

ORDINANCE 2025-08

AN ORDINANCE ESTABLISHING A HOSPITAL (H) ZONE, AMENDING THE ZONING MAP, AND RELATED AMENDMENTS TO THE GUNNISON LAND USE ORDINANCE, AND RELATED AMENDMENTS TO TERMS AND DEFINITIONS OF THE LAND USE CODE, CORRECTION OF SCRIVERNER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Gunnison City is a fifth class city of the state of Utah; and

WHEREAS, Cities in the State of Utah are authorized to enact Land Use Regulations in order to promote and protect the health, safety and welfare of the community; and

WHEREAS, the Gunnison City Planning Commission reviewed the proposed code amendment and rezoning and after a properly noticed public hearing, which was conducted on October 22, 2024, has forwarded a positive recommendation for the text and zoning map changes to the City Council; and

WHEREAS, The City Council has determined that the proposed amendments will promote and protect the health, safety, and welfare of the community.

NOW THEREFORE, BE IT ORDAINED BY THE GUNNISON CITY COUNCIL THAT:

Section I. Amendments Adopted. The City Land Use Ordinance is amended as show in Exhibit A which attached hereto and by this reference made part hereof.

Section II. The zoning map shall be amended as indicated in the public notice attached hereto as Exhibit B.

Section III. Contrary Provisions Repealed. Any and all other provisions of the Gunnison City Municipal Code that are contrary to the provisions of this Ordinance are hereby repealed.

Section IV. Codification, Inclusion in the Code, and Scrivener's Errors. It is the intent of the City Council that the provisions of this ordinance be made part of the Municipal Code of Gunnison City, Utah as adopted, that sections of this ordinance may be re-numbered or re-lettered, that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. Sections of the ordinance may be re-numbered or re-lettered. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

Section V. Severability. If any section, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section VI. Posting and Effective Date. Prior to 5:00 p.m. on November 6, 2025, the City Recorder shall:
(a) deposit a copy of this ordinance in the official records of the City; and (b) post a copy of this ordinance in three places within the City. This ordinance shall become effective at 5:00 p.m. on November 6, 2025.

ADOPTED AND PASSED by the City Council of the City of Gunnison, Utah this 5th of November, 2025.



Lori Nay, Mayor

ATTEST



Valerie Andersen, City Recorder

Councilmember Robert Andersen	<u>YES</u>
Councilmember Donald Childs	<u>YES</u>
Councilmember Shawn Crane	<u>YES</u>
Councilmember Stella Hill	<u>YES</u>
Councilmember Michael Wanner	<u>YES</u>

The following sections are modified by this ordinance (Underlined text is added, stricken text is deleted)

Section 1501 Zoning By Districts

In accordance with the requirement of the Act, that zoning within municipalities be by districts, Gunnison City, as shown on the Gunnison City Zoning Districts Map, is divided into Zoning Districts that govern the use, intensity and other requirements for the use or activities occurring on all lands located within the City. The map accompanying this Ordinance, the Gunnison City Zoning Districts Map, is incorporated herein by this reference as a part of this Ordinance. Overlay zones may be utilized to establish additional development requirements beyond those applicable in the underlying zone(s).

To achieve the purposes of this Ordinance and the Act, the following Zoning Districts are provided:

1. Agricultural District (A-1)
2. Residential Estates District (RR-~~1~~)
3. Single-Family Residential District (R-2)
4. Multi-Family Residential District (R-4)
5. Mobile Home District (MH)
6. Mixed Use Residential and Commercial District (RC)
7. Commercial District (CC-~~1~~)
- 7-8. Hospital District (H)
- 8-9. Light Industrial District (I-1)
- 9-10. Special Institutional (S-1)
- 10-11. Main Street Overlay Zone (MS-O)
- 11-12. Flood Hazard Mitigation Overlay Zone (FH-O)

Section 1502 Zoning Districts Purposes

The Gunnison City Zoning Districts are provided and achieve the following purposes:

1. The Agricultural District (A-1) is provided to allow for the raising of livestock and/or the growing of crops and to preserve the established uses associated with agricultural activities.
2. The Residential Estates District (RR-1) is provided to allow low-density residential neighborhoods with a quality of openness and to provide for certain rural amenities, including, but not limited to, care and keeping domestic livestock and providing agricultural opportunities and livestock related recreational activities on larger lots. The principal land use is single-family dwellings and incidental and accessory uses located in a rural environment.
3. The Single-Family Residential (R-2) District provides areas for single-family and two-family residential uses. This District is provided to maintain and protect areas for residential dwellings and appropriate activities located in residential neighborhoods including the care and keeping of domestic livestock.
4. The Multi-Family Residential (R-4) District is provided to allow the establishment of a variety of dwelling unit types from single-family to multiple-family units with their associated necessary public services and activities.
5. The Mobile Home (MH) District provides appropriate areas for a choice of residential units by providing areas suitable for the establishment of single-family mobile home parks.
6. The Mixed Use Residential and Commercial (RC) District is provided to accommodate opportunities for a mix of residential, retail, and service commercial uses within the same District. The RC District is established to achieve the following purposes:
 - a. Provide for a variety and diversity of land uses that may be mixed vertically or horizontally in a unified and complimentary manner.
 - b. Achieve convenience for residents and encourage efficiencies in land utilization.
 - c. Strengthen the City's economic base and provide amenities and features that enhance the City.
7. The purpose of the Central Commercial (CC-1) District is to provide areas for the location of various types of commercial activities needed to serve the residents and commerce of the city. The development standards provided for this District are intended to minimize any adverse effect of commercial uses on adjoining areas by achieving the compatible integration of land uses and preserving the aesthetic qualities of the area, while providing safe, convenient, and efficient commercial uses.
- 7-8. The Hospital District is intended to facilitate those services and uses which improve and promote the general health and well-being of the community and its members through physical, mental, and emotional means.
- 8-9. The Light Industrial (I-1) District provides the needs of the City for light manufacturing, warehousing, and associated accessory uses in appropriate areas to strengthen the employment base and economic diversity of the City.

~~9.10.~~ 9.10. The Special Institutional (S-1) District is provided as an independent and separate stand-alone Zoning District to meet specific needs and goals of the City.

~~10.11.~~ 10.11. The Main Street Overlay Zone (MS-O) is intended to promote development within the historic heart of the city's Main Street business district and which will create an attractive and inviting area for small retail and office uses to thrive.

~~11.12.~~ 11.12. The Flood Hazard Mitigation Overlay Zone (FH-O) includes flood plain areas identified by the Federal Emergency Management Agency (FEMA) and includes development standards intended to protect life and property from flood damage.

Section 1503 Residential Zoning Districts Identified

1. To achieve the purposes of this Ordinance the following Zoning Districts are identified as "Residential" Districts; Agricultural (A-1), Single-Family (RR~~1~~), Single-Family (R-2), Multi-Family (R-4), and Mobile Home (MH).
2. The other Districts provided by this Ordinance are identified as either "Mixed Use," such as the Residential and Commercial (RC) District and the Hospital (H) District, or "Nonresidential Districts;" Central Commercial (CC-1), Light Industrial (I-1), and Special Institutional (S-1) District.

APPENDIX A – LAND USE TABLE	ZONING DISTRICTS									
	Agriculture	Rural Residential (1 area Single family Ints)	Residential (Single Family & Two Family)	Residential (Single Family - Multi-family)	Mobile Home Park	Commercial/Residential	Commercial	Industrial	Prison	Hospital Area
USES	A-1	RR	R-2	R-4	MH	RC	CC	L-1	S-1	H
Accessory Building/Structure (Attached). A building incidental and subordinate to an existing primary building and located ten (10) feet or less from the primary building and on the same lot as the primary building and meeting all requirements of the Land Use Ordinances and Building Codes, as adopted. Accessory Building/Structure (Attached) shall comply with the minimum setback requirements applicable to the primary building or structure. (See Section 1706 and Section 1707).	P-1	P-1	P-1	P-1	P-1	A	P-1	P-1	P-1	A
Accessory Building/Structure (Detached). A building incidental and clearly subordinate to an existing primary building and located more than ten (10) feet from the primary building and on the same lot as the primary building, and meeting all requirements of the Land Use Ordinances and Building Codes, as adopted. (See Section 1706 and Section 1707).	P-1	P-1	P-1	P-1	P-1	A	P-1	P-1	P-1	A
Accessory Dwelling Unit for a Relative or Employee. An attached, or detached, dwelling unit for occupancy by the owner, or a relative or an employee of the owner, and incidental and clearly subordinate to the existing primary building and located on the same lot as the primary building and connected to the same utilities and utility meters as the primary building. No mobile home, travel trailer, boat, or similar recreational vehicle shall be used as an Accessory Dwelling Unit for a Relative or Employee. (See Section 1709).	P-2	P-2	P-2	X	X	P-2	P-2	P-2	X	X
Accessory Use. A use clearly incidental and subordinate to the existing primary use and customarily found in connection with the primary use and located on the same lot as the primary use. (See Section 1706).	P-1	P-1	P-1	P-1	P-1	A	P-1	P-1	P-1	P-1

Ordinance 2025-08 Exhibit A:

