

**MONA CITY
ORDINANCE 2018-2
YARD REQUIREMENTS**

WHEREAS, Setbacks need further clarification

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

SECTION 1: **AMENDMENT** “10-2-2 DEFINITIONS” of the Mona City Code is hereby *amended* as follows:

A M E N D M E N T

10-2-2 DEFINITIONS

As used in this title:

ACCESSORY USE OR BUILDING: A subordinate use or building customarily incidental to and located upon the same lot occupied by the main use or building. An accessory building shall be deemed to be ten feet (10') to the rear of the main building if the accessory building is located in a rear yard at least ten feet (10') from the main building in every direction.

AFFECTED ENTITY: A county, municipality, independent special service district or school district. Also includes a property owner or property owners' association if they have filed a valid request to receive notice. Such request is valid for a period of one year and can be refiled.

AGRICULTURAL INDUSTRY OR BUSINESS: An industry or business involving agricultural products in manufacturing, packaging, treatment, sales, intensive feeding or storage, including, but not limited to, animal feed yards, fur farms, food packaging or processing plants, commercial poultry or egg production, and similar uses as determined by the planning commission.

AGRICULTURE: The tilling of the soil, raising of crops, horticulture and gardening, but not including the keeping or raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business, such as food packing plants, fur farms, animal hospitals or similar uses.

ALLEY: A public thoroughfare less than twenty six feet (26') wide.

ALTERATIONS, STRUCTURAL: Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

ANIMAL HOSPITAL OR VETERINARY OFFICES: An establishment at which more than five (5) dogs, cats or similar household pets at least three (3) months of age are lodged, treated or trained, or at which large animals such as horses are treated.

ANIMAL HOSPITAL OR VETERINARY OFFICES (SMALL): An establishment at which up to five (5) dogs, cats or similar household pets at least three (3) months of age are treated.

ANIMAL WASTE: The excrement and discharge from an animal, or animal carcasses, tissues or any other substance or material capable of transmitting disease or disease carrying agents.

APARTMENT HOTEL: Any building which contains dwelling units and also satisfies the definition of a "hotel", as defined in this section.

APARTMENT HOUSE: A building which contains four (4) or more dwelling units primarily for rent or lease, or a building which contains an apartment or apartments and also contains other approved uses such as office or retail space.

APARTMENT MOTEL: Any building or group of buildings which contains dwelling units and also satisfies the definition of a "motel", as defined in this section.

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

ARCHITECTURAL PROJECTION: Any building or structural projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a structure, but not including signs.

ATHLETIC, TENNIS OR RACQUET CLUB: An establishment providing facilities for physical development, exercise, sports or recreation. Facilities may include exercise equipment, indoor and/or outdoor racquetball or tennis courts, jogging track, swimming pools, ice skating rink, indoor bathing, restaurant or snack bar, and sales of athletic equipment. Facilities may be open to the public for a fee, or available only to persons holding membership.

AUTO, TRUCK, RECREATIONAL VEHICLE AND EQUIPMENT SALES AND RENTAL: Sales of both new and used motor vehicles and equipment stored and displayed both indoors and on outside lots, but not to include nonserviceable or junk vehicles or equipment.

AUTO WRECKING, SALVAGE YARD: The use of any lot, portion of lot or tract of land for the storage and keeping of salvage, including scrap metals or other scrap material, or for the dismantling or demolition of obsolete automobiles or equipment, machinery or parts thereof; provided, that this definition shall not be deemed to include such uses which are clearly accessory and incidental to any agricultural use permitted in the zone district.

AUTOMOTIVE REPAIR ESTABLISHMENT: An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers and similar large mechanical equipment. This definition shall include freestanding car washes, automotive mechanics' garages, automotive paint and body shops, and tire businesses. Not included are automotive salvage yards.

AUTOMOTIVE SELF-SERVICE STATION: An establishment for the retail sale of automobile fuels and lubricants, at which the customer provides the service to his own vehicle, and at which no vehicle repair or maintenance service is offered. Such an establishment may offer for sale at retail other convenience items as a clearly secondary activity.

AUTOMOTIVE SERVICE STATION: An establishment whose primary purpose is the retail sale of gasoline or other motor vehicle and related fuel, oil or lubricant. Secondary activities may include minor automotive repair, maintenance or automatic car wash.

