

**ESCALANTE CITY
ORDINANCE 2019-09**

**AN ORDINANCE AMENDING ESCALANTE CITY CODE NO. 10.160.020, 10.170.020,
10.180.020, 10.190.020, 10.200.020, 10.220.020 AND 10.220.030 AND PROVIDING REPEALER
WITHIN THE CITY OF ESCALANTE, STATE OF UTAH.**

WHEREAS, The City Council, as the governing body of the City of Escalante, State of Utah, specifically find it in the best interest of the safety and welfare of the citizens of the City of Escalante to amend Escalante City Ordinance 10.160.020, 10.170.020, 10.180.020, 10.190.020, 10.200.020, 10.220.020 and 10.220.030.

NOW THEREFORE, be it ordained by the Council of Escalante City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “10.160.020 Permitted Uses” of the Escalante Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

10.160.020 Permitted Uses

- A. Agriculture
 - 1. Tilling of the soil, the raising of crops, horticulture, and gardening.
 - 2. Animals, including fowl, for recreation or for family food production for the primary use of persons residing on the premises or for commercial production and sale.
- B. Single-family dwellings.
- C. Household pets.
- D. Stabling livestock.
- E. Accessory buildings and uses.
- F. Vacation Rentals

A F T E R A M E N D M E N T

10.160.020 Permitted Uses

- A. Agriculture
 - 1. Tilling of the soil, the raising of crops, horticulture, and gardening.
 - 2. Animals, including fowl, for recreation or for family food production for the primary use of persons residing on the premises or for commercial production and sale.
- B. Single-family dwellings.
- C. Household pets.

- D. Stabling livestock.
- E. Accessory buildings and uses.
- F. Vacation Rentals
- G. Accessory Dwelling Unit

SECTION 2: **AMENDMENT** “10.170.020 Permitted Uses” of the Escalante Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

10.170.020 Permitted Uses

- A. Agriculture.
 - 1. Tilling of the soil, the raising of crops, horticulture, and gardening.
 - 2. Animals and fowl for recreation or for family food production for the primary use of persons residing on the premises.
- B. Single-family dwellings.
- C. Mobile Homes.
- D. Private stables, corrals, chicken coops or pens.
- E. Accessory uses and buildings customarily incidental to the permitted use.
- F. Planned Unit Development.
- G. Vacation rentals

A F T E R A M E N D M E N T

10.170.020 Permitted Uses

- A. Agriculture.
 - 1. Tilling of the soil, the raising of crops, horticulture, and gardening.
 - 2. Animals and fowl for recreation or for family food production for the primary use of persons residing on the premises.
- B. Single-family dwellings.
- C. Mobile Homes.
- D. Private stables, corrals, chicken coops or pens.
- E. Accessory uses and buildings customarily incidental to the permitted use.
- F. Planned Unit Development.
- G. Vacation rentals
- H. Accessory Dwelling Unit

SECTION 3: **AMENDMENT** “10.180.020 Permitted Uses” of the Escalante Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

10.180.020 Permitted Uses

- A. Agriculture
 - 1. Tilling of the soil, the raising of crops, horticulture, and gardening.
 - 2. Animals and fowl for recreation or for family food production for the primary use of persons residing on the premises.
- B. Single-family dwellings.
- C. Mobile homes.
- D. Private stables, corrals, chicken coops, or pens.
- E. Accessory uses and buildings customarily incidental to the permitted use.
- F. Vacation rentals

AFTER AMENDMENT

10.180.020 Permitted Uses

- A. Agriculture
 - 1. Tilling of the soil, the raising of crops, horticulture, and gardening.
 - 2. Animals and fowl for recreation or for family food production for the primary use of persons residing on the premises.
- B. Single-family dwellings.
- C. Mobile homes.
- D. Private stables, corrals, chicken coops, or pens.
- E. Accessory uses and buildings customarily incidental to the permitted use.
- F. Vacation rentals
- G. Accessory Dwelling Unit

SECTION 4: **AMENDMENT** “10.190.020 Permitted Uses” of the Escalante Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

10.190.020 Permitted Uses

- A. Horticulture and gardening for personal use.
- B. Single-family dwellings of at least 1,000 square feet.
- C. Household pets.
- D. Accessory uses and buildings incidental to the permitted use.
- E. Vacation rentals

AFTER AMENDMENT

10.190.020 Permitted Uses

- A. Horticulture and gardening for personal use.
- B. Single-family dwellings of at least 1,000 square feet.
- C. Household pets.
- D. Accessory uses and buildings incidental to the permitted use.
- E. Vacation rentals
- F. Accessory Dwelling Unit

SECTION 5: **AMENDMENT** “10.200.020 Permitted Uses” of the Escalante Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