Agricultural Building. A structure used solely in conjunction with agriculture, not used for human occupancy, and complying with the requirements of §58-56-4, Utah Code Annotated, 1953, as amended. To qualify as an agricultural building the structure must be located outside of a residential area, as defined by §58-56-4(1), Utah Code Annotated, 1953, as amended.	P-1	P-1	P-1	P-1	P-1	P-1	P-1	P-1	P-1	P-1	X
USES	A-1	RR	R-2	R-4	MH	RC	CC	L-1	S-1		H
Agriculture. An area of five (5) contiguous acres, or larger, which is used for the commercial production, keeping, or maintenance for sale of plants and domestic animals typically found in central Utah, or lands devoted to a soil conservation or forestry management program, but excluding the keeping of exotic or prohibited animals; Agriculture excludes Commercial Plant Nursery, as defined herein, and Concentrated Animal Feeding Operation, as defined by the Utah Code Annotated, 1953, as amended, and similar activities.	P-1	P-1	P-1	P-1	P-1	P-1	P-1	P-1	P-1		X
Airport. An area, with associated buildings and structures for the operation of aircraft, including take-off and landing, and necessary storage, service and maintenance facilities.	X	X	X	X	X	X	X	X	C		X
Animal Control Facility. A public or publicly licensed private facility to temporarily detain and/or dispose of stray dogs, cats and other animals.	X	X	X	X	X	X	X	C	C		X
Animal Hospital (Veterinary Clinic), With Holding Facilities. A facility for the diagnosis, treatment, hospitalization, and boarding of animals that does not include outdoor holding facilities. But which may include indoor holding and boarding facilities.	X	X	X	X	X	X	C	C	X		X
Animal Hospital (Veterinary Clinic), Without Holding or Boarding Facilities. A facility for the diagnosis, treatment, hospitalization, and boarding of animals that does not include indoor or outdoor holding or boarding facilities.	X	X	X	X	X	X	C	P-2	X		X
Animal Unit (The Keeping of Domestic Livestock and Fowl). (See Section 1719).	P-1	P-1	P-1	P-1	P-1	P-1	P-1	P-1	P-1		X
Assisted Living. An Assisted Living Facility is a residential housing model for adults who need help with daily activities but do not require constant medical care.	X	P-2	P-2	P-1	X	P-1	X	X	X		P-1
Automotive and Equipment Repair. An establishment primarily engaged in the major repair or painting of motor vehicles or heavy equipment, including auto body repairs, installation of major accessories and transmission and engine rebuilding services. Typical uses include major automobile repair garages, farm equipment repair, paint, and body shops.	X	X	X	X	X	X	C	C	X		X

Ordinance 2025-08 Exhibit A:

Automotive Care - Minor. An establishment providing motor vehicle repair or maintenance services within completely enclosed buildings. Typical uses include businesses engaged in the following activities: electronic tune-ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, front end alignments, battery recharging, lubrication, and sales, repair and installation of minor parts and accessories such as tires, batteries, windshield wipers, hoses, windows, etc.	X	X	X	X	X	P-2	C	C	X	X
USES	A-1	RR	R-2	R-4	MH	RC	CC	L-1	S-1	H
Automotive Self-Service Station. A place where flammable or combustible liquids or gases used as fuel are stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. Such an establishment may offer the retail sale of convenience items as an accessory use. Automotive Self-Service Station specifically excludes and does not allow any servicing, repair or maintenance of motor vehicles, trailers, and similar mechanical equipment, including engine, brake, muffler, tire repair and change, lubrication and tune-ups.	X	X	X	X	X	X	C	C	X	X
Bank, Credit Union or other Financial Institution. A financial company or corporation providing the extension of credit, and the custody, loan or exchange of money. A bank, credit union or other financial institution proposing to provide drive through service shall be required to secure a Conditional Use Permit approval for such drive through facility.	X	X	X	X	X	P-1	P-2	P-2	X	X
Barn, Corral, Stable, Coop, Pen or Animal Run. A structure or fenced area, and its associated buildings and structures, for the feeding, housing, or confinement of domestic animals, as defined herein. Stable includes a building, or a portion thereof, used to shelter and feed horses and ponies. (See Section 1719).	P-1	P-1	P-1	X	X	P-1	X	X	X	X
Bed and Breakfast Inn. A residential structure, located on a legal lot offering transient lodging accommodations in separate guest rooms and where meals may be provided. A Bed and Breakfast Inn shall provide no more than four (4) guest rooms and shall meet all applicable requirements of the Land Use Ordinances and Building Codes, as adopted. A guest room is one (1) room having no kitchen facilities. (See Section 1714).	C	C	X	X	X	P-2	C	X	X	X
Billboard. A freestanding sign designed or intended to direct attention to a business, product, or service that is not provided, sold, offered, or existing on the property where the sign is located.	X	X	X	X	X	X	X	X	X	X
Campground. An area of land upon which two (2) or more campsites are located, established or maintained for occupancy by a tent or recreational vehicle as a temporary dwelling unit, not to exceed forty five (45) days, for recreational or vacation purposes.	C	X	X	X	X	C	X	X	X	X

Ordinance 2025-08 Exhibit A:

Car Wash. A structure with machine or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles. A facility of this type may be able to accommodate more than one vehicle at the same time.	X	X	X	X	X	X	C	C	X	X
Day-Care Center/Assisted Care Center. A facility which provides less than 24-hour assisted care or supervision for five (5) or more persons, 14 years of age and older and who are not related by blood, marriage or adoption to the owner or operator, with or without compensation for such care, and with or without a Stated educational purpose.	X	X	X	X	X	C	C	X	X	P-2
Child Care Facility, Home-Based	P-1	P-1	P-1	P-1	P-1	P-1	P-1	P-1	X	X
Child Care - Commercial Day Care/Preschool	X	X	X	X	X	P-2	P-2	X	X	P-2
Church. A facility principally used as a location for people to gather for religious worship or other religious activities. One (1) accessory dwelling unit for the housing of the pastor or similar church leader of the church and their family shall be permitted. (See Section 1705).	P-1	P-1	P-1	P-1	P-1	P-1	P-1	P-1	P-1	P-1
USES	A-1	RR	R-2	R-4	MH	RC	CC	L-1	S-1	H
Clinic (See Medical or Dental Clinic)	See Medical or Dental Clinic									
Commercial Recreation (Indoor). Any use, either public or private, providing amusement, pleasure, or sport, which is operated entirely within an enclosed building, including but not limited to live theater, and movie houses, indoor tennis, bowling, and skating, baseball batting cages, paintball, horse riding or similar activities. This use may include associated eating and drinking areas, retail sales areas and staff offices.	X	X	X	X	X	P-2	C	C	X	X
Commercial Recreation (Outdoor). An area or facility that offers entertainment or recreation outside. This use is limited to a golf driving range, baseball batting cages, riding arena, tennis facility, miniature golf, and swimming pool, and may include, as accessory uses, associated eating and drinking areas, retail sales areas and staff offices. This use specifically excludes shooting range, go-cart, motor vehicle and/or motorbike tracks, or similar activities that may create noise, dust, or other nuisances to adjoining and surrounding uses.	C	C	X	X	X	X	X	C	X	X
Commercial Plant Nursery. A use wholly, or partially, contained within one or more greenhouses where trees, shrubs, flowers, or vegetable plants are grown and sold to retail customers. Commercial Plant Nursery does not include wholesale nurseries or greenhouses.	X	X	X	X	X	P-1	P-2	P-2	X	X
Conference Center. A facility used for service organizations, business, and professional conferences, and seminars limited to accommodations for conference attendees.	X	X	X	X	X	X	C	C	X	P-1

Ordinance 2025-08 Exhibit A:

Construction Sales and Service. An establishment engaged in the retail or wholesale sale of materials and services used in the construction of buildings or other structures, as well as the outdoor storage of construction equipment or materials on lot or parcel other than a construction site. Typical uses include lumberyards, home improvement centers, lawn and garden supply stores, construction equipment sales and rental, electrical, plumbing, air conditioning and heating supply stores, and swimming pool sales.	X	X	X	X	X	P-1	P-2	P-2	X	X
Contractor's Office/Contractor's Storage Yard. A facility providing building construction and maintenance, including carpentry, plumbing, roofing, electrical, air conditioning and heating, within a totally enclosed building, and which may include the open storage of any building materials, equipment, or vehicles.	X	X	X	X	X	X	C	C	X	X
Convenience Store. A retail establishment selling consumer products including prepackaged food and drink. A convenience store may also provide associated retail sale of gasoline and other petroleum products.	X	X	X	X	X	C	P-2	P-2	X	X
USES	A-1	RR	R-2	R-4	MH	RC	CC	L-1	S-1	H
Correctional Facility. A public or private facility providing confinement, housing, and care for individuals legally confined for violations of the law.	X	X	X	X	X	X	X	X	C	X
Crematorium. Building or facility which provides cremation services on site.	X	X	X	X	X	X	X	C	X	C
Drive through/Drive up Facility. A facility where goods and services are provided to customers within a vehicle.	X	X	X	X	X	P-1	C	C	X	P-2
Dwelling Unit, Condominium. An individually owned dwelling unit, meeting the definition of a condominium, as provided by Section 57-8-1, Utah Code Annotated, 1953, as amended, and complying with all requirements of the "Condominium Ownership Act," Section 57-8-1 Utah Code Annotated, 1953, as amended. Must meet allowed all density and development requirements and standards of the applicable Zone.	X	X	X	C	C	C	X	X	X	X
Dwelling Unit, Manufactured Home. A dwelling unit constructed in accordance with the Federal Home Construction and Safety Standards Act of 1974 (HUD Code) as identified by the manufacturer's data plate bearing the date the unit was manufactured and a HUD label attached to the exterior of the home certifying the home was manufactured to HUD standards. A Dwelling Unit, Manufactured Home shall meet all requirements of the City's Building Code, as applicable.	P-1	P-1	P-1	P-1	P-1	P-1	P-1	P-1	P-1	X
Dwelling Unit, Mobile Home. A transportable factory built dwelling unit built prior to June 15, 1976, in accordance with a State mobile home code that existed prior to the Federal Manufactured Housing and Safety Standards Act (HUD Code).	X	X	X	X	X	X	X	X	X	X
Dwelling, Multiple-Family	X	X	X	C	X	C	X	X	X	X

Ordinance 2025-08 Exhibit A:

Dwelling, Single-Family	P-1	P-1	P-1	P-1	P-1	P-1/ X ⁴	P-1/ X ⁴	P-1/ X ⁴	P-1 X	X
Dwelling, Two-Family	X	X	P-1	P-1	P-1	P-1/ X ⁴	X	X	X	X
Educational Facility. Public schools, colleges or universities qualified by the State of Utah Board of Regents or State of Utah Board of Education to provide academic instruction. Privately owned buildings and uses for educational or research activities that has a curriculum for technical or vocational training, kindergarten, elementary, secondary or higher education.	X	C	C	C	C	P-1	X	P-1	X	P-1
Emergency Care Facility. A health care facility providing primarily outpatient emergency care for the diagnosis and treatment of individuals.	X	X	X	X	X	P-1	C	X	X	P-1
Gravel Pit, Quarry.	C	X	X	X	X	X	X	C	X	X
Helipad - Medical.	X	X	X	X	X	X	X	X	X	C
Home Occupation. Any use or activity conducted entirely within a dwelling, or legal accessory building or structure, which is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof and in connection with which there is no display, nor stock in trade. This use is required to comply with all business licensing requirements of Gunnison City. (See Section 1702).	P-2	P-2	P-2	P-2	P-2	P-2	P-2	P-2	X	X
Hospital.	X	X	X	X	X	P-1	C	X	X	P-1
Hotel. A building offering temporary lodging accommodations, or overnight accommodations for guests, with access provided through a common entrance, lobby or hallway to four (4) or more guestrooms, and which may include additional services, such as restaurants, meeting rooms, entertainment, and recreational facilities.	X	X	X	X	X	P-2	C	X	X	P-2
Household Pets. Domesticated animals and birds ordinarily permitted in a dwelling unit and kept for company or pleasure of the owner. (See Section 1718).	P-1	P-1	P-1	P-1	P-1	P-1	P-1	P-1	P-1	X
Commercial-Kennel - Commercial. Any premises or establishment where four (4) or more dogs, older than four (4) months, are kept for the purpose of Boarding, breeding, raising or training dogs for a fee or on a nonprofit basis. (See Section 1721).	C	X	X	X	X	X	X	C	X	X
Laundry, Self-Serve or Dry Cleaning. An establishment providing home type washing, drying, and/or ironing machines, household laundry and dry cleaning services, classified as low hazard in applicable codes, with customer drop-off and pick-up.	X	X	X	X	X	P-2	C	C	X	X