BANKING OR FINANCIAL SERVICE: A bank, credit union, savings and loan association, or other establishment with a primary purpose of receiving, lending, exchanging or safeguarding money, or performing financial advisory service. This definition shall include outside drive-up facilities for service to customers in automobiles.

BAR, TAVERN, LOUNGE, CLUB: An establishment intended primarily for the on premises sale and consumption of alcoholic beverages, open either to the public or operated as a nonprofit private club for members only.

BASEMENT: A story whose floor is more than twelve inches (12") below the average level of the adjoining ground, but where no more than half of its floor to ceiling height is below the average contact level of the adjoining ground, as distinguished from a "cellar", as defined in this section. A basement shall be counted as a story for purposes of height measurement and as a half story for purposes of side yard determination.

BOARDING HOUSE: A building where, for compensation, meals and lodging are provided for at least five (5) but not more than fifteen (15) persons.

BUILDING: Any structure, whether temporary or permanent, having a roof, and used or built for the shelter or enclosure of persons, animals, possessions or property of any kind.

BUILDING HEIGHT: The vertical distance from the average finished grade surface at the building wall to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or the mean height level between eaves and ridge for gable, hip or gambrel roofs.

BUILDING INSPECTOR: See definition of Building Official.

BUILDING, MAIN: A building in which is conducted the principal use of the site on which it is situated.

BUILDING OFFICIAL: The official designated by the Mona City council as the Mona City building inspector.

CARPORT: A private garage not completely enclosed by walls or doors. For the purposes of this title, a carport shall be subject to all regulations prescribed for a private garage.

CELLAR: A separate room or space wholly under the surface of the ground, or having more than fifty percent (50%) of its floor to ceiling height under the average level of the adjoining ground.

CEMETERY, COLUMBARIUM, CREMATORY, MAUSOLEUM: Land or buildings used for the cremation, burial or interment of the dead, but not including facilities for embalming.

CHIEF EXECUTIVE OFFICER: The Mona City mayor.

CHURCH: A building set apart primarily for the purpose of worship in which religious services are held and with which clergy is associated, the main body of which is kept for that use and not put to any other use inconsistent with its primary purpose, and which is tax exempt under the laws of the state of Utah.

CINEMA, INDOOR: An enclosed building used primarily for the presentation of motion pictures.

CINEMA, OUTDOOR: An establishment at which motion pictures are projected onto an outdoor screen for viewing by patrons seated in parked motor vehicles.

CIVIC CLUB, FRATERNAL ORGANIZATION: A building or use, other than a church or school, operated by a nonprofit association or organization for a social, fraternal, political, civic or philanthropic purpose, which may include a meeting hall and cooking and dining facilities for large groups, but shall not provide overnight lodging.

COAL YARD: The storage of coal in quantities in excess of ten (10) tons and/or the retail or wholesale sale of coal.

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

impacts.

CONVENIENCE GOODS SALES AND SERVICES: Stores or shops intended for retail sales of convenience goods or performance of convenience services. Goods and services regarded as convenience are those generally needed for daily home consumption and for which locations near residential neighborhoods are considered desirable. This category includes grocery store, drugstore, variety store, personal service, hardware store, dry cleaning pick up, and uses considered similar and compatible.

COURT: An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings and which is bounded on two (2) or more sides by such building or buildings.

COVERAGE: The percent of the total site area covered by structures or impervious paving other than those accepted in this title.

CUL-DE-SAC: A minor street having an open end and being terminated at the other end by a vehicle turnaround.

CULTURAL, CIVIC SERVICES: A building primarily used for the public, nonprofit display of art, historic or cultural artifacts, or other inanimate exhibits, or a building primarily used as a lending library or reading room.

DAIRY: A commercial establishment for the manufacture and retail sale of dairy products.

DAYCARE, EMPLOYER: Group daycare provided by an employer primarily to the children or other dependents of employees, on or adjacent to the premises of the employer.

DAYCARE, FAMILY: The keeping for care and/or instruction, whether or not for compensation, of children in a dwelling if licensed by the state of Utah under one of the following categories. No employees are permitted, except as required by the licensing regulations of the state of Utah.

