the building code adopted by the city; and
   2. An area sufficient to accommodate parking, loading, unloading, and vehicular access shall be provided and maintained.

B. No space needed to meet the parking or other requirements of this title may be sold or leased apart from such lot or parcel or building unless other space is provided to comply with section 10-8-4A.

10-8-5: LOCATION OF GASOLINE PUMPS:

A. Gasoline pump islands shall be set back not less than twenty feet (20') from any property line.
B. Lots from which gasoline is dispensed to customers at retail shall be not less than seventy five by one hundred feet (75 x 100') in size.
C. Canopies over pump islands may extend to within five feet (5') of the property lines. (Ord. 2012-01, 7-10-2012)

10-8-6: MOTOR VEHICLE ACCESS:

A. Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:
   1. Access shall be by not more than two (2) driveways from any one street.
   2. Driveways shall be not closer to each other than twenty feet (20').
   3. On corner lots, no driveways shall be less than fifteen feet (15') to the point of intersection of the front property line with the side property line which abuts upon a street.
   4. Where there is no existing curb and gutter or sidewalk, a curb or fence may be required by the city. (Ord. 2012-01, 7-10-2012)

10-8-7: POLLUTION PREVENTION:

Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air conservation board or the board of health, and any use which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering groundwater in amounts exceeding the standards prescribed by the Utah state water pollution control board or the board of health, shall be prohibited. (Ord. 2012-01, 7-10-2012)

10-8-8: SEWAGE DISPOSAL:

A. Sewer connections shall comply with Title 8-4-2 of city code.
B. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. (Ord. 2012-01, 7-10-2012)

10-8-9: WATER CONNECTION:
All users shall be connected to the municipal water supply.

10-8-10: DRAINAGE:
A. The owners and users of ditches shall not divert more water into the ditch than it's carrying capacity.
B. Runoff from new rooftops or lots shall not exceed the carrying capacity of the natural or previous drainage system. (Ord. 2012-01, 7-10-2012)
C. Drainage corridors shall be protected in accordance with 10-12-2.

10-8-11: CLEAR VIEW OF INTERSECTING STREETS:
No obstruction which will obscure the view of automobile drivers shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points of forty feet (40') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

10-8-12: SPECIAL PROVISIONS:
A. All material, merchandise and equipment (except vehicles in running order) shall be stored within an enclosed building or surrounded by a fence not less than six feet (6') in height.
B. All display, sale and repair activities shall be conducted within a fully enclosed building, except those activities that are customarily and appropriately conducted in the open, including, but not limited to, automobile sales lots and automobile service stations.
C. Temporary sales of Christmas trees and nursery stock shall be permitted outside a building unless otherwise prohibited under the terms of this title.
D. No dust, odor, smoke, vibration or intermittent light, glare or noise shall be emitted which is discernible beyond the premises except for normal traffic movements.
E. All off street parking shall be hard surfaced. See section 10-2-1, "Off Street Parking Requirements", of this title.
F. All buildings located adjacent to a major street shall have at least one entranceway facing onto said street. (Ord. 2012-01, 7-10-2012)
G. All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title.
H. No accessory structures shall be used as living quarters.

D I S C U S S I O N P A P E R F O R P L A N N I N G C O M M I S S I O N U S E

TITLE 10
ZONING REGULATIONS

Blue = Changes to be discussed by Planning Commission

CHAPTER 9
C-2 LIGHT COMMERCIAL ZONE

SECTION:
10-9-1: Regulations
10-9-2: Intent
10-9-3: Permitted Uses
10-9-4: Area, Width And Location Requirements
10-9-5: Location of Gasoline Pumps
10-9-6: Motor Vehicle Access
10-9-7: Pollution Prevention
10-9-8: Sewage Disposal
10-9-9: Water Connection
10-9-10: Drainage
10-9-11: Clear View Of Intersecting Streets
10-9-12: Special Provisions

10-9-1: REGULATIONS:
The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-9-2: INTENT:
The intent of the C-2 light commercial zone is to provide a place where small-scale fabrication, repair services, offices, and limited commercial uses can be constructed and maintained which will serve the needs of the citizens of the city and surrounding areas. It is the further intent in establishing this zone to maintain a buffer zone between C-1 and R-1 and R-2 zones to promote its development in step with the increase in population within the trading area.

10-9-3: PERMITTED USES:
A. The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this title:
Accessory uses and structures provided they are incidental to and do not substantially alter the character of the permitted principal use or structure.