Ordinance 2025-08 Exhibit A:

Liquor Licenses - Off Premises Consumption. A retail license to sell beer on the licensed premises in the original containers for consumption off the premises only, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City, and to deliver the same to the residence of the purchaser; provided, however, that it is unlawful for the licensee to sell or distribute beer in any container larger than two (2) liters. Activities under this license shall be conducted in compliance with all state and local requirements for the issuance of such license.	X	X	X	X	X	X	C	C	X	X
Liquor Licenses - On-Premises Consumption. A liquor license issued by the state of Utah to establishments such as restaurants, hotels, motels, and arenas which licensure generally includes requirements for sale and consumption of food on premises.	X	X	X	X	X	C	C	C	X	C
USES	A-1	RR	R-2	R-4	MH	RC	CC	L-1	S-1	H
Liquor Licenses – Private Club/Resort. A liquor license that shall entitles the licensee to serve, sell, and store liquor, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City. All sales under a private club license shall be to bona fide members of the licensed club, guest members, or their visitors accompanied by members or guest members, and not to the public. Activities under such license shall be conducted in compliance with all state and local requirements for the issuance of such license.	X	X	X	X	X	X	C	C	X	X
Long-Term Care Facility.	X	X	C	C	C	C	X	X	X	P-1
Major Facility of a Public Utility. Any electric transmission lines (greater than 140,000 volts), power plants or substations of electric utilities; gas gathering facility, regulator stations, transmission and gathering pipelines, and storage areas of utilities providing natural gas or petroleum derivatives; and their appurtenant facilities, water treatment plant, sewage treatment plant.	€	X	X	X	X	X	€	€	€	€
Manufacturing, Major. Includes the processing and fabrication of finished products, predominantly from previously prepared materials, and includes the assembly, fabrication or processing of goods and materials using processes that do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and where such assembly, fabrication or processing takes place entirely within a building. Excludes gravel pit, quarry, extractive industries.	X	X	X	X	X	X	X	C	X	X
Manufacturing, Minor. Includes the processing and fabrication of finished products that do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and where such assembly, fabrication or processing takes place entirely within a building with a maximum building size of 15,000 square feet.	X	X	X	X	X	P-2/ X ⁷	X	P-2	X	X

Medical and Dental Clinic. An organization of doctors, dentists, or other health care professionals providing physical or mental health services and medical or surgical care of the sick or injured, but which does not include inpatient or overnight accommodations.	X	X	X	X	X	P-2	C	X	X	P-1
Medical or Dental Laboratory. An establishment that conducts basic medical or dental research and analysis. This term does not include a facility providing any type of in-house patient services typically provided by hospitals and clinics.	X	X	X	X	X	P-2	C	P-2	X	P-2
USES	A-1	RR	R-2	R-4	MH	RC	CC	L-1	S-1	H
Minor Facility of a Public Utility. A use operated exclusively by a public body or quasi-public body, such use having the purpose of serving the public health, safety or general welfare, and including streets, parks, recreational facilities, administrative and service facilities, and public utilities. Public Uses and Utilities do not include “Major Facility of a Public Utility,” as defined herein.	€	€	€	€	€	€	€	€	€	€
Mixed Use. The arrangement of a combination of compatible residential and nonresidential uses on the same lot or parcel of land or within the same building and complying within the requirements of this Ordinance. (See Section 1711).	X	X	X	X	X	C	C	X	X	X
Mobile Food Trailer. A trailer pulled behind a motorized vehicle where food and beverages are prepared and served to walk-up customers.	X	X	X	X	X	P-1	P-1	P-1	X	P-1
Mobile Food Truck. A self-propelled motorized vehicle where food and beverages are prepared and served to walk-up customers. Mobile Food Truck does not include lemonade stands, vending carts, or similar activities and that typically do not establish and operate in fixed location for a period shorter than 1 hour or operate infrequently on a daily or hourly basis.	X	X	X	X	X	P-1	P-1	P-1	X	P-1
Mortuary, Funeral Home. An establishment in which the dead are prepared for burial or cremation. The facility may include a chapel and other rooms to conduct funeral services. Does not include cremation services.	X	X	X	X	X	P-1	P-2	X	X	X
Motel. A building or group of buildings containing four (4) or more guest rooms, some or all of which may have a separate entrance leading directly from the outside of the building with a garage or parking space located on the lot and designed, used or intended wholly or	X	X	X	X	X	P-1	P-2	X	X	P-1

Ordinance 2025-08 Exhibit A:

in part for the accommodation of persons usually traveling by private automobile or motor coach and which may include additional services, such as restaurants, meeting rooms, entertainment and recreational facilities.											
Nursing Home, Convalescent Care Center. A facility that provides 24-hour residential care to persons who are not related by blood, marriage, or adoption to the owner, operator, or manager of the facility. A Nursing Home or Convalescent Care Center provides some level of skilled nursing or medical service to the residents. A Nursing Home or Convalescent Care Center is also considered a Long-Term Care Facility.	X	X	C	C	C	C	X	X	X	P-1	
USES	A-1	RR	R-2	R-4	MH	RC	CC	L-1	S-1	H	
Office. A building, room, or other space where executive, management, administrative or professional services are provided, except medical services, and excluding the sale of merchandise, except as incidental to a principal use. Typical uses include real estate brokers, insurance agencies, credit reporting agencies, property management firms, investment firms, employment agencies, travel agencies, advertising agencies, secretarial services, data processing, telephone answering, telephone marketing, paging and beeper services and facsimile transmission services; post offices and express mail offices, excluding major mail processing and distribution; offices for utility bill collection; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; and business offices of private companies, utility companies, public agencies, trade associations, unions and nonprofit organizations.	X	X	X	X	X	P-2	P-1	P-1	P-1	P-1	
Open/Outdoor Storage (Stand Alone). The storage of goods or product in an open, unenclosed area, including but not limited to, automotive, truck, recreational vehicle, trailer, and manufactured home sales lots, repair yards, open storage areas, and all similar outside display and storage areas of goods, materials, equipment, and vehicles, and not an Accessory Use to any established primary use.	X	X	X	X	X	X	X	X	X	X	
Outdoor Youth Program. A program designed to provide behavioral, substance abuse, or mental health services to minors that: (1) serves adjudicated or non-adjudicated youth; (2) charges a fee for its services; (3) may or may not limit or censor access to parents or	C	X	X	X	X	X	X	X	X	X	

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guardians; (4) may prohibit or restrict a minor's ability to leave the program at any time of the minor's own free will; and (5) provides its services in an outdoor setting.										
Personal Care Service. An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barbershops, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning and nail salons, and weight loss centers.	X	X	X	X	X	P-1	P-2	C	X	P-2
Personal Instruction Service. An establishment primarily engaged in the provision of informational, instructional, personal improvement and similar services of a nonprofessional nature or by a nonprofit organization. Typical uses include art and music schools, driving and computer instruction, gymnastic and dance studios, handiercraft or hobby instruction, health and fitness studios, massage therapist instruction, martial arts training, and swimming clubs.	X	X	X	X	X	P-2	P-2	P-2	X	P-2
Pharmacy (or Drug Store).	X	X	X	X	X	P-1	P-2	X	X	P-1
USES	A-1	RR	R-2	R-4	MH	RC	CC	L-1	S-1	H
Physical Therapy (includes fitness, rehabilitation)	X	X	X	X	X	P-1	P-2	X	X	P-1
Public Use. A use operated exclusively by a public body, or quasi-public body, such use having the purpose of serving the public health, safety, or general welfare, and including but not limited to, parks, recreational facilities, administrative and service offices and facilities, and public utilities, and found by the Commission to conform to the General Plan, or has been considered by the Commission and the Council has approved the proposed location and/or Public Use as an amendment to the General Plan. Public Uses do not include "Major Facility of a Public Utility" or an "Airport," "Correctional Facility," "Animal Control Facility," "Water Treatment Plant" or "Sewer Treatment Plant," as defined herein. (See Chapter 16).	C	C	C	C	C	C	C	C	C	C
Public Utility (Major Facility)	C	X	X	X	X	X	C	C	C	C
Public Utility (Minor Facility)	C	C	C	C	C	C	C	C	C	C
Reception Hall, Reception Center. A facility for the holding of events including but not limited to weddings, wedding receptions, community meetings, and group gatherings.	X	X	X	X	X	C	P-2	C	X	P-2