- A. Licensed family childcare;
- B. Licensed family group childcare;
- C. Residential certificate childcare.

DAYCARE, GROUP: An establishment for the care and/or instruction of children, whether or not for compensation, if licensed by the state of Utah as a childcare center.

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

DISTRICT: A portion of the area of Mona City, Utah, shown on a zoning map, attached to the ordinance codified herein, and given a zone classification as set forth in this title.

DRY CLEANING ESTABLISHMENT: An establishment employing volatile or explosive substances for the cleaning or dyeing of fabrics. Excluded from this definition are traditional laundries employing water and soaps in the cleaning of fabrics and patron operated dry cleaning machines associated with laundromats.

DWELLING: Any building, or portion thereof, which is designed for use for residential purposes, except hotels, boarding houses, lodging houses and tourist cabins.

DWELLING, MULTIPLE-FAMILY: A building arranged or designed to be occupied by more than

two (2) families.

DWELLING, SINGLE-FAMILY: A building arranged or designed to be occupied by one family, the structure having only one dwelling unit.

DWELLING, TWO-FAMILY: A building arranged or designed to be occupied by two (2) families, the structure having only two (2) dwelling units.

DWELLING UNIT: One or more rooms in a structure designed for or occupied by one family for living or sleeping purposes and having one, but not more than one, kitchen.

ENGINEER: The engineer employed by or officially representing Mona City.

FARM ANIMALS: Animals other than household pets that may, where permitted, be kept and maintained for education, family food production or recreation.

FENCE: A physical barrier to delineate, contain or designate an area designed for a specific use, such as an enclosure for a dwelling unit, an area of storage, etc.

FRONTAGE: The length of the property line of the lot fronting on one side of a street.

GARAGE, COMMERCIAL: A building other than a private garage used for the temporary parking of automobiles with or without a fee.

GARAGE, PRIVATE (INCLUDING CARPORT): A detached accessory building or portion of a main building for the parking or temporary storage of automobiles of the occupants of the premises.

GENERAL MERCHANDISE SALES AND RELATED SERVICES: Stores, department stores or shops intended for sale of goods or merchandise, but not including convenience goods, liquor, motor vehicles, campers, trailers, farm equipment, lumber, heavy machinery or war surplus goods.

GRADE:

- A. For buildings adjoining more than one street, the average of the elevations of the sidewalks at the centers of all walls adjoining streets.
- B. For buildings adjoining one street only, the elevation of the sidewalk at the center of that wall adjoining the street.
- C. For buildings having no wall adjoining the streets, the average level of the ground (finished surface) adjacent to the exterior walls of the buildings. All walls approximately parallel to and not more than five feet (5') from a street line are to be considered as adjoining a street.

HEALTH DEPARTMENT: The Utah state division of environmental health or local health agency having jurisdiction.

HEALTHCARE CENTER (CONVALESCENT CENTER): A publicly or privately operated facility, other than a hospital, intended for the long term, inpatient care of human illness or infirmity, including the elderly and developmentally disabled, normally employing the services of skilled and licensed practitioners.

HOSPITAL: An institution designed for the diagnosis, treatment and care of human illness or infirmity and providing health services, primarily for inpatients, and including as related facilities, laboratories, outpatient departments, training facilities and staff offices, but not including clinics or healthcare centers.

HOTEL: A building designed or occupied as the more or less temporary abiding place of fifteen

(15) or more individuals who are, for compensation, lodged, with or without meals.

HOUSEHOLD PETS: Animals or birds ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats and canaries, but not including a sufficient number of dogs to constitute a "kennel", as defined in this section.

INDUSTRIAL (OR RESEARCH) PARK: A tract of land that is subdivided and developed according to a plan for the use of a community of industries and related uses and that is of sufficient size and physical improvement to protect surrounding areas and the general community and to assure a harmonious integration into the neighborhood.

INDUSTRY, LIGHT: The manufacturing, compounding, processing, assembling, packaging or testing of goods or equipment entirely within an enclosed structure, with no outside storage, serviced by small (3/4 ton) trucks or vans, and imposing a nearly negligible impact upon the surrounding environment by noise, vibration, smoke, dust or pollutants.