Automobile and truck repair establishments, provided all repair activities will be conducted within an enclosed structure and any outside storage of parts or nonoperative vehicles will be surrounded by a view-obscuring fence.
Automobile, motorcycle, ATV, and snowmobile sales and rental structures and lots (for both new and used units). Also, the related repair facilities when such facilities are included as an integral part of the sales structure and that any outside storage of parts or nonoperative vehicles will be surrounded by a view-obscuring fence.
Automotive service establishments, including gasoline stations, car washes, parking lots and storage garages.
Communications towers.
Convenience goods stores (minimarkets) for the sale of food and variety products.
Establishments for the sale of hardware, lumber, plumbing and heating equipment and similar building products. All storage activities shall be within a building or within an enclosure surrounded by a view-obscuring fence.
Funeral homes.
General retail stores and shops providing goods and services for sale at retail in the customary manner.
Hospitals
Hotels and motels.
Laundries and dry cleaning establishments, and laundromats.
Live-work units.
Office buildings, medical clinics, banks, insurance, and financial services.
Personal service establishments, such as barber and beauty shops, reception centers and similar establishments.
Public buildings and grounds, including shops and storage
Public parks and buildings.
Restaurants, food drive-ins, bars, taverns, pubs.
Shopping centers, supermarkets, clothing stores.
Veterinary clinics for the treatment of household pets and the enclosed temporary boarding of same while receiving care.

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:
All signs shall conform with section 10-2-6 of this title.
Conditional uses shall conform with section 10-2-8 of this title.
Temporary uses shall conform with section 10-2-10 of this title.
Portable Storage Containers shall conform with section 10-2-11 of this title
Diagonal parking shall conform with section 10-2-13 of this title.
Fences shall conform with section 10-2-15 of this title.

C. The following uses are permitted as conditional uses (see section 10-2-8).
All R-1 uses that conform to section 10-6-3 of this title.
All R-2 uses that conform to section 10-7-3 of this title.
Daycare, nursery, preschool.
Rest homes, nursing homes, convalescent homes, assisted living homes.

10-9-4: AREA, WIDTH AND LOCATION REQUIREMENTS:

A. There shall be no area, width and location requirements for commercial buildings and structures, provided
   1. All buildings and structures conform with the building code adopted by the city; and
   2. An area sufficient to accommodate parking, loading, unloading, and vehicular access shall be provided and maintained.

B. No space needed to meet the parking or other requirements of this title may be sold or leased apart from such lot or parcel or building unless other space so complying is provided.

10-9-5: LOCATION OF GASOLINE PUMPS:

A. Gasoline pump islands shall be set back not less than twenty feet (20') from any property line.

B. Lots from which gasoline is dispensed to customers at retail shall be not less than seventy five by one hundred feet (75 x 100') in size.

C. Canopies over pump islands may extend to within five feet (5') of the property lines. (Ord. 2012-01, 7-10-2012)

10-9-6: MOTOR VEHICLE ACCESS:

A. Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:
   1. Access shall be by not more than two (2) driveways from any one street.
   2. Driveways shall be not closer to each other than twenty feet (20').
   3. On corner lots, no driveways shall be less than fifteen feet (15') to the point of intersection of the front property line with the side property line which abuts upon a street.
   4. Where there is no existing curb and gutter or sidewalk, a curb or fence may be required by the city. (Ord. 2012-01, 7-10-2012)

10-9-7: POLLUTION PREVENTION:

Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air conservation board or the board of health, and any use which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering groundwater in amounts exceeding the standards prescribed by the Utah state water pollution control board or the board of health, shall be prohibited. (Ord. 2012-01, 7-10-2012)

10-9-8: SEWAGE DISPOSAL:

A. Sewer connections shall comply with Title 8-4-2 of city code.

B. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. (Ord. 2012-01, 7-10-2012)

10-9-9: WATER CONNECTION:

All users shall be connected to the municipal water supply.

10-9-10: DRAINAGE:

A. The owners and users of ditches shall not divert more water into the ditch than it's carrying capacity.
B. Runoff from new rooftops or lots shall not exceed the carrying capacity of the natural or previous drainage system. (Ord. 2012-01, 7-10-2012)
C. Drainage corridors shall be protected in accordance with 10-12-2.