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<p>Recycling Collection Center. A center for the acceptance and temporary storage of recyclable materials to be transferred to a recycling processing facility. Recycling Collection Centers involve no more than 3 collection containers up to 40 cubic yards in total size. Collection centers located in parking lots may not occupy required parking spaces. A collection center must be arranged to not impede traffic flow. The operator of the collection center shall remove products stored at the site at least once a week. The operator of the collection center shall keep the collection center in proper repair and the exterior must have a neat and clean appearance. Automated can recycling machines are limited to two (2) per site.</p>	X	X	X	X	X	X	X	P-2	X	X
<p>Residential Facility for Elderly Persons. A single family or multiple family dwelling unit that does not operate as a business and is owned by one of the residents, or an immediate family member of one of the residents, or the title is placed in trust for a resident, and that meets the requirements of Sec. 10-9a-103; Sec. 10-9a-501; and Sec. 10-9a-502, Utah Code Annotated, as amended, meeting all applicable International Building Code, Zoning and Health Code requirements, and is occupied on a 24-hour per-day basis by eight (8) or fewer elderly persons in a family-type arrangement. Residential Facility for Elderly Persons does not include a health care facility as defined by §26-21-2, Utah Code Annotated, 1953, as amended. (See Section 1715).</p>	P-2	P-2	P-2	P-2	P-2	P-2	X	X	X	X
<p>USES</p>	A-1	RR	R-2	R-4	MH	RC	CC	L-1	S-1	H
<p>Residential Facility for Persons with a Disability. A residence in which more than one (1) person with a disability resides; and is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities; or is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act. Disability means 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 impairment or being regarded as having such impairment. (§57-21-2(9)(a) Utah Code Annotated, 1953, as amended). Disability does not include current illegal use of, or addiction to any Federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802. (§57-21-2(9)(b) Utah Code Annotated, 1953, as amended). Disability does not include placement in lieu of confinement, rehabilitation, or treatment in a correctional facility. (See Section 1716).</p>	P-1 1,2	P-1 1,2	P-1 1,2	P-1 1,2	P-1 1,2	P-1 1,2	P-1 1,2	P-1 1,2	P-1 1,2	P-1 1,2

<p>Residential Facility for Persons with a Disability (Substance Abuse Facility located within 500 feet of a School). A residence in which more than one (1) person with a disability resides; and is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities. Disability means 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 impairment or being regarded as having such impairment. (§57-21-2(9)(a) Utah Code Annotated, 1953, as amended). Disability does not include current illegal use of, or addiction to any Federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802. (§57-21-2(9)(b) Utah Code Annotated, 1953, as amended). Disability does not include placement in lieu of confinement, rehabilitation, or treatment in a correctional facility. (See Section 1717).</p>	P-1 1,2	P-1 1,2	P-1 1,2	P-1 1,2	P-1 1,2	P-1 1,2	P-1 1,2	P-1 1,2	P-1 1,2	P-1 1,2	P-1 1,2
<p>Restaurant, Fast Food. A building or facility that sells food and beverages primarily over a counter, rather than by waitress or waiter; packages its food in wrappers, boxes or cartons regardless if the food is consumed on or off the restaurant premises; and typically provides a drive through/drive up facility.</p>	X	X	X	X	X	P-1	C	C	X	X	
<p>Restaurant, Sit Down. A building or facility for the preparation, retail sale, and on-site consumption of food and beverages.</p>	X	X	X	X	X	P-1	P-1	C	X	C	
<p>Retail Sales and Services. Establishments engaged in the sale of goods and services on a for-profit or not-for-profit basis.</p>	X	X	X	X	X	P-1/ X ⁶	P-2	P-2	X	A	
<p>Riding Arena (Equestrian Arena). An area or structure used for horse riding and equestrian-related activities.</p>	C	C	X	X	X	X	X	X	C	X	
<p>Self-Service Storage. An enclosed storage facility of a commercial nature containing independent, fully enclosed bays, which are leased to persons exclusively for storage of their household goods or personal property.</p>	X	X	X	X	X	X/ A ⁵	X/ A ⁵	C	X	X	
<p>Sewer Treatment Facility. A state-licensed facility that treats sanitary sewer effluent to a minimum level as established by State and/or Federal environmental protection agencies.</p>	X	X	X	X	X	X	X	X	C	X	
<p>Sexually Oriented Business. An activity identified, and conducted in compliance with the requirements of this Ordinance. (See Section 1725).</p>	X	X	X	X	X	X	X	C	X	X	
<p>Special Use. A use established to meet a particular need or activity for a specific period, but not to exceed three hundred sixty (360) days and conducted in compliance with all the requirements of this Ordinance, such use being discontinued and completely removed after the expiration of the specific period.</p>	C	C	C	C	C	C	C	C	C	C	

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Temporary Use. A special event or use proposed to be established for a maximum period of ninety (90) days, such event, or use being discontinued after the expiration of ninety (90) days and conducted in compliance with all the requirements of this Ordinance. Such uses may include, but are not limited to, seasonal commercial activities, including Christmas tree lots and snow cone shacks, nonprofit fund-raising activities, organized events, educational, historic, religious and patriotic displays or exhibits, including athletic or recreational events, festivals, arts and crafts fairs, and other organized events. All family gatherings shall be exempt from the requirements of a Temporary Use Application approval.	X	X	X	X	X	P-1	P-1	P-1	P-1	X
Theater, Indoor. A building or part of a building devoted to the showing of moving pictures, or the presentation of live performances.	X	X	X	X	X	C	C	X	X	X
Therapeutic School. A residential group living facility for four (4) or more individuals who are not related to: (i) the owner of the facility; or (ii) the primary service provider of the facility; and that serves students who have a history of failing to function: (i) at home; (ii) in a public school; or (iii) in a nonresidential private school; and that offers: (i) room and board; and (ii) an academic education integrated with: (A) specialized structure and supervision; or (B) services or treatment related to a disability, an emotional development, a behavioral development, a familial development, or a social development.	X	C ³	C ³	C ³	C ³	C ³	X	X	X	C ³
Vehicle and Equipment Rental or Sale, New or Used. An establishment engaged or licensed to engage in the business of buying, selling, or exchanging new or used vehicles, vessels, or outboard motors either outright or on conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an established place of business for the sale, lease, trade, or display of vehicles, vessels, or outboard motors. Typical uses include new and used truck sales and rental, boat sales, recreational vehicles, construction equipment rental yards, moving truck and trailer rental, and farm equipment and machinery sales and rental.	X	X	X	X	X	P-2	C	C	X	X
USES	A-1	RR	R-2	R-4	MH	RC	C C	L-1	S-1	H
Vehicle and Equipment Repair. An establishment primarily engaged in the major repair or painting of motor vehicles or heavy equipment, including auto body repairs, installation of major accessories and transmission and engine rebuilding services. Typical uses include major automobile repair garages, farm equipment repair, paint, and body shops.	X	X	X	X	X	X	C	C	X	X
Water Treatment Facility. A licensed facility that treats raw water to a quality as established by State and/or Federal agencies to provide culinary water suitable for human consumption.	X	X	X	X	X	X	X	X	C	X

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<p>Wholesale Nursery or Greenhouse. a wholesale business whose principal activity is growing, selling, and shipping of plants.</p>	C	X	X	X	X	X	X	P-1	X	X
<p>Wind Energy System. A wind energy conversion system consisting of one (1) wind turbine and tower and associated control and/or conversion electronics which have a rated capacity of less than three kilowatts (3kW) and providing wind generated electrical power to be used for on-site consumption.</p>	C	C	C	X	X	X	X	C	C	X
<p>Wireless Telecommunications Site/Facility. A facility used for the transmission or reception of electromagnetic or electro-optic information, which is placed on a structure. This use is not required to be located on a building lot or to comply with the minimum lot size requirement for the district in which it is located, but is required to meet location requirements, as established for such uses, as provided by this Ordinance. Telecommunications Site/Facility does not include Amateur Radio equipment that complies with the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952 (1985)" or amateur radio service adopted under 47 C.F.R. Part 97. A facility may be located on any property owned by the City. (See Section 1722).</p>	X	X	X	X	X	C	C	C	C	X

APPENDIX B TABLES OF DEVELOPMENT STANDARDS

REQUIREMENTS	ZONING DISTRICTS									
	A-1	RR	R-2	R-4	MH	RC	CC	I-1	S-1	H
1. Building Foundation Requirements	All habitable buildings and structures shall be constructed on and permanently attached to a permanent <u>foundation</u> .									

2. Minimum Dwelling Size. The minimum habitable living area of each dwelling

	A-1	RR	R-2	R-4	MH	RC	CC	I-1	S-1	H
Single Family	1000 s.f.	1000 s.f.	1000 s.f.	900 s.f.	700 s.f.	900 s.f.	900 s.f.	900 s.f.	NA	
Two Family	NA	NA	900 s.f.	850 s.f.	850 s.f.	850 s.f.	NA	NA	NA	
Multi-Family	NA	NA	NA	800 s.f.	800 s.f.	800 s.f.	NA	NA	NA	

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3. **Minimum Lot Sizes and Widths.** The following standards are for specified residential uses permitted within the city’s zones. Permitted non-residential uses or multi-family developments with more units than those listed below must have sufficient acreage and site dimensions to comply with the development standards of this code based on the intended use. Large Lots may be subdivided in accordance with the Subdivision Ordinance and may have lot areas and widths less than those indicated below for the respective zones.

	A-1	RR	R-2	R-4	MH	RC	CC	I-1	S-1	H
Minimum Lot Size (Internal Lot/Corner Lot)										
Single Family	40 ac.	1 ac.	10000 s.f./ 12000 s.f.	7500 s.f. / 9000 s.f.		NA				
Two-Family	NA	NA	15000 s.f./ 18000 s.f.	10000 s.f. / 12000 s.f.		NA				
Three-Family	NA	NA	NA	12500 s.f. / 15000 s.f.		NA				
Four-Family	NA	NA	NA	15000 s.f. / 18000 s.f.		NA				
<u>Non-Residential</u>	<u>40 ac.</u>	<u>5 ac.</u>	<u>2 ac.</u>	<u>As necessary to comply with city development standards.</u>						

Minimum Lot Width (Internal Lot / Corner Lot) - See also Section 1115 for cul-de-sac lot standards

Single Family	200 ft / 240 ft	130 ft / 160 ft	100 ft / 120 ft	75 ft / 90 ft		NA				
Two-Family	NA	NA	118 ft	90 ft / 110 ft		NA				
Three-Family	NA	NA	NA	110 ft / 120 ft		NA				
Four-Family	NA	NA	NA	110 ft / 135 ft		NA				

<u>Non-Residential</u>	<u>As necessary to comply with city development standards.</u>
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4. **Minimum Yard Requirements:** The following Yard Area Requirements (i.e., setbacks) shall be the minimum for all primary structures on a lot or property. However, unenclosed steps, unwallied stoops, and porches less than eighteen inches (18”) above grade may project up to three feet (3’) into the listed front and rear setbacks. Additionally, for primary buildings proposed to be located in the R-2, R-4, MHP and the R&C Districts, the front setback for a primary building located between two (2) existing primary buildings may be reduced to the average front yard setback of the existing primary buildings, provided the two (2) existing primary buildings are located on the same side of the ~~street~~ right-of-way, and are located within one hundred fifty feet (150’) of each other, and provided further that no primary building has a front yard less than twenty feet (20’).