INDUSTRY, MEDIUM: The manufacturing, compounding, processing, assembling, packaging or testing of goods or equipment within an enclosed structure, or an open yard that is capable of being screened from neighboring properties, is serviced by trucks or other vehicles, and whose environmental impact is within the industrial performance standards as outlined in this title.

INSTRUCTIONAL ACADEMY: The instruction of students, not in a dwelling, in music, art, crafts, academics, dance or kindergarten preparation, whether or not for compensation.

INSTRUCTIONAL ACADEMY, HOME: The instruction of students, in a dwelling, in music, art, crafts, academics, dance or kindergarten preparation, whether or not for compensation, where no more than sixteen (16) students are present in any one session and where sessions are of less than four (4) hours in duration. Instruction is given by a resident of the dwelling, and no one else is employed.

JUNKYARD: The use of any lot, portion of a lot or tract of land for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles, other vehicles, or machinery or parts thereof; provided, that this definition shall not be deemed to include such uses which are clearly accessory and incidental in the district.

KENNEL: A place or building used for the keeping of three (3) or more dogs or cats, at least three (3) months of age.

LAND USE APPLICATION: An application required by this title.

LAND USE AUTHORITY: A person, board, commission, agency or other body designated by the legislative body to act upon a land use application.

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

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

LAUNDROMAT: An establishment in which patrons wash, dry or dry clean clothing and other fabrics in coin operated, self-service machines.

LAUNDRY: An establishment at which clothing and other fabrics are washed and pressed. Excluded from this definition are dry cleaning establishments and laundromats.

LEGISLATIVE BODY: The Mona City council.

LIQUOR STORE: A retail sales store authorized by the Utah state alcoholic beverage commission to sell packaged alcoholic beverages for off premises consumption.

LOCAL JURISDICTION: Mona City.

LODGING HOUSE: A building where lodging only is provided for compensation to five (5) or more, but not exceeding fifteen (15), persons, in contradistinction to hotels open to transients.

LOT: A parcel of land occupied or to be occupied by a main building or group of buildings (main and accessory), together with such yards, open spaces, lot width and lot area as are required by this title, and having frontage upon a street. More than one dwelling structure may be built on a lot only in cases where the lot is of such size as to provide such required lot area, yards and frontage for each dwelling structure as are required for the first dwelling structure on the lot.

LOT DEPTH: The horizontal distance between the front and rear lot lines measured in the main direction of the side lot line.

LOT LINE: Property lines bounding the lot.

LOT WIDTH: The horizontal distance between the side lot lines, measured at the required front yard setback line or rear yard setback line, whichever is shorter.

LUMBER SALES AND STORAGE: The sale and display of lumber and building supplies, including the outside storage of lumber and related merchandise.

MANAGER'S QUARTERS: A structure detached from buildings used in a business or business complex which contains an office for use of the manager of the business or business complex. This structure may contain living quarters for the manager. Only one such structure shall be allowed for each business or business complex. If any part of a business complex changes ownership, no additional manager's quarters shall be allowed.

MENTAL HEALTH CENTER: A publicly or privately operated facility, intended for the diagnosis and treatment of mental or emotional disorders.

MOBILE HOME:

- A. A detached dwelling unit designed for long term occupancy and to be transported on its own wheels, or on a flatbed or other trailers or detachable wheels, to a site for occupancy as a complete dwelling unit, except for connections to utilities and other minor work and not affixed with a U.S. department of housing and urban development (HUD) data plate. Removal of such wheels or placing such dwelling on a foundation shall not remove such unit from classification as a mobile home.
- B. Excluded from this definition shall be those permanent dwelling structures which are constructed of component parts that are transported to the building site, which meet structural requirements of the international building code, and which are finished with exterior building material that is typical of permanent residential buildings.

MOBILE HOME PARK: A residential development in which owners of mobile homes or manufactured housing may rent or lease a lot on which to place their home. Such developments may provide all of the amenities and improvements typical of subdivisions.

MODEL HOME SALES OFFICE: A temporary use in an approved subdivision that includes a sales office only to market homes being built in the subdivision in which it is located. No off site sales are allowed. A plan for parking, signs, etc., must be approved by the zoning administrator prior to establishing any sales office.