10-9-11: CLEAR VIEW OF INTERSECTING STREETS:

No obstruction which will obscure the view of automobile drivers shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points of ~~forty five feet (45')~~ forty feet (40') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

10-9-12: SPECIAL PROVISIONS:

A. All material, merchandise and equipment (except vehicles in running order) shall be stored within an enclosed building or surrounded by a fence not less than six feet (6') in height.
B. All display, sale and repair activities shall be conducted within a fully enclosed building, except those activities that are customarily and appropriately conducted in the open, including, but not limited to, automobile sales lots and automobile service stations.
C. Temporary sales of Christmas trees and nursery stock shall be permitted outside a building unless otherwise prohibited under the terms of this title.
D. No dust, odor, smoke, vibration or intermittent light, glare or noise shall be emitted which is discernible beyond the premises except for normal traffic movements.
E. All off street parking shall be hard surfaced. See section 10-2-5, "Off Street Parking Requirements", of this title.
F. All buildings located adjacent to a major street shall have at least one entranceway facing onto said street. (Ord. 2012-01, 7-10-2012)
G. All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title.
H. No accessory structures shall be used for living quarters

NOT YET IN AFFECT

TITLE 10
ZONING REGULATIONS

CHAPTER 9
C-2 LIGHT COMMERCIAL ZONE

SECTION:

10-9-1: Regulations
10-9-2: Intent
10-9-3: Permitted Uses
10-9-4: Area, Width And Location Requirements
10-9-5: Location of Gasoline Pumps
10-9-6: Motor Vehicle Access
10-9-7: Pollution Prevention
10-9-8: Sewage Disposal
10-9-9: Water Connection
10-9-10: Drainage
10-9-11: Clear View Of Intersecting Streets
10-9-12: Special Provisions

10-9-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-9-2: INTENT:

The intent of the C-2 light commercial zone is to provide a place where small-scale fabrication, repair services, offices, and limited commercial uses can be constructed and maintained which will serve the needs of the citizens of the city and surrounding areas. It is the further intent in establishing this zone to maintain a buffer zone between C-1 and R-1 and R-2 zones to promote its development in step with the increase in population within the trading area.

10-9-3: PERMITTED USES:

A. The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this title:
   Accessory uses and structures provided they are incidental to and do not substantially alter the character of the permitted principal use or structure.

Automobile and truck repair establishments, provided all repair activities will be conducted within an enclosed structure and any outside storage of parts or nonoperative vehicles will be surrounded by a view-obscuring fence.
Automobile, motorcycle, ATV, and snowmobile sales and rental structures and lots (for both new and used units). Also, the related repair facilities when such facilities are included as an integral part of the sales structure and that any outside storage of parts or nonoperative vehicles will be surrounded by a view-obscuring fence.
Automotive service establishments, including gasoline stations, car washes, parking lots and storage garages.
Communications towers.
Convenience goods stores (minimarkets) for the sale of food and variety products.
Establishments for the sale of hardware, lumber, plumbing and heating equipment and similar building products. All storage activities shall be within a building or within an enclosure surrounded by a view-obscuring fence.
Funeral homes.
General retail stores and shops providing goods and services for sale at retail in the customary manner.
Hospitals
Hotels and motels.
Laundries and dry-cleaning establishments, and laundromats.
Live-work units.
Office buildings, medical clinics, banks, insurance, and financial services.
Personal service establishments, such as barber and beauty shops, reception centers and similar establishments.
Public buildings and grounds, including shops and storage
Public parks and buildings.
Restaurants, food drive-ins, bars, taverns, pubs.
Shopping centers, supermarkets, clothing stores.
Veterinary clinics for the treatment of household pets and the enclosed temporary boarding of same while receiving care.

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:
All signs shall conform with section 10-2-6 of this title.
Conditional uses shall conform with section 10-2-8 of this title.
Temporary uses shall conform with section 10-2-10 of this title.
Portable Storage Containers shall conform with section 10-2-11 of this title
Diagonal parking shall conform with section 10-2-13 of this title.
Fences shall conform with section 10-2-15 of this title.

C. The following uses are permitted as conditional uses (see section 10-2-8).
All R-1 uses that conform to section 10-6-3 of this title.
All R-2 uses that conform to section 10-7-3 of this title.
Daycare, nursery, preschool.
Rest homes, nursing homes, convalescent homes, assisted living homes.

10-9-4: AREA, WIDTH AND LOCATION REQUIREMENTS:

A. There shall be no area, width and location requirements for commercial buildings and structures, provided
   1. All buildings and structures conform with the building code adopted by the city; and
   2. An area sufficient to accommodate parking, loading, unloading, and vehicular access shall be provided and maintained.