A-1	RR	R-2	R-4	MH	RC	H	I-1	CC	S-1
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Front

Internal Lot	40 ft	25 ft	25 ft	25 ft	25 ft	25 ft	10 ft	25 ft	See site standards
Corner Lot						25 ft		See site standards	
Non-Residential						20 ft		25 ft	See site standards
Non-Res. Adjacent to Res. Zone.	Not Applicable					20 feet or one (1) foot for every one (1) foot of building height, whichever is greater.			

Side

Residential Internal Lot	30 ft	15 ft	8 ft min. 20 ft combined				10 ft	20 ft	See site standards
Non-Res. Internal			10 ft	20 ft	10 ft	8 ft.	10 ft	20 ft	See site standards
Non-Res. Adjacent to Res. Zone.	NA					20 feet or one (1) foot for every one (1) foot of building height, whichever is greater.			

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Corner Street Side	40 ft	25 ft	20 ft	20 ft	20 ft	20 ft	10 ft	25 ft	See site standards
Corner Internal Side	30 ft	15 ft	8 ft	8 ft	8 ft	8 ft.	10 ft	20 ft	See site standards

Rear

Residential Internal Lot	60 ft	30 ft	20 ft	20 ft	20 ft	20 ft	20 ft	See site standards	
Non-Residential Internal lot	60 ft	30 ft	20 ft	20 ft	20 ft	8 ft	8 ft	See site standards	
Adjacent to any Street	40 ft	30 ft	20 ft	20 ft	20 ft	20 ft	10 ft	See site standards	
Corner (Res./Com.)	40 ft	30 ft	20 ft	20 ft	20 ft	20 ft / 8 ft	10 ft	See site standards	
Non-Res. Adjacent to Res. Zone.	NA						20 feet or one (1) foot for every one (1) foot of building height, whichever is greater.		

5. Building Dimensions and Landscaping

	A-1	RR	R-2	R-4	MH	RC	H	I-1	CC	S-1
Minimum Building Height:	10 feet, or one (1) story entirely above grade measured from the lowest point of the natural or finished grade immediately adjacent to an exterior wall to the highest point of the roofline. See Main Street Overlay for additional standards that may apply.									
Maximum Building Height: (See GCLU Section 1625 for exceptions)	35 feet, or two (two) stories measured from the lowest point of the natural or finished grade immediately adjacent to an exterior wall to the highest point of the roofline. The maximum height measurement includes the height of all roof-mounted mechanical and ancillary equipment, and including, but not limited to, towers, stairways, tanks,						40 feet, or 35 feet when the lot is adjacent to a Residential Zoning District, measured from the lowest point of the natural or finished grade immediately adjacent to an exterior wall to the highest point of the roofline. The maximum			

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	ventilating fans, or similar equipment required to operate and maintain a building, and fire or parapet walls.	height measurement includes the height of all roof-mounted mechanical and ancillary equipment, and including, but not limited to, towers, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain a building, and fire or parapet walls.
Minimum Dwelling Unit Dimension	All dwelling units shall be a minimum of twenty-four (24) feet wide at the narrowest point, excluding any attached accessory structure. The building width shall be considered the lesser of the two (2) primary dimensions of the building.	No Requirement
Minimum Landscaping Required	No Requirements <u>for single family detached or two unit dwellings. See Section 1710 for other developments</u>	See Section 1710

Appendix B-1 Standards for Detached Accessory Buildings and Structures

Requirements	Zoning District									
	A-1	RR	R-2	R-4	MH	RC	H	I-1	CC	S-1
Location	<p>No Accessory Building/Structure shall be located in any required Front Yard area.</p> <p>An Accessory Building/Structure located ten (10) feet or less, measured to the closest point, from the Primary Building shall be considered an attached structure and shall comply with all setback standards required for the Primary Structure, as provided by Appendix B. An Accessory Building/Structure located a distance greater than ten (10) feet from a primary building, at the closest point, shall be considered as detached and shall comply with the requirements of this Table.</p>									
	<p>All accessory buildings located ten (10) feet or more away from the primary building or structure, at the closest point, and twenty (20) feet or more from any property line that abuts a road or street, at the closest point, may be located not less than three (3) feet from the side or rear property line(s), provided no accessory buildings are located in the required front yard or within an area containing a recorded easement and provided that the accessory building meets a one (1) hour, or more, fire rated construction, and no drainage from the accessory building is permitted to drain onto any adjacent property.</p>						<p>All accessory buildings located ten (10) feet or more away from the primary building or structure, at the closest point, and twenty (20) feet or more from any property line that abuts a road or street, at the closest point, shall be located as required by the Land Use Authority for Site Plan approval.</p>			
Smaller Detached Accessory Buildings	See Section 1708									
Max. Building Size	<p>Accessory buildings shall not be larger than twenty-five percent (25%) of the required rear yard area.</p>						<p>As required by the Land Use Authority for Site Plan approval.</p>			
Max. Building Height	<p>No detached accessory building shall be higher than eighteen (18) feet, measured to the top of the wall plate or twenty-five (25) feet to the highest point of the roofline, whichever is greater.</p>									
Min. Side Yard	<p>Three (3) feet, provided no accessory buildings are located in the required front yard or within a recorded easement and provided that the accessory building meets a one (1) hour, or more, fire rated construction, and no drainage from the accessory building is permitted to drain onto any adjacent property.</p>									

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	A-1	RR	R-2	R-4	MH	RC	H	I-1	CC	S-1
Min. Side Yard – Corner Lots (adjacent to a road or street)	40 ft	25 ft	20 ft	20 ft	20 ft	20 ft	As required by the Land Use Authority for Site Plan approval.			
Min. Side Yard – Accessory Buildings housing animals or fowl	40 ft providing the min. distance to a residence is met (see 1719)	25 ft providing the min. distance to a residence is met (see 1719)	20 ft providing the min. distance to a residence is met (see 1719)	20 ft providing the min. distance to a residence is met (see 1719)	20 ft providing the min. distance to a residence is met (see 1719)	20 ft providing the min. distance to a residence is met (see 1719)				
Min. Side Yard – Corner Lots – Accessory Buildings housing animals or fowl	40 ft providing the min. distance to a residence is met (see 1719)	25 ft providing the min. distance to a residence is met (see 1719)	20 ft providing the min. distance to a residence is met (see 1719)	20 ft providing the min. distance to a residence is met (see 1719)	20 ft providing the min. distance to a residence is met (see 1719)	20 ft providing the min. distance to a residence is met (see 1719)				
Minimum Rear Yard	Three (3) feet, provided no accessory buildings are located in the required front yard or within a recorded easement, and provided that the accessory building meets a one (1) hour or more, fire-rated construction, and no drainage from the accessory building is permitted to drain onto any adjacent property.									
Minimum Rear Yard – Accessory Buildings housing animals or fowl	60 feet provided the Minimum Distance to a Residence are met (Section 1719)	30 feet provided the Minimum Distance to a Residence are met (Section 1719)	20 feet provided the Minimum Distance to a Residence are met (Section 1719)	20 feet provided the Minimum Distance to a Residence are met (Section 1719)	20 feet provided the Minimum Distance to a Residence are met (Section 1719)	20 feet provided the Minimum Distance to a Residence are met (Section 1719)				
Min. Distance to a Residence for Accessory Buildings housing animals or fowl	No accessory building or structure used for the housing of animals or fowl shall be located less than forty (40) feet from a dwelling located on the same lot and not less than seventy-five (75) feet from a dwelling on any adjacent lot.						No accessory building or structure used for the housing of animals or fowl shall be located less than seventy-five (75) feet from a dwelling on any adjacent lot.			
Clear View	See Section 1625									

APPENDIX C DEFINITIONS is modified to include the following terms with their associated definitions. Additional changes to the text of Appendix C are noted with stricken text indicating language that is deleted, and underlined text showing language that is added, as follows:

APPENDIX C DEFINITIONS

Purpose and Conflicts. Appendix C provides definitions of general terms used throughout this Ordinance for which a definition is considered necessary. Certain chapters of this Ordinance may also include terms and definitions specific to the regulatory functions of those chapters. The words and terms defined in this ~~chapter~~ Ordinance shall have the meanings as indicated. Words used in the present tense include the future, words in the singular number include the plural, and words in the plural include the singular. The word "shall" is mandatory the word "may" is permissive. The word "herein" means "in these regulations"; the word "regulations" means "these regulations"; "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied". Words not defined herein shall have a meaning consistent with Webster's New Collegiate Dictionary, latest edition. For the convenience of users of this Ordinance, certain terms may be illustrated. If a conflict arises between an illustration and a definition, the definition shall apply.

Accessory Building/Structure (Attached). A building incidental and subordinate to an existing primary building and located ten (10) feet or less from the primary building and on the same lot as the primary building and meeting all requirements of the Land Use Ordinances and Building Codes, as adopted. (See Sections 1706 and 1707).

Accessory Building/Structure (Detached). A building incidental and clearly subordinate to an existing primary building and located more than ten (10) feet from the primary building and on the same lot as the primary building, and meeting all requirements of the Land Use Ordinances and Building Codes, as adopted. (See Sections 1706 and 1707).

Accessory Dwelling Unit ~~for a Relative or Employee.~~ An attached, or detached, dwelling unit for occupancy by the owner, or a relative or an employee of the owner, and incidental and clearly subordinate to the existing primary building and located on the same lot as the primary building and connected to the same utilities and utility meters as the primary building (See Section 1709).

Accessory Use. A use clearly incidental and subordinate to the existing primary use and customarily found in connection with the primary use and located on the same lot as the primary use. (See Section 1706).

Agricultural Building. A structure used solely in conjunction with agriculture, not used for human occupancy, and complying with the requirements of §58-56-4, Utah Code Annotated, 1953, as amended. To qualify as an agricultural building the structure must be located outside of a residential area, as defined by §58-56-4(1), Utah Code Annotated, 1953, as amended.

Agriculture. An area of five (5) contiguous acres, or larger, which is used for the commercial production, keeping, or maintenance for sale of plants and domestic animals typically found in central Utah, or lands devoted to a soil conservation or forestry management program, but excluding the keeping of exotic or prohibited animals, Agriculture excludes Commercial Plant Nursery, as defined

herein, and Concentrated Animal Feeding Operation, as defined by the Utah Code Annotated, 1953, as amended, and similar activities.