10.200.020 Permitted Uses

- A. Horticulture and gardening for personal use.
- B. Single-family dwelling.
- C. Two-family dwelling.
- D. Household pets.
- E. Accessory uses and buildings customarily incidental to permitted uses.
- F. Vacation rentals

A F T E R A M E N D M E N T

10.200.020 Permitted Uses

- A. Horticulture and gardening for personal use.
- B. Single-family dwelling.
- C. Two-family dwelling.
- D. Household pets.
- E. Accessory uses and buildings customarily incidental to permitted uses.
- F. Vacation rentals
- G. Accessory Dwelling Unit

SECTION 6: **AMENDMENT** “10.220.020 Permitted Uses” of the Escalante Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

10.220.020 Permitted Uses

- A. Single-family uses subject to the provisions of the R-1-10 District.
- B. Art Gallery/Antique Shop.

- C. Bank.
- D. Clinic.
- E. Food Services.
 - 1. Bakery
 - 2. Delicatessen
 - 3. Restaurant
- F. Florist/Gift Shop.
- G. General retail.
 - 1. Barber Shop
 - 2. Drug store
 - 3. Department store
 - 4. Hardware store
 - 5. Furniture store
 - 6. Grocery store
 - 7. Laundromat
 - 8. Salon/Spa
- H. Professional Offices.
- I. Public buildings.
- J. Recreation.
 - 1. Bowling alley
 - 2. Music store
 - 3. Sporting goods store
 - 4. Theater
 - 5. Guide Services
- K. Hotels, Motels and Inns.
- L. Churches
- M. Gas Station
- N. Alcoholic Beverage Services
- O. Vacation rentals
- P. Bed and Breakfasts

AFTER AMENDMENT

10.220.020 Permitted Uses

- A. Single-family uses subject to the provisions of the R-1-10 District. Art Gallery/Antique Shop.
- B. Bank.
- C. Clinic.
- D. Food Services.
 - 1. Bakery
 - 2. Delicatessen
 - 3. Restaurant
- E. Florist/Gift Shop.
- F. General retail.
 - 1. Barber Shop

- 2. Drug store
- 3. Department store
- 4. Hardware store
- 5. Furniture store
- 6. Grocery store
- 7. Laundromat
- 8. Salon/Spa
- G. Professional Offices.
- H. Public buildings.
- I. Recreation.
 - 1. Bowling alley
 - 2. Music store
 - 3. Sporting goods store
 - 4. Theater
 - 5. Guide Services
- J. Hotels, Motels and Inns.
- K. Churches
- L. Gas Station
- M. Alcoholic Beverage Services
- N. Vacation rentals
- O. Bed and Breakfasts
- P. Accessory Dwelling Unit
- Q. Multi-family Dwellings (Following the Multi-Family Residential District Density Regulations and Modifying Regulations).
 - 1. Two-family dwellings
 - 2. Three-family dwellings.
 - 3. Four-family dwellings.
 - 4. Multi-family dwellings
- R. Second Story living quarters
- S. RV Park
- T. Rental agency

SECTION 7:**AMENDMENT** “10.220.030 Conditional Uses” of the Escalante Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

10.220.030 Conditional Uses

- A. Second Story living quarters.
- B. Animal hospital for small animals only, provided business is conducted within a completely enclosed building.

- C. Automobile repair, storage, and/or service station, including paint, body and fender, brake, muffler, and transmission work provided business is conducted within an enclosed building.
- D. Bus terminal.
- E. Campground.
- F. Planned Unit Developments.
- G. RV Park.
- H. Rental agency.
- I. New and used car sales.
- J. Multi-family Dwelling (Following the Multi-Family Residential District Density Regulations and Modifying Regulations).

A F T E R A M E N D M E N T

10.220.030 Conditional Uses

- A. Animal hospital for small animals only, provided business is conducted within a completely enclosed building.
- B. Automobile repair, storage, and/or service station, including paint, body and fender, brake, muffler, and transmission work provided business is conducted within an enclosed building.
- C. Bus terminal.
- D. Campground.
- E. Planned Unit Developments..
- F. New and used car sales.

SECTION 8: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 9: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 10: **EFFECTIVE DATE** This Ordinance shall be in full force and effective immediately upon approval and publication according to law.

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL AUGUST 20, 2019.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Louise Barnes	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Dan'l Lindsay	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Marlene Stowe	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Guy Graham	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Lenza Wilson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Melani Torgersen, Mayor, Escalante City



Stephanie Steed, CMC, City Recorder
Escalante City



CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated 10-3-711 as amended, I hereby certify that the foregoing Ordinance was duly passed and published or posted at:

- 1) *Escalante Post Office*
- 2) *Escalante City Office*
- 3) *Griffins Mercantile*

on the above referenced dates.

Attest



Stephanie Steed, CMC, City Recorder,
Escalante City