MODULAR HOME: A permanent dwelling structure built of prefabricated units which are assembled and erected on the site, and which meets the building codes in effect in Mona City.

MORTUARY, FUNERAL HOME: An establishment in which the dead are prepared for burial or cremation. The facility may include a chapel for the conduct of funeral services, spaces for informal gatherings and related accessory uses.

MOTEL: A building or group of buildings containing individual sleeping units designed and used primarily for the accommodation of transient automobile travelers and with automobile parking or storage immediately accessible.

NATURAL WATERWAYS: Those areas, varying in width, along streams, creeks, springs, gullies or washes which are natural drainage channels, as determined by the building inspector.

NONCOMPLYING STRUCTURE: A structure that:

- A. Legally existed before its current land use designation; and
- B. Because of one or more subsequent land use ordinance changes, does not conform to the setback, height restrictions or other regulations, excluding those regulations which govern the use of land.

NONCONFORMING USE: A land use that:

- A. Legally existed before its current land use designation;
- B. Has been maintained continuously since the time the land use ordinance governing the land changed; and
- C. Because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of land.

OFFICE, BUSINESS OR GOVERNMENT: A place intended for the conduct of administration or services by a business enterprise or unit of government and in which no goods or merchandise are stored, displayed or sold.

OFFICE, PROFESSIONAL: A place intended for the conduct of a recognized learned profession. Such uses include offices or clinics devoted to treatment and care of human illness or injury (medical, dental, chiropractic offices and similar uses). Other professions so defined would include, but not be limited to, accountants, architects, engineers and lawyers. Definition does not allow for inpatient care facilities.

OFFICIAL MAP: A map drawn by Mona City and recorded in the Juab County recorder's office that:

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

OPEN SPACE: Space reserved in parks, courts, playgrounds, golf courses and other similar open areas and those areas reserved to meet the density requirements of planned unit development.

OUTDOOR RECREATION, PARK OR PLAYGROUND (PUBLIC OR PRIVATE): An area free of buildings, except for restrooms, dressing rooms, equipment storage and maintenance buildings and open air pavilions, and used primarily for recreation activities not involving motor vehicles or

overnight use.

PARKING AREA, PRIVATE: An open area, other than a street, used for the parking of the automobiles of occupants of a dwelling, hotel or apartment hotel.

PARKING LOT, PUBLIC: An open area, other than a private parking area or street, available for public or quasi-public use.

PARKING SPACE, AUTOMOBILE: Space within a building or a private or public parking area, exclusive of driveways, ramps, columns and office and work areas, for the parking of one automobile.

PERSONAL SERVICES: Establishments primarily involved in providing personal grooming and related services. This definition shall include barbershops, beauty parlors, tailors or massage services, but not laundries or dry cleaners.

PET GROOMING: The grooming of small pets such as dogs and cats; provided, that no more than three (3) animals may be on the premises at one time and that no lodging of animals is allowed.

PLANNING COMMISSION: The Mona City planning commission.

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

PUBLIC SERVICE: Uses, which may be housed in separate buildings, or which may occupy a space within a building, that are operated by a unit of government to serve public needs such as police (with jail), fire service, ambulance, post office or judicial court, but not including public utility stations or maintenance facilities.

PUBLIC UTILITY STATIONS: A structure or facility used by a public or quasi-public agency to store, distribute, generate or chemically treat water, power, gas, sewage, equipment or other service elements. In any residential zone, public utility stations shall meet the following requirements:

- A. Each station shall be located on a lot not less than two thousand (2,000) square feet in area.
- B. Each station shall be located on a lot which has adequate access from a street, alley or easement.
- C. Each station shall be provided with a yard on each of the four (4) sides of the building, or structure not less than five feet (5') in width; except that for such stations located on lots fronting on a street and abutted by one or more residential lots, the front, side and rear yards should equal those required for a single-family residence in the same district.
- D. The location of public utility stations in a residential zone shall be subject to approval by the planning commission.

REASONABLE NOTICE: The requirements of reasonable notice are met if notice of hearing or meeting is posted in at least three (3) public places within the jurisdiction, and notice of the hearing or meeting is published in a newspaper of general circulation in the jurisdiction, or if actual legal notice of the hearing or meeting is given.