Airport. An area, with associated buildings and structures for the operation of aircraft, including take-off and landing, and necessary storage, service, and maintenance facilities.

Animal Control Facility. A public or publicly licensed private facility to temporarily detain and/or dispose of stray dogs, cats, and other animals.

Animal Hospital (Veterinary Clinic), With Holding Facilities. A facility for the diagnosis, treatment, hospitalization, and boarding of animals that does not include outdoor holding facilities, but which may include indoor holding and boarding facilities.

Animal Hospital (Veterinary Clinic), Without Holding or Boarding Facilities. A facility for the diagnosis, treatment, hospitalization, and boarding of animals that does not include indoor or outdoor holding or boarding facilities.

Animal Unit (See Section 1719).

Assisted Living. An Assisted Living Facility is a residential housing model for adults who need help with daily activities but do not require constant medical care.

Automotive and Equipment Repair. An establishment primarily engaged in the major repair or painting of motor vehicles or heavy equipment, including auto body repairs, installation of major accessories and transmission and engine rebuilding services. Typical uses include major automobile repair garages, farm equipment repair, paint, and body shops.

Automotive Care - Minor. An establishment providing motor vehicle repair or maintenance services within completely enclosed buildings. Typical uses include businesses engaged in the following activities: electronic tune-ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, front-end alignments, battery recharging, lubrication, and sales, repair and installation of minor parts and accessories such as tires, batteries, windshield wipers, hoses, windows, etc.

Automotive Self-Service Station. A place where flammable or combustible liquids or gases used as fuel are stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. Such an establishment may offer the retail sale of convenience items as an accessory use. Automotive Self-Service Station specifically excludes and does not allow any servicing, repair or maintenance of motor vehicles, trailers, and similar mechanical equipment, including engine, brake, muffler, tire repair and change, lubrication and tune-ups.

Bank, Credit Union or other Financial Institution. A financial company or corporation providing the extension of credit, and the custody, loan or exchange of money.

Barn, Corral, Stable, Coop, Pen or Animal Run. A structure or fenced area, and its associated buildings and structures, for the feeding, housing, or confinement of domestic animals, as defined herein. Stable includes a building, or a portion thereof, used to shelter and feed horses and ponies (See Section 1721).

Bed and Breakfast Inn. A residential structure, located on a legal lot offering transient lodging accommodations in separate guest rooms and where meals may be provided (See Section 1714).

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 ~~provided~~, sold, offered, or existing on the property where the sign is located.

Campground. An area of land upon which two (2) or more campsites are located, established or maintained for occupancy by a tent or recreational vehicle as a temporary dwelling unit, not to exceed forty-five (45) days, for recreational or vacation purposes.

Car Wash. A structure with machine- or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles. A facility of this type may be able to accommodate more than one vehicle at the same time.

Church. A facility principally used as a location for people to gather for religious worship or other religious activities. One (1) accessory dwelling unit for the housing of the pastor or similar church leader of the church and their family shall be permitted. (See Section 1705).

Clinic (See Medical or Dental Clinic)

Commercial Recreation (Indoor). Any use, either public or private, providing amusement, pleasure, or sport, which is operated entirely within an enclosed building, including but not limited to live theater, and movie houses, indoor tennis, bowling, and skating, baseball batting cages, paintball, horse riding or similar activities. This use may include associated eating and drinking areas, retail sales areas and staff offices.

Commercial Recreation (Outdoor). An area or facility that offers entertainment or recreation outside. This use is limited to a golf driving range, baseball batting cages, riding arena, tennis facility, miniature golf, and swimming pool, and may include, as accessory uses, associated eating and drinking areas, retail sales areas and staff offices. This use specifically excludes shooting range, go-cart, motor vehicle and/or motorbike tracks, or similar activities that may create noise, dust, or other nuisances to adjoining and surrounding uses.

Commercial Plant Nursery. A use wholly, or partially, contained within one or more greenhouses where trees, shrubs, flowers, or vegetable plants are grown and sold to retail customers. Commercial Plant Nursery does not include wholesale nurseries or greenhouses.

Conference Center. A facility used for service organizations, business, and professional conferences, and seminars limited to accommodations for conference attendees.

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

Contractor's Office/Contractor's Storage Yard. A facility providing building construction and maintenance, including carpentry, plumbing, roofing, electrical, air conditioning and heating, within a totally enclosed building, and which may include the open storage of any building materials, equipment, or vehicles.

Convenience Store. A retail establishment selling consumer products including prepackaged food and drink. A convenience store may also provide associated retail sale of gasoline and other petroleum products.

Correctional Facility. A public or private facility providing confinement, housing, and care for individuals legally confined for violations of the law.

Crematorium. Building or facility which provides cremation services on site.

Day Care Center/Assisted Care Center. A facility which provides less than 24-hour assisted care or supervision for five (5) or more persons, 14 years of age and older and who are not related by blood, marriage or adoption to the owner or operator, with or without compensation for such care, and with or without a Stated educational purpose.

Drive through/Drive up Facility. A facility where goods and services are provided to customers who remain within a vehicle.

Educational Facility. Public schools, colleges, or universities qualified by the State of Utah Board of Regents or the State of Utah Board of Education to provide academic instruction. Privately owned buildings and uses for educational or research activities that has a curriculum for technical or vocational training, kindergarten, elementary, secondary or higher education.

Emergency Care Facility. A health care facility providing primarily outpatient emergency care for the diagnosis and treatment of individuals.

Gravel Pit, Quarry. A use, regulated by the State of Utah Division of Oil Gas and Mining, involving on-site extraction of surface or subsurface mineral products or natural resources. Typical uses are quarries, borrow pits, sand and gravel operation, mining, and soil mining. Specifically excluded from this use is grading and removal of dirt associated with an approved site plan or subdivision or excavations associated therewith, and for the improvement of, or a bona fide agricultural use.

Helipad - Medical. A private use heliport, helipad, or helistop which provides a helicopter landing area for the transport of persons in need of emergency medical care; the transport of patients needing specialized treatment; or the emergency transport of organs, blood, medicine, or medical equipment.

Home Occupation: A commercial or other non-residential use conducted within a dwelling unit that is incidental and secondary to the use of the dwelling unit for residential purposes (see Section 1702). This does not include Home-Based Child-Care facilities as regulated under Land Use Code Section 1703 and by the State of Utah.

Hospital. A facility licensed by the State of Utah Department of Health providing clinical, temporary or emergency service of a medical, obstetrical or surgical nature to persons, primarily in-patients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities, central service facilities, and staff offices. Hospitals do not include Clinics, or Long-Term Care Facilities.

Hotel. A building offering temporary lodging accommodations, or overnight accommodations for guests, with access provided through a common entrance, lobby or hallway to four (4) or more guestrooms, and which may include additional services, such as restaurants, meeting rooms, entertainment, and recreational facilities.

Household Pets. Domesticated animals and birds ordinarily permitted in a dwelling unit and kept for company or pleasure of the owner. (See Section 1720).

Kennel - Commercial. Any premises or establishment where four (4) or more dogs, older than four (4) months, are kept for the purpose of Boarding, breeding, raising or training dogs for a fee or on a nonprofit basis. (See Section 1723).

Laundry, Self-Serve or Dry Cleaning. An establishment providing home-type washing, drying, and/or ironing machines, household laundry and dry cleaning services, classified as low hazard in applicable codes, with customer drop-off and pick-up.

Liquor Licenses - Off Premises Consumption. A retail license to sell beer on the licensed premises in the original containers for consumption off the premises only, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City, and to deliver the same to the residence of the purchaser; provided, however, that it is unlawful for the licensee to sell or distribute beer in any container larger than two (2) liters.

Liquor Licenses - On-Premises Consumption. A liquor license issued by the state of Utah to establishments such as restaurants, hotels, motels, and arenas which licensure generally includes requirements for sale and consumption of food on premises.

Liquor Licenses – Private Club/Resort. A liquor license that entitles the licensee to serve, sell, and store liquor, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City to bona fide members of the licensed club, guest members, or their visitors accompanied by members or guest members, and not to the public.

Long-Term Care Facility. A facility providing medical, nursing, and personal support services for an extended period to individuals who cannot live independently.

Manufacturing, Minor. Includes the processing and fabrication of finished products by means that do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and where such assembly, fabrication or processing takes place entirely within a building with a maximum building size of 15,000 square feet.

Manufacturing, Major. Includes the processing and fabrication of finished products, predominantly from previously prepared materials, and includes the assembly, fabrication or processing of goods and materials using processes that may create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and where such assembly, fabrication, or processing takes place entirely within a building. Excludes Gravel pit, Quarry, and other extractive industries.

Medical or Dental Clinic. An organization of doctors, dentists, or other health care professionals providing physical or mental health services and medical or surgical care of the sick or injured, but which does not include inpatient or overnight accommodations.

Medical or Dental Laboratory. An establishment that conducts basic medical or dental research and analysis. This term does not include a facility providing any type of in-house patient services typically provided by hospitals and clinics.

Mobile Food Trailer. A trailer pulled behind a motorized vehicle where food and beverages are prepared and served to walk-up customers.

Mobile Food Truck. A self-propelled motorized vehicle where food and beverages are prepared and served to walk-up customers. Mobile Food Truck does not include lemonade stands, vending carts, or similar activities that typically do not establish and operate in a fixed location for a period shorter than 1 hour or operate infrequently on a daily or hourly basis.

~~**Mobile Home:** A factory built, moveable living unit which does not meet the requirements of the Federal manufactured housing construction and safety standards act of 1974, which became effective on June 15, 1976; transportable in one or more sections; eight feet (8') or more in body width and thirty two feet (32') or more in body length; built on a permanent chassis with wheels; designed as a place for human habitation of not more than one family, with or without a permanent foundation, when connected to required utilities; and includes the plumbing, heating, air conditioning and electrical systems contained therein.~~

~~**Modular Home:** A factory built structure which is constructed in compliance with the city's or State's adopted building codes; transportable in one or more sections; built on permanent chassis; designed as a place for human habitation when placed upon a permanent foundation and connected to all utilities; and includes the plumbing, heating, air conditioning and electrical systems contained therein. A modular home meeting the requirements of chapter 9 of this title shall be classified as a dwelling.~~

Mortuary, Funeral Home. An establishment in which the dead are prepared for burial or cremation. The facility may include a chapel and other rooms to conduct funeral services. Does not include cremation services.

