

**ESCALANTE CITY  
ORDINANCE 2020-07**

**AN ORDINANCE AMENDING ESCALANTE CITY CODE NO 10.36.020, 10.36.030, 10.38.020, 10.38.030, 10.40.020, 10.40.030, 10.42.020, 10.42.030, 10.44.020, 10.44.030 AND ADOPTING 10.36.035, 10.38.035, 10.40.035, 10.42.035, 10.44.035, 10.48.035, 10.50.035 AND 10.52.035 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 10.36.020, 10.36.030, 10.38.020, 10.38.030, 10.40.020, 10.40.030, 10.42.020, 10.42.030, 10.44.020, 10.44.030 and adopt 10.36.035, 10.38.035, 10.40.035, 10.42.035, 10.44.035, 10.48.035, 10.50.035 and 10.52.035

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

**SECTION 1:**        **AMENDMENT** “10.36.020 Permitted Uses” of the Escalante Zoning Code is hereby *amended* as follows:

**A M E N D M E N T**

10.36.020 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

H. Churches.

I. Schools.

J. Parks & Public Buildings.

K. Public Utilities.

L. Public Riding Stables.

M. Public Kennels.

N. Living Quarters for hired hands, seasonal laborers, or other receiving compensation for work performed on site.

Home Occupation (conditions may apply).

O.

**SECTION 2:** AMENDMENT “10.36.030 Conditional Uses” of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.36.030 Conditional Uses

- ~~A. Churches.~~
- ~~B. Schools.~~
- ~~C. Parks & Public Buildings.~~
- ~~D. Public Utilities.~~
- ~~E. Public Riding Stables.~~
- ~~F. Public Kennels.~~
- ~~G. Living Quarters for hired hands, seasonal laborers, or other receiving compensation for work performed on-site.~~
- H. Essential facilities.

**SECTION 3:** ADOPTION “10.36.035 Prohibited Uses” of the Escalante Zoning Code is hereby *added* as follows:

ADOPTION

10.36.035 Prohibited Uses(*Added*)

Any use not expressly identified as a use allowed within Escalante City, as either a Permitted, Conditional, or Temporary Use, is hereby determined to be a prohibited Use.

**SECTION 4:** AMENDMENT “10.38.020 Permitted Uses” of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.38.020 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
- I. Nursery or greenhouse, excluding any building or structure for retail business separate from the greenhouse growing facility.
- J. Home Occupation (conditions may apply).
- K. Public utilities.

**SECTION 5:            AMENDMENT** “10.38.030 Conditional Uses” of the Escalante Zoning Code is hereby *amended* as follows:

#### AMENDMENT

##### 10.38.030 Conditional Uses

- A. Agricultural business or industry.
- B. Business or industry serving primarily agricultural concerns.
- ~~C. Nursery or greenhouse, excluding any building or structure for retail business separate from the greenhouse growing facility.~~
- D. Public stables.
- E. Kennels.
- ~~F. Home Occupation.~~
- G. ~~Public utilities,~~ essential facilities.
- H. Accessory uses and buildings customarily incidental to the conditional use.

**SECTION 6:            ADOPTION** “10.38.035 Prohibited Uses” of the Escalante Zoning Code is hereby *added* as follows:

#### ADOPTION

##### 10.38.035 Prohibited Uses(*Added*)

Any use not expressly identified as a use allowed within Escalante City, as either a Permitted, Conditional, or Temporary Use, is hereby determined to be a prohibited Use.

**SECTION 7:            AMENDMENT** “10.40.020 Permitted Uses” of the Escalante Zoning Code is hereby *amended* as follows:

A M E N D M E N T

10.40.020 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.
- H. Home Occupation (conditions may apply).
- I. Licensed child day care or nursery
- J. Park or playground.
- K. Public Utilities.
- L. Public buildings.