B. No space needed to meet the parking or other requirements of this title may be sold or leased apart from such lot or parcel or building unless other space so complying is provided.

10-9-5: LOCATION OF GASOLINE PUMPS:

A. Gasoline pump islands shall be set back not less than twenty feet (20') from any property line.

B. Lots from which gasoline is dispensed to customers at retail shall be not less than seventy five by one hundred feet (75 x 100') in size.

C. Canopies over pump islands may extend to within five feet (5') of the property lines. (Ord. 2012-01, 7-10-2012)

10-9-6: MOTOR VEHICLE ACCESS:

A. Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:
   1. Access shall be by not more than two (2) driveways from any one street.
   2. Driveways shall be not closer to each other than twenty feet (20').
   3. On corner lots, no driveways shall be less than fifteen feet (15') to the point of intersection of the front property line with the side property line which abuts upon a street.
   4. Where there is no existing curb and gutter or sidewalk, a curb or fence may be required by the city. (Ord. 2012-01, 7-10-2012)

10-9-7: POLLUTION PREVENTION:

Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air conservation board or the board of health, and any use which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering groundwater in amounts exceeding the standards prescribed by the Utah state water pollution control board or the board of health, shall be prohibited. (Ord. 2012-01, 7-10-2012)

10-9-8: SEWAGE DISPOSAL:

A. Sewer connections shall comply with Title 8-4-2 of city code.

B. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. (Ord. 2012-01, 7-10-2012)

10-9-9: WATER CONNECTION:

All users shall be connected to the municipal water supply.

10-9-10: DRAINAGE:

A. The owners and users of ditches shall not divert more water into the ditch than it's carrying capacity.
B. Runoff from new rooftops or lots shall not exceed the carrying capacity of the natural or previous drainage system. (Ord. 2012-01, 7-10-2012)
C. Drainage corridors shall be protected in accordance with 10-12-2.

10-9-11: CLEAR VIEW OF INTERSECTING STREETS:

No obstruction which will obscure the view of automobile drivers shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points of forty feet (40') from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

10-9-12: SPECIAL PROVISIONS:

A. All material, merchandise and equipment (except vehicles in running order) shall be stored within an enclosed building or surrounded by a fence not less than six feet (6') in height.
B. All display, sale and repair activities shall be conducted within a fully enclosed building, except those activities that are customarily and appropriately conducted in the open, including, but not limited to, automobile sales lots and automobile service stations.
C. Temporary sales of Christmas trees and nursery stock shall be permitted outside a building unless otherwise prohibited under the terms of this title.
D. No dust, odor, smoke, vibration or intermittent light, glare or noise shall be emitted which is discernible beyond the premises except for normal traffic movements.
E. All off street parking shall be hard surfaced. See section 10-2-5, "Off Street Parking Requirements", of this title.
F. All buildings located adjacent to a major street shall have at least one entranceway facing onto said street. (Ord. 2012-01, 7-10-2012)
G. All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title.
H. No accessory structures shall be used for living quarters

D I S C U S S I O N P A P E R F O R P L A N N I N G C O M M I S S I O N U S E

TITLE 10
ZONING REGULATIONS

Blue = Reorganization & correction of existing code

CHAPTER 10
I-1 INDUSTRIAL ZONE

SECTION:

10-10-1: Regulations
10-10-2: Intent
10-10-3: Permitted Uses
10-10-4: Area, Frontage, Yard And Height Regulations
10-10-5: Yard Space For One Building Only
10-10-6: Sale Or Lease Of Required Space Prohibited
10-10-7: Accessory Buildings Prohibited As Living Quarters
10-10-8: Sewage Disposal
10-10-9: Water Connections
10-10-10: Drainage
10-10-11: Motor Vehicle Access
10-10-12: Pollution Prevention
10-10-13: Special Provisions

10-10-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-10-2: INTENT:

The intent in establishing the I-1 industrial zone is to provide a place for the operation of industry in a location where impacts on residential areas are minimized. (Ord. 2012-01, 7-10-2012)

10-10-3: PERMITTED USES:

A. The following uses shall be authorized by a conditional use permit issued by the city:

Accessory buildings shall be permitted in this zone and may include, but are not limited to, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in this zone.

Automobile and truck repair establishments, and auto body repair shops.

Automobile, motorcycle, ATV, snowmobile sales and rental structures and lots (for both new and used units). Also, the related repair facilities when such facilities are included as an integral part of the sales structure.