Motel. A building or group of buildings containing four (4) or more guest rooms, some or all of which may have a separate entrance leading directly from the outside of the building with a garage or parking space located on the lot and designed, used or intended wholly or in part for the accommodation of persons usually traveling by private automobile or motor coach and which may include additional services, such as restaurants, meeting rooms, entertainment and recreational facilities.

Nursing Home, Convalescent Care Center. A facility that provides 24-hour residential care to persons who are not related by blood, marriage, or adoption to the owner, operator, or manager of the facility. A Nursing Home or Convalescent Care Center provides some level of skilled nursing or medical service to the residents. A Nursing Home or Convalescent Care Center is also considered a Long-Term Care Facility.

Office. A building, room, or other space where executive, management, administrative or professional services are provided, except medical services, and excluding the sale of merchandise, except as incidental to a principal use. Typical uses include real estate brokers, insurance agencies, credit reporting agencies, property management firms, investment firms, employment agencies, travel agencies, advertising agencies, secretarial services, data processing, telephone answering, telephone marketing, paging and beeper services and facsimile transmission services; post offices and express mail offices, excluding major mail processing and distribution; offices for utility bill

collection; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; and business offices of private companies, utility companies, public agencies, trade associations, unions and nonprofit organizations.

Open/Outdoor Storage (Stand Alone). The storage of goods or product in an open, unenclosed area, including but not limited to, automotive, truck, recreational vehicle, trailer, and manufactured home sales lots, repair yards, open storage areas, and all similar outside display and storage areas of goods, materials, equipment, and vehicles, and not an Accessory Use to any established primary use.

Outdoor Youth Program. A program designed to provide behavioral, substance abuse, or mental health services to minors that: (1) serves adjudicated or non-adjudicated youth; (2) charges a fee for its services; (3) may or may not limit or censor access to parents or guardians; (4) may prohibit or restrict a minor's ability to leave the program at any time of the minor's own free will; and (5) provides its services in an outdoor setting.

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

Personal Instruction Service. An establishment primarily engaged in the provision of informational, instructional, personal improvement and similar services of a nonprofessional nature or by a nonprofit organization. Typical uses include art and music schools, driving and computer instruction, gymnastic and dance studios, handicraft or hobby instruction, health and fitness studios, massage therapist instruction, martial arts training, and swimming clubs.

Pharmacy (or Drug Store). An establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics, and related supplies.

Physical Therapy (includes fitness, rehabilitation). A place or building where passive or active exercises and related activities are performed for the purpose of physical fitness, rehabilitation from mobility-limiting conditions, improving circulation or flexibility, and/or weight control.

Public Use. A use operated exclusively by a public body, or quasi-public body, such use having the purpose of serving the public health, safety, or general welfare, and including but not limited to, parks, recreational facilities, administrative and service offices and facilities, and public utilities. Public Use does not include "Major Facility of a Public Utility" or an "Airport," "Correctional Facility," "Animal Control Facility," "Water Treatment Plant" or "Sewer Treatment Plant," as defined herein.

Public Utility (Major Facility). Any electric transmission lines (greater than 140,000 volts), power plants or substations of electric utilities; gas gathering facility, regulator stations, transmission and gathering pipelines, and storage areas of utilities providing natural gas or petroleum derivatives; and their appurtenant facilities, water treatment plant, sewage treatment plant.

Public Utility (Minor Facility). A use operated exclusively by a public body or quasi-public body, such use having the purpose of serving the public health, safety or general welfare, and including streets,

parks, recreational facilities, administrative and service facilities, and public utilities. Public Uses and Utilities do not include “Major Facility of a Public Utility,” as defined herein.

Reception Hall, Reception Center. A facility for the holding of events including but not limited to weddings, wedding receptions, community meetings, and group gatherings.

Recycling Collection Center. A ~~center~~ location for the acceptance and temporary storage of recyclable materials to be transferred to a recycling processing facility. This may include depositories for thrift items, newspapers, cardboard, aluminum, plastics, etc. (See Section 1731).

Residential Facility for Elderly Persons. A single-family or multiple-family dwelling unit that does not operate as a business and is owned by one of the residents, or an immediate family member of one of the residents, or the title is placed in trust for a resident, ~~and that meets the requirements of Sec. 10-9a-103; Sec. 10-9a-501; and Sec. 10-9a-502, Utah Code Annotated, as amended, meeting all applicable International Building Code, Zoning and Health Code requirements,~~ and is occupied on a 24-hour-per-day basis by eight (8) or fewer elderly persons in a family-type arrangement. Residential Facility for Elderly Persons does not include a health care facility as defined by §26-21-2, Utah Code Annotated, 1953, as amended. (See Section 1715).

Residential Facility for Persons with a Disability. A residence in which more than one (1) person with a disability resides; and is licensed or certified by the Utah Department of Health and Human Services under Title 26B, Chapter 2, Parts 1 or 262A, Chapter 2, Licensure of Programs and Facilities; ~~or is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act.~~ Disability shall mean the same as defined in Utah Code Annotated, 1953, s-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 impairment or being regarded as having such impairment. (§57-21-2(9)(a)10-9a-103. Utah Code Annotated, 1953, as amended). Disability does not include current illegal use of, or addiction to any Federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802. ~~(§57-21-2(9)(b) Utah Code Annotated, 1953, as amended).~~ Disability does not include placement in lieu of confinement, rehabilitation, or treatment in a correctional facility. (See Section 1716).

Residential Facility for Persons with a Disability (Substance Abuse Facility located within 500 feet of a School). A residence in which more than one (1) person with a disability resides; and is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities. Disability shall means the same as defined in Utah Code Annotated, 1953, 1-9a-103 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 impairment or being regarded as having such impairment. (§57-21-2(9)(a) Utah Code Annotated, 1953, as amended). Disability does not include current illegal use of, or addiction to any Federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802. ~~(§57-21-2(9)(b) Utah Code Annotated, 1953, as amended).~~ Disability does not include placement in lieu of confinement, rehabilitation, or treatment in a correctional facility. (See Section 1717).

Restaurant, Fast Food. A building or facility that sells food and beverages primarily over a counter, rather than by waitress or waiter; packages its food in wrappers, boxes or cartons regardless if the

food is consumed on or off the restaurant premises; and typically provides a drive through/drive up facility.

Restaurant, Sit Down. A building or facility for the preparation, retail sale, and on-site consumption of food and beverages.

Retail Sales and Services. Establishments engaged in the sale of goods and services on a for-profit or not-for-profit basis.

Riding Arena (Equestrian Arena). An area or structure used for horse riding and equestrian-related activities.

Self-Service Storage. An enclosed storage facility of a commercial nature containing independent, fully enclosed bays, which are leased to persons exclusively for storage of their household goods or personal property.

Sewer Treatment Facility. A state-licensed facility that treats sanitary sewer effluent to a minimum level as established by State and/or Federal environmental protection agencies.

Sexually Oriented Business. An adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel, or adult entertainment outcall service in the form of seminude dancing or exhibition, adult motion picture theater, adult theater, seminude model studio, or sexual encounter establishment (See Section 1725).

Special Use. A use established to meet a particular need or activity for a specific period, but not to exceed three hundred sixty (360) days and conducted in compliance with all the requirements of this Ordinance, such use being discontinued and completely removed after the expiration of the specific period.

Temporary Use. A special event or use proposed to be established for a maximum period of ninety (90) days, such event, or use being discontinued after the expiration of ninety (90) days and conducted in compliance with all the requirements of this Ordinance. Such uses may include, but are not limited to, seasonal commercial activities, including Christmas tree lots and snow cone shacks, nonprofit fund-raising activities, organized events, educational, historic, religious and patriotic displays or exhibits, including athletic or recreational events, festivals, arts and crafts fairs, and other organized events. All family gatherings shall be exempt from the requirements of a Temporary Use Application approval. A use allowed for a limited time with the intent to discontinue the use upon expiration of the period.

Theater, Indoor. A building or part of a building devoted to the showing of moving pictures, or the presentation of live performances.

Therapeutic School. A residential group living facility for four (4) or more individuals who are not related to: (i) the owner of the facility; or (ii) the primary service provider of the facility; and that serves students who have a history of failing to function: (i) at home; (ii) in a public school; or (iii) in a nonresidential private school; and that offers: (i) room and board; and (ii) an academic education integrated with: (A) specialized structure and supervision; or (B) services or treatment related to a disability, an emotional development, a behavioral development, a familial development, or a social development.

Vehicle and Equipment Rental or Sale, New or Used. An establishment engaged or licensed to engage in the business of buying, selling, or exchanging new or used vehicles, vessels, or outboard motors either outright or on conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an established place of business for the sale, lease, trade, or display of vehicles, vessels, or outboard motors. Typical uses include new and used truck sales and rental, boat sales, recreational vehicles, construction equipment rental yards, moving truck and trailer rental, and farm equipment and machinery sales and rental.

Vehicle and Equipment Repair. An establishment primarily engaged in the major repair or painting of motor vehicles or heavy equipment, including auto body repairs, installation of major accessories and transmission and engine rebuilding services. Typical uses include major automobile repair garages, farm equipment repair, paint, and body shops.

Water Treatment Facility. A licensed facility that treats raw water to a quality as established by State and/or Federal agencies to provide culinary water suitable for human consumption.

Wholesale Nursery or Greenhouse. A wholesale business whose principal activity is growing, selling, and shipping of plants.

Wind Energy System. A wind energy conversion system consisting of one (1) wind turbine and tower and associated control and/or conversion electronics which have a rated capacity of less than three kilowatts (3kW) and providing wind generated electrical power to be used for on-site consumption.

Wireless Telecommunications Site/Facility. A facility used for the transmission or reception of electromagnetic or electro-optic information, which is placed on a structure. This use is not required to be located on a building lot or to comply with the minimum lot size requirement for the district in which it is located, but is required to meet location requirements, as established for such uses, as provided by this Ordinance. Telecommunications Site/Facility does not include Amateur Radio equipment that complies with the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952 (1985)" or amateur radio service adopted under 47 C.F.R. Part 97. A facility may be located on any property owned by the City. (See Section 1722).