RECREATIONAL VEHICLE: A vehicular unit, other than a mobile home, primarily designed as a temporary dwelling for travel, recreational and vacation use, which is either self-propelled or is mounted on or pulled by another vehicle, including, but not limited to, a travel trailer, a camping trailer, a truck camper, a motor home, a fifth wheel trailer, and a van.

RECREATIONAL VEHICLE PARK (TRAVEL TRAILER PARK): Any area or tract of land or

separately designated section within a mobile home park where lots are rented to one or more owners or users of recreational vehicles for a temporary time not to exceed thirty (30) consecutive days, and not to exceed thirty (30) cumulative days in any ninety (90) day period.

REPAIR SERVICES, SMALL APPLIANCE OR EQUIPMENT: An establishment for the repair of household or other small appliances or equipment and at which no such appliances or their parts are stored out of doors.

RESIDENTIAL FACILITY FOR ELDERLY PERSONS: A residential facility for elderly that is owned by one of the residents or by an immediate family member of one of the residents, or a facility for which the title has been placed in trust for a resident and is occupied on a twenty four (24) hour per day basis by eight (8) or fewer elderly persons in a family type arrangement. A residential facility for elderly persons may not operate as a business.

RESIDENTIAL FACILITY FOR PERSON WITH A DISABILITY: A residential facility in which more than one person with a disability resides; and is licensed or certified by the department of human services under UCA title 62A, chapter 2, licensure of programs and facilities; or is licensed or certified by the department of health under UCA title 26, chapter 21, healthcare facility licensing and inspection act.

RESTAURANT, CAFE, CONFECTIONERY (TRADITIONAL SERVICE): An establishment at which food is prepared and served to customers for consumption on the premises.

RESTAURANT, FAST FOOD, DRIVE-IN: An establishment distinguished from a traditional sit down restaurant in that service is provided from a counter or window for consumption either off or on the premises; on premises consumption normally requires considerably less time than consumption in a traditional restaurant. Service may also be provided to customers in automobiles by use of an outside drive-up window; parking is provided immediately adjacent to the building. This definition includes also specialty food stores such as ice cream parlors or delicatessens, having counter or window service.

SCHOOL, PRIVATE OR QUASI-PUBLIC: A school operated by a private or quasi-public organization or individual, which has a program similar to that provided in any public school in the state of Utah, except that such curriculum may include religious instruction. A private school may be a profitmaking or nonprofit organization. This definition shall not include commercial schools.

SCHOOL, PUBLIC: An educational facility operated by a school district or other public agency of the state of Utah.

SENIOR CITIZEN CENTER: A building other than a church or school serving the social and recreational needs of the elderly. Such a center may include a meeting hall and cooking and dining facilities for large groups, but shall not provide overnight lodging.

SETBACKS: A distance from a property line within which building is prohibited.

SEXUALLY ORIENTED BUSINESS: A "seminude entertainment business", sexually oriented "outcall services", adult businesses, "seminude dancing bars" and seminude dancing agencies.

SHOPPING CENTER, COMMUNITY: A completely planned and designed commercial development providing for the sale of general merchandise and convenience goods and including a variety store, discount store or supermarket. The center is designed to serve a trading area that extends beyond an immediate neighborhood, but serves a smaller area than a regional center.

SHOPPING CENTER, NEIGHBORHOOD: A planned commercial development providing primarily for the sale of convenience goods and services. The center is designed to serve a

residential neighborhood.

SHOPPING CENTER, REGIONAL: A completely planned and designed commercial development providing for the sale of general merchandise, apparel, furniture, home furnishings, and other retail sales and services, in full depth and variety. The center includes at least one full line department store as the principal tenant and often includes two (2) or three (3) major department stores. The center is designed to serve a trading area that draws from beyond Mona City.

SKATING RINK: A place, indoors or outdoors, designed and used for roller skating and/or ice skating. Such an establishment may sell food as a secondary activity.

STABLE, PRIVATE: A detached accessory building for the keeping of horses owned by the occupants of the premises and not kept for remuneration, hire or sale.

STABLE, PUBLIC: A stable other than a private stable.

STORY: That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor or ceiling next above.