Automotive service establishments, including gasoline stations, bulk petroleum storage, car washes, parking lots and storage garages.

Buildings exceeding thirty feet (30') in height.

Buildings over twenty-thousand square feet (20,000 sq ft) on the ground floor.

Care and keeping of livestock and fowl and the barns, corrals, pens and sheds for the care and keeping of permitted animals and fowl.

Communication towers.

Concrete mixing, gravel crushing, stonecutting, and rock, sand and gravel distribution.

Convenience goods stores (minimarkets) for the sale of food and variety products, provided such stores are part of gasoline stations.

Diagonal parking shall conform with section 10-2-13 of this title.

Establishments for the sale of hardware, lumber, plumbing and heating equipment and similar building products, and the storage of supplies and materials used in conjunction with such establishments.

Fences shall conform with section 10-10-13A of this title.

Growing of field crops and fruit and the machinery and equipment sheds used for storage of equipment in connection with agricultural activities performed on the premises.

Impound yards, automobile wrecking yards.

Iron and steel fabrication, metalworking and welding shops.

Junkyards, collecting of rags, paper, iron or scrap materials.

Landscaping businesses, plant nurseries and shops, including storage of equipment and materials.

Lumber and planing mills, cabinetry, and taxidermy, and the equipment and materials storage used in conjunction with these businesses.

Machine shops.

Metal casting.

Ore reduction and processing.

Portable Storage Containers shall conform with section 10-2-11 of this title.

Public buildings for mechanical uses, livestock impoundments, storage yards, and repair shops.

Sexually oriented business subject to Title 3 Chapter 11 of city code.

Signs shall conform with section 10-2-6 of this title.

Slaughter houses, meat packaging, and wholesale distribution of meat products.

Temporary uses shall conform with section 10-2-10 of this title.

Tire recycling and storage establishments.

Warehousing and storage.

B. All permitted uses shall comply with the special provisions at 10-10-13 of this title.

10-10-4: AREA, FRONTAGE, AND HEIGHT REGULATIONS:

There shall be no area, width, height, and location requirements for buildings and structures constructed in accordance with the building code except that an area sufficient to accommodate parking, loading, unloading and vehicular access shall be provided and maintained. (Ord. 2012-01, 7-10-2012)

10-10-5: YARD SPACE FOR ONE BUILDING ONLY:

No required yard or other open space around an existing building, or which is hereafter provided around any building, which is needed to comply with the provisions of this title, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing the yard or open space on the lot whereon a building is to be erected or established. (Ord. 2012-01, 7-10-2012)

10-10-6: SALE OR LEASE OF REQUIRED SPACE PROHIBITED:

No space needed to meet the width, yard, area, coverage, parting or other requirements of this title for a lot or building may be sold or leased apart from such lot or building unless other space so complying is provided. (Ord. 2012-01, 7-10-2012)

10-10-7: BUILDINGS PROHIBITED AS LIVING QUARTERS:

Living and sleeping quarters in any building are prohibited. (Ord. 2012-01, 7-10-2012)

10-10-8: SEWAGE DISPOSAL:

A. Sewer connections shall comply with Title 8 of city code.

B. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. (Ord. 2012-01, 7-10-2012)

10-10-9: WATER CONNECTIONS:

A. All potable water shall be provided by connections with the municipal water source where available and in accordance with Title 8 of city code.

B. Where no public water is available, approval of such facilities shall be obtained from the state health department before a building permit or certificate of occupancy is issued.

10-10-10: DRAINAGE:

A. Drainage corridors shall be protected in accordance with 10-12-2 of city code.

10-10-11: MOTOR VEHICLE ACCESS:

A. Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:
   1. Access shall be by not more than two (2) driveways from any one street.
   2. Driveways shall be not closer to each other than twenty feet (20').
   3. On corner lots, no driveways shall be less than fifteen feet (15') to the point of intersection of the front property line with the side property line which abuts upon a street.
   4. Where there is no existing curb and gutter or sidewalk, a curb or fence may be required by the city. (Ord. 2012-01, 7-10-2012)

10-10-12: POLLUTION PREVENTION:

Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air conservation board or the board of health, and any use which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering groundwater in amounts exceeding the standards prescribed by the Utah state water pollution control board or the board of health, shall be prohibited. (Ord. 2012-01, 7-10-2012)

10-10-13: SPECIAL PROVISIONS:

A. All material, merchandise, and equipment (except vehicles in running order) shall be stored within an enclosed building or within an enclosure surrounded by a fence not less than six feet (6') in height.