Section 1709 Accessory Dwelling Unit For An Owner Or Employee is amended as follows: (stricken text is deleted and underlined text is added)

Section 1709 Accessory Dwelling Unit ~~For An Owner Or Employee~~

1. An Accessory Dwelling Unit (ADU) ~~for an Owner or Employee~~ shall not be rented, leased, or sold separately from the rental, lease, or sale of the primary building located on the same lot and any lease of the accessory dwelling unit shall be for a minimum of 30 consecutive days.
- 1.2. An ADU is only permitted if the property or dwelling in which the ADU is located is also the primary residence of the property owner.
- 2.3. The lot proposed for an Accessory Dwelling Unit ~~for an Owner or Employee~~ shall already have an existing primary structure provided, or approved, prior to the consideration of an application to allow an accessory dwelling unit.
- 3.4. An Accessory Dwelling Unit ~~for an Owner or Employee~~ shall meet the required setbacks for attached or detached accessory buildings and uses as required by the Zoning District in which they are located.
- 4.5. An Accessory Dwelling Unit ~~for an Owner or Employee~~ shall be connected to, and served by, the same water, sewer, electrical, and gas meters that serve the primary building. No separate utility lines, connections, or meters shall be allowed for an Accessory Dwelling Unit ~~for an Owner or Employee.~~
- 5.6. An Accessory Dwelling Unit ~~for an Owner or Employee~~ shall provide a minimum of two one (21) off-street parking spaces, located as determined necessary and appropriate for approval of the Accessory Dwelling Unit ~~for an Owner or Employee.~~
- 6.7. The construction of an Accessory Dwelling Unit ~~for an Owner or Employee~~ shall meet all requirements of the adopted Building Code, as applicable.
- 7.8. Mobile homes, travel trailers, boats, or similar recreational vehicles shall not be used as an Accessory Dwelling Unit ~~for an Owner or Employee.~~
- 8.9. As a condition of approval required to establish an Accessory Dwelling Unit for an Owner or Employee, the property owner shall record against the deed of the subject property, a deed restriction, in a form approved by the City, running in favor of the City, which shall prohibit the rental, lease or sale of the Accessory Dwelling Unit for an Owner or Employee separately from the rental, lease, or sale of the primary use or building. Proof that such deed restriction has been recorded shall be provided to the Zoning Administrator prior to the issuance of the Certificate of Occupancy for the Accessory Dwelling Unit ~~for an Owner or Employee.~~

Section 1714 is amended as follows: (stricken text is deleted and underlined text is added)

A Bed and Breakfast Inn shall be conducted only in a single-family dwelling and only by the owner of the dwelling that complies with the following requirements:

1. The single-family dwelling proposed as a Bed & Breakfast Inn shall meet all applicable requirements of this Ordinance, other Land Use Ordinances, adopted Building Code, and Health Code, as applicable.
2. The Fire Authority shall inspect the premises and be satisfied that the dwelling and premises comply with the applicable Fire Code, as adopted.
3. A hard-surfaced off street parking area of one (1) parking space for each guest room, in addition to the parking requirements for the single-family dwelling shall be provided.
4. No accessory structure, motor home, travel trailer, boat, or similar recreational vehicle or facility shall be used as guest rooms.
5. A Bed and Breakfast Inn shall provide no more than four (4) guest rooms and shall meet all applicable requirements of the Land Use Ordinances and Building Codes, as adopted.
6. Guest rooms shall have no kitchen facilities.

Section 1721 Keeping Of Domestic Livestock And Fowl is amended as follows: (stricken text is deleted and underlined text is added)

The raising, care and keeping of limited numbers of domestic animals and fowl by the owner may be allowed, subject to the following requirements:

1. Each lot or parcel upon which domestic livestock or fowl are to be kept shall contain a designated Livestock Management Area as defined by this Section.

2. Animal Unit Definition.

b. For purposes of this section, an animal unit shall be limited to one (1) or a proportionate combination of the following:

1. One domesticated cow or one (1) domesticated horse
2. Four (4) domesticated sheep or four (4) domesticated goats
3. Twenty (20) domestic fowl
4. Thirty (30) pigeons, or similar small, domesticated birds
5. Thirty (30) rabbits, or similar small animals

c. For animals not listed above, the LUHO shall determine the number of animals that would constitute an Animal Unit.

d. For enforcement purposes, any nonweaned animal offspring that are less than six (6) months old shall not be included in the number of animals counted toward animal units on a property.

3. Domesticated pigs (Suidae), mink, peacocks, guinea fowl, emus, ostriches, and inherently or potentially dangerous animals, fowl, reptiles, or exotic animals shall not be permitted except in the A-1 and RR Zones and so long as there is a minimum of 300 feet between any animal holding facilities on a property and a neighboring residential dwelling.

3.4. The total number of domestic livestock or fowl kept on any lot shall not exceed one (1) Animal Unit (see Appendix A, Table of Uses for definition) for each four thousand five hundred (4,500) square feet of Livestock Management Area, provided that no bovine, equine or similar large animal shall be kept on any lot or parcel where the Livestock Management Area is less than nine thousand (9,000) square feet.

4.5. On any lot which contains a dwelling unit the Livestock Management Area shall not include the area required to meet the minimum lot size requirement for the primary use. (For example, the first 10,000 square feet for a single family dwelling unit located in the R-2-~~10,000~~ District shall not be included in the area required to determine the Livestock Management Area.)

5.6. All barns, corrals, stables, coops, pens or runs used for the feeding, housing, or confinement of domestic livestock or fowl shall not be located closer than seventy-five (75) feet to an existing dwelling or other occupied structure located on an adjacent lot or forty (40) feet to a dwelling located on the same lot.

6.7. Where the Livestock Management Area includes a pasture the fence forming the boundary of the pasture shall be located not less than the required minimum side setback distance of the Zoning

District from any dwelling located on the same or any adjacent lot. If at any time the enclosed area no longer functions as a pasture the setback provisions of Subsection 4 above shall apply.

~~7.8.~~ The parcel or any portion thereof proposed to be used for the keeping of domestic livestock or fowl shall be approved by the Zoning Administrator as a qualified Livestock Management Area.

Section 1731 Recycling Center Standards is created to read as follows:

1. Recycling Collection Centers shall involve no more than 3 collection containers up to 40 cubic yards in total size on a property. Automated can recycling machines are limited to two (2) per site.
2. Collection centers located in parking lots may not occupy required parking spaces for the primary use on the property.
3. A collection center must be arranged so that patrons do not impede traffic flow of the property.
4. Materials deposited at the collection center shall be removed from the site at least once a week.
5. The operator of the collection center shall keep the collection center bins in proper repair and the exterior must have a neat and clean appearance.

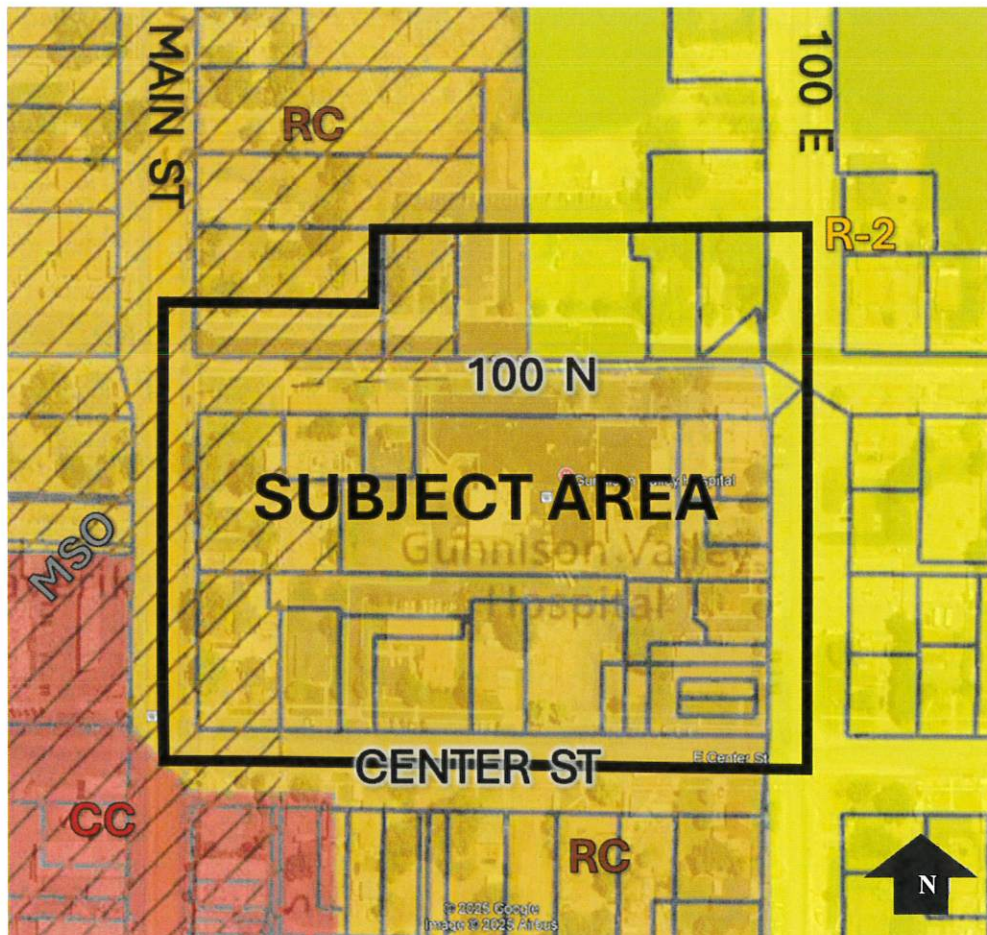
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PUBLIC NOTICE

**PUBLIC HEARING TO BE HELD
WEDNESDAY October 22, 2025 @ 7:00PM
at GUNNISON CITY HALL (38 W Center)**

The Gunnison City Planning Commission will conduct a Public Hearing for the purpose of receiving comments on the proposed **Rezoning of approximately 15 acres from R-2 & RC to a new Hospital Zone (see map below)**

All interested persons are invited to attend and participate in the Public Hearing. Persons having any questions concerning this item(s) may contact the City Administrator, Dennis Marker at (435) 528-7969, during normal office hours. This rezoning request was initiated by the City Council in an effort to implement the city's General Plan.



*In compliance with ADA, persons needing auxiliary communicative aids & accommodations for City-sponsored public meetings, services, programs, etc. should call City Offices at (435)528-7969 giving at least 24 hours notice.