**SECTION 8:            AMENDMENT** “10.40.030 Conditional Uses” of the Escalante Zoning Code is hereby *amended* as follows:

A M E N D M E N T

10.40.030 Conditional Uses

- ~~A. Home-occupation.~~
- ~~B. Licensed child day care or nursery.~~
- ~~C. Park or playground.~~
- D. Golf Course.
- E. ~~Public Utilities,~~ Essential facilities.
- ~~F. Public buildings.~~
- G. Private Recreational grounds and facilities.
- H. Planned Unit Development.

**SECTION 9:** ADOPTION “10.40.035 Prohibited Uses” of the Escalante Zoning Code is hereby *added* as follows:

ADOPTION

10.40.035 Prohibited Uses(*Added*)

Any use not expressly identified as a use allowed within Escalante City, as either a Permitted, Conditional, or Temporary Use, is hereby determined to be a prohibited Use.

**SECTION 10:** AMENDMENT “10.42.020 Permitted Uses” of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.42.020 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
- G. Home occupation (conditions may apply).
- H. Licensed child day care or nursery.
- I. Park or Playground.
- J. Public Utilities
- K. Public buildings.

**SECTION 11:** AMENDMENT “10.42.030 Conditional Uses” of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.42.030 Conditional Uses

- ~~A. Home occupation.~~
- ~~B. Licensed child day care or nursery.~~
- ~~C. Park or playground.~~
- ~~D. Public utilities,~~ essential services.
- ~~E. Public buildings.~~

**SECTION 12:** **ADOPTION** “10.42.035 Prohibited Uses” of the Escalante Zoning Code is hereby *added* as follows:

ADOPTION

10.42.035 Prohibited Uses(*Added*)

Any use not expressly identified as a use allowed within Escalante City, as either a Permitted, Conditional, or Temporary Use, is hereby determined to be a prohibited Use.

**SECTION 13:** **AMENDMENT** “10.44.020 Permitted Uses” of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.44.020 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
- H. Home occupation (conditions may apply).
- I. Licensed child day care or nursery
- J. Park or Playground.
- K. Public Utilities.

**SECTION 14:** **AMENDMENT** “10.44.030 Conditional Uses” of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.44.030 Conditional Uses

- A. Dwellings
  - 1. Three-family dwellings.
  - 2. Four-family dwellings.
  - 3. Multi-family dwellings.
- ~~B. Home occupation.~~
- ~~C. Licensed child day care or nursery.~~
- ~~D. Park or playground.~~
- ~~E. Public utilities, e~~Essential services.
- F. Accessory uses and buildings customarily incidental to conditional uses.
- G. Planned Unit Development.

**SECTION 15:**        **ADOPTION** “10.44.035 Prohibited Uses” of the Escalante Zoning Code is hereby *added* as follows:

ADOPTION

10.44.035 Prohibited Uses(*Added*)

Any use not expressly identified as a use allowed within Escalante City, as either a Permitted, Conditional, or Temporary Use, is hereby determined to be a prohibited Use.

**SECTION 16:**        **ADOPTION** “10.48.035 Prohibited Uses” of the Escalante Zoning Code is hereby *added* as follows:

ADOPTION

10.48.035 Prohibited Uses(*Added*)

Any use not expressly identified as a use allowed within Escalante City, as either a Permitted, Conditional, or Temporary Use, is hereby determined to be a prohibited Use.

**SECTION 17:**        **ADOPTION** “10.50.035 Prohibited Uses” of the Escalante Zoning Code is hereby *added* as follows:

ADOPTION

10.50.035 Prohibited Uses(*Added*)

Any use not expressly identified as a use allowed within Escalante City, as either a Permitted, Conditional, or Temporary Use, is hereby determined to be a prohibited Use.

**SECTION 18:**        **ADOPTION** “10.52.035 Prohibited Uses” of the Escalante Zoning Code is hereby *added* as follows:

ADOPTION

10.52.035 Prohibited Uses(*Added*)

Any use not expressly identified as a use allowed within Escalante City, as either a Permitted, Conditional, or Temporary Use, is hereby determined to be a prohibited Use.

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL OCTOBER 20, 2020.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
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>      </u>	<u>      </u>	<u>  X  </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