B. All display, sale and repair activities shall be conducted within a fully enclosed building, except those activities that are customarily and appropriately conducted in the open, including, but not limited to, automobile sales lots and automobile service stations.

C. Temporary sales of Christmas trees and nursery stock shall be permitted outside of a building unless otherwise prohibited under the terms of this title.

D. All off street parking shall be hard surfaced.

E. All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title.

F. All gasoline service station pumps shall be set back at least twenty feet (20') from all property lines.

G. For lots or parcels one (1) acre and less applicant shall provide the following information on a preliminary sketch:

1. General topography and drainage direction arrows for the property.
2. Drainage channels.
3. All utility easements, both recorded and marked in the field by flagging.
4. Marked up zoning map of area where the property is located and the location of any residential areas within fifty feet (50') of the property.

H. For lots or parcels greater than one (1) acre applicant shall provide the following information on a preliminary civil engineering plan prepared by a civil engineer:

1. Contour plan at a scale not greater than fifty feet (50') to the inch and at vertical intervals of not more than two feet (2').
2. Drainage channels and direction arrows for the property.
3. Layout of the building(s) with all setbacks
4. Driveway access from a city street and internal traffic flow design.
5. All utility easements, both recorded and marked in the field by flagging.
6. Sewer and water from the building to their point of connection.

NOT YET IN EFFECT

TITLE 10
ZONING REGULATIONS

CHAPTER 10
I-1 INDUSTRIAL ZONE

SECTION:

10-10-1: Regulations
10-10-2: Intent
10-10-3: Permitted Uses
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10-10-10: Drainage
10-10-11: Motor Vehicle Access
10-10-12: Pollution Prevention
10-10-13: Special Provisions

10-10-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-10-2: INTENT:

The intent in establishing the I-1 industrial zone is to provide a place for the operation of industry in a location where impacts on residential areas are minimized. (Ord. 2012-01, 7-10-2012)

10-10-3: PERMITTED USES:

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Diagonal parking shall conform with section 10-2-13 of this title.

Establishments for the sale of hardware, lumber, plumbing and heating equipment and similar building products, and the storage of supplies and materials used in conjunction with such establishments.

Fences shall conform with section 10-10-13A of this title.

Growing of field crops and fruit and the machinery and equipment sheds used for storage of equipment in connection with agricultural activities performed on the premises.

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Landscaping businesses, plant nurseries and shops, including storage of equipment and materials.

Lumber and planing mills, cabinetry, and taxidermy, and the equipment and materials storage used in conjunction with these businesses.

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B. All permitted uses shall comply with the special provisions at 10-10-13 of this title.

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   2. Drainage channels and direction arrows for the property.
   3. Layout of the building(s) with all setbacks
   4. Driveway access from a city street and internal traffic flow design.
   5. All utility easements, both recorded and marked in the field by flagging.
   6. Sewer and water from the building to their point of connection.

11-1-9: RESIDENTIAL INFILLING:

All subdivision codes must be adhered to and followed whenever a property owner splits one parcel of property into two (2) or more parcels.

A Exception to subdivision requirements, all requirements must be met in order to be considered residential infilling.

1 All created parcels must front an existing city street and have at least sixty feet (60') of frontage on said street.

2 All created parcels must meet the minimum square footage requirements of five thousand four hundred forty-five (5,445) square feet.

B If the creation of multiple parcels requires the creation of a new street or private drive to access any of the parcels, residential infilling will not be allowed, and the subdivision code must be followed.

C If no utilities are present on the existing city street on which the proposed infill would occur then the residential infilling will not be allowed, and the subdivision code must be followed. (Ord. 2012-01, 7-10-2012)

City Council Adopted 5-26-2020

Beginning June 1st 2020

CITY of MONTICELLO Landfill and Transfer Station Pricing

Transfer Bin Pricing

Minimum Charge - any type of trash	**$ 25**
Punch Pass (good for 4 separate dumps of 4 bags or less , residential household waste only)	**$ 25**
Pick Up Truck or Car load	**$ 25**
Single Axle trailer only	**$ 25**
Double Axle Trailer only	**$ 40**
Pick Up and Single axle Trailer	**$ 50**
Pick Up and Double Axle Trailer	**$ 80**
Standard load of 6 cuyd or less otherwise default to $30cuyd	

* Locked Dumpster available at City Office Non City Residents Only can pay monthly fee of $15.00 and and be given access to use for bagged houshold waste **ONLY**. This is for everyday houshold waste only and must be bagged and only 4 bags at a time may be put in dumpster. **$ 15**

Landfill (Construction & Demo) Pricing

Accepted Waste = Structural Wood, concrete, insulation , Masonry,plasctic pipe, insulation, siding, shingles, Cabinets, Bathroom & Kitchen Fixtures, wood framed windows, Glass,

Not Accepted Waste: House Hold Trash Insulation, Plastic Sheeting, Carboard, Blowing loose paper or plastic, metal framed windows, metal pipe, metal siding,or any other metal

Standard load of 6 cuyd or less otherwise default to $15/cuyd	*City Residents*	Outside City
Clean Non hazardous Dirt		
Yard Waste	Free	$ 5
Metals (Recyclable)	Free	Free
MINIMUM CHARGE- (Construction & Demo))	$ 10	$ 15
Pick Up Load	$ 10	$ 15
additional Trailer of equal size or smaller	$ 10	$ 15
Pick Up and Single axle Trailer	$ 20	$ 30
Single Axle Truck or Trailer	$ 25	$ 35
Dual Axle Truck or Trailer	$ 50	$ 60
Larger Trucks or Trailers	$ 80	$ 90
Commercial Semi Trailers	$6/yd	$7/yd
Electronics:		
Large Items (<24" TV, copy machines, microwaves, dishwashers, etc)	$ 15	$ 20
Medium Items (<24" TV, Copier, stereo, vcr, dvd player, computer , monitor, printers, etc)	$ 8	$ 16
Small Items (calculators, handheld radios, etc)		
Mattresses & Box Springs (all sizes, with springs)	$ 15	$ 20
Tires		
Car or Pick Up Tire (4 max)	$ 6	$ 10
on rim	$ 15	$ 20
Large or Semi Tires	$ 20	$ 30
on rim	$ 40	$ 50
Tractor Tires	$ 100	$ 120
on rim	$ 120	$ 140
Appliances:		
Non Evacuated Freezers, Refrigerator & AC units	$ 80	$ 80
Washers, Dryers, Water Heaters, Swamp Coolers, ranges,etc	$ 30	$ 30

* non seperated loads will be charged transfer bin rates
* minimum fee of $20.00 charged for items placed in wrong location

City Pays average of $90/ton to have transfer bin picked up

Houshold Wastel Average 350lbs / yd = 5.7cuyd/ton County Charges $44/ton equevelant $7.72/ cuyd
C&D Material Average 666lbs / yd = 3 cuyd/ton County Charges $44/ton equevelant $14.66 / cuyd

Proposed New Rates — *Option 1- 6/28/22*

CITY of MONTICELLO Landfill and Transfer Station Pricing

Transfer Bin Pricing

Minimum Charge - any type of trash	$ 20	$ 30
Punch Pass (good for 4 separate dumps of 4 bags or less , residential household waste only)	$ 20	$ 30
Pick Up Truck or Car load	$ 20	$ 30
Pick Up and Single axle Trailer (10 CUYD)	$ 40	$ 50
Dual Axle Truck or Trailer (15 CUYD)	$ 60	$ 80
Larger Trucks or Trailers (20 CUYD)	$ 100	$ 120
Commercial Semi Trailers (End Dump/Side Dump)	$ 150	$ 200
$10/cuyd Residents $20/cuyd NoN Residents		
* Locked Dumpster available at City Office Non City Residents Only can pay monthly fee of $30.00 and and be given access **durring office hours** to use for bagged houshold waste **ONLY**. This is for everyday houshold waste only and must be bagged and **only 4 bags at a time may be put in dumpster.**	$	25
Clean Non hazardous Dirt	FREE	$ 10
Yard Waste (clean wood materials)		
Metals (Recyclable)		Free

Landfill (Construction & Demo) Pricing

ANY LOADS NOT SEPERATED MUST BE PUT IN TRANSFER BIN

Accepted Waste = Structural Wood, concrete, insulation , Masonry,plasctic pipe, insulation, siding, shingles,

Not Accepted Waste: House Hold Trash Insulation, Plastic Sheeting, Carboard, Blowing loose paper or plastic, metal framed windows, metal pipe, metal siding,or any other metal

$8/cuyd USE CUYD ESTIMATION SHEET TO DETERMINE	***City Residents***	**Outside City**
MINIMUM CHARGE- (Construction & Demo))	$ 15	$ 25
Pick Up Load (5cuyd or less)	$ 15	$ 25
Pick Up and Single axle Trailer (10 CUYD)	$ 30	$ 50
Dual Axle Truck or Trailer (15 CUYD)	$ 50	$ 70
Larger Trucks or Trailers (20 CUYD)	$ 80	$ 100
Commercial Semi Trailers (End Dump/Side Dump)	$ 100	$ 150
Electronics:		
Large Items (<24" TV, copy machines, microwaves, dishwashers, etc)	$ 15	$ 25
Medium Items (<24" TV, Copier, stereo, vcr, dvd player, computer , monitor, printers, etc)	$ 8	$ 16
Small Items (calculators, handheld radios, etc)		
Mattresses & Box Springs (all sizes, with springs)	$ 10	$ 20
Tires		
Car or Pick Up Tire (4 max)	$ 6	$ 12
on rim	$ 15	$ 30
Large or Semi Tires	$ 20	$ 40
on rim	$ 40	$ 60
Tractor Tires	$ 100	$ 140
on rim	$ 120	$ 160
Appliances:		
Non Evacuated Freezers, Refrigerator & AC units	$ 80	$ 120
Washers, Dryers, Water Heaters, Swamp Coolers, ranges,etc	$ 30	$ 60

Proposed New Rates

Option 2 - 6/28/22

CITY of MONTICELLO Landfill and Transfer Station Pricing

Transfer Bin Pricing	CITY RESIDENTS	OUTSIDE CITY
Minimum Charge - any type of trash	$ 25	$ 50
Punch Pass (good for 4 separate dumps of 4 bags or less , residential household waste only)	$ 25	$ 50
Pick Up Truck or Car load	$ 25	$ 50
Single Axle trailer only	$ 25	$ 50
Double Axle Trailer only or (est 10YD)	$ 40	$ 80
Pick Up and Single axle Trailer or (EST 15 YD)	$ 75	$ 150
Pick Up and Double Axle Trailer or (est 20YD)	$ 100	$ 200
$10/cuyd Residents $20/cuyd NoN Residents		
* Locked Dumpster available at City Office Non City Residents Only can pay monthly fee of $30.00 and and be given access **durring office hours** to use for bagged houshold waste **ONLY**. This is for everyday houshold waste only and must be bagged and **only 4 bags at a time may be put in dumpster.**	$	30
Clean Non hazardous Dirt	FREE	
Yard Waste (clean wood materials)		$ 5
Metals (Recyclable)		Free

Landfill (Construction & Demo) Pricing

ANY LOADS NOT SEPERATED MUST BE PUT IN TRANSFER BIN

Accepted Waste = Structural Wood, concrete, insulation , Masonry,plasctic pipe, insulation, siding, shingles, Cabinets, Bathroom & Kitchen Fixtures, wood framed windows, Glass,

Not Accepted Waste: House Hold Trash Insulation, Plastic Sheeting, Carboard, Blowing loose paper or plastic, metal framed windows, metal pipe, metal siding,or any other metal

$8/cuyd USE CUYD ESTIMATION SHEET TO DETERMINE	City Residents	Outside City
MINIMUM CHARGE- (Construction & Demo))	$ 15	$ 30
Pick Up Load (5cuyd or less)	$ 15	$ 30
Pick Up and Single axle Trailer (10 CUYD)	$ 30	$ 60
Dual Axle Truck or Trailer (15 CUYD)	$ 45	$ 90
Larger Trucks or Trailers (20 CUYD)	$ 100	$ 200
Commercial Semi Trailers (End Dump/Side Dump)	$ 200	$ 400
Electronics:		
Large Items (<24" TV, copy machines, microwaves, dishwashers, etc)	$ 15	$ 30
Medium Items (<24" TV, Copier, stereo, vcr, dvd player, computer , monitor, printers, etc)	$ 8	$ 16
Small Items (calculators, handheld radios, etc)		
Mattresses & Box Springs (all sizes, with springs)	$ 10	$ 20
Tires		
Car or Pick Up Tire (4 max)	$ 6	$ 12
on rim	$ 15	$ 30
Large or Semi Tires	$ 20	$ 40
on rim	$ 40	$ 80
Tractor Tires	$ 100	$ 200
on rim	$ 120	$ 240
Appliances:		
Non Evacuated Freezers, Refrigerator & AC units	$ 80	$ 160
Washers, Dryers, Water Heaters, Swamp Coolers, ranges,etc	$ 30	$ 60