STORY, HALF: A story with at least two (2) of its opposite sides situated in a sloping roof, the floor area of which does not exceed two-thirds (2/3) of the floor immediately below it.

STREET: A public thoroughfare which affords principal means of access to abutting property and has a right of way that exceeds twenty six feet (26') in width. The term "street" shall include avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare, or any other similar term.

STREET, ARTERIAL: A street which provides for through traffic movement between areas and across the city, with moderate access to abutting property subject to necessary control of entrances, exits and curb use.

STREET, COLLECTOR: A street which provides for traffic movement between major arterials and local streets, and direct access to abutting property.

STREET, LOCAL: A street which provides for direct access to abutting land and for local traffic movement.

STREET, PRIVATE: A right of way or easement in private ownership, not dedicated or maintained as a public street, which affords the principal means of access to two (2) or more lots.

STRUCTURAL ALTERATIONS: Any change in supporting members of a building, such as bearing walls, columns, beams or girders.

STRUCTURE: Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. A "building" is included in this definition.

SUBDIVISION:

- A. Any land that is divided, resubdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other divisions of land, for the purpose, whether immediate or future, for offer, sale, lease, or development, either on the installment plan or upon any and all other plans, terms and conditions.
- B. "Subdivision" includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat or other recorded instrument.

SURPLUS, SECONDHAND STORE: An establishment which sells surplus items, used furniture,

appliances, clothing and miscellaneous small items. Excluded from this definition are establishments selling used motor vehicles, their parts, and other heavy equipment.

THEATER, CONCERT HALL: A building used primarily for the presentation of live stage productions or performances.

TOWNHOUSE: An attached or semiattached multiple-unit building containing single-dwelling units and located on a lot in one ownership, and having any yard or court in common with other units.

TRAILER, TRAVEL: See definition of Recreational Vehicle.

TRANSPORTATION TERMINAL: A building, or part of a building, which serves as a centralized point of transfer between passenger surface transportation modes, or for the frequent movement of passenger transportation equipment. Not included in this definition are street side bus stops or taxicab stands.

TRAVEL PARK: See definition of Recreational Vehicle Park (Travel Trailer Park).

USE: The activities occurring on a lot or parcel of land for which land or a building is arranged, designed or intended, or for which land or a building is or may be occupied, including all accessory uses.

USE, ACCESSORY: A subordinate use customarily incidental to and located upon the same lot occupied by the main use.

WHOLESALE, WAREHOUSE, STORAGE: A building in which goods, merchandise or equipment are stored for eventual distribution, or for which storage space is rented.

YARD: An open, unoccupied space on a lot, other than a court, which is unobstructed from the ground upward by buildings or structures, except as otherwise provided in this title.

YARD, FRONT: An open, unoccupied space, on the same lot with a building, between the front line of the main building and the street line, and extending for the full width of the lot.

YARD, REAR: A yard extending across the full width of the lot between the most rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest point of the rear lot line. On lots that are not rectangular in shape, the required minimum rear yard may be an average of the distances measured from the rear corners of the main building directly to the rear lot line. The shortest distance used in determining the average shall not be less than fifteen feet (15').

YARD, SIDE: An open, unoccupied space, except as otherwise provided in this title, on the same lot with the building, between the side line of the building and the side lot line, and extending from the front yard to the rear yard; or the shortest distance across said space from the main building to the side lot line.

ZERO LOT LINE DEVELOPMENT TWIN HOMES: Single-family dwellings arranged on two (2) lots sharing a common wall. The required side yard for zero lot line development shall be the total of the two (2) required yards, on each lot, of the district in which they are located.

ZONE: See definition of District.

ZONING MAP: The map adopted as part of this title that depicts land use zones, overlays and districts.

SECTION 2: AMENDMENT “10-6-5 YARD REQUIREMENTS” of the Mona City Code is hereby *amended* as follows:

A M E N D M E N T

10-6-5 YARD REQUIREMENTS

- A. Side Yards: The minimum side yard for ~~any dwelling~~ a main building shall be ~~eighteen~~ feet (810'), and the total width of the two (2) required side yards shall be not less than ~~eighteen~~. The minimum side yard for an accessory building shall be five feet (185').
- B. ~~Front Yard~~ Separation of Buildings: The minimum ~~setback for main buildings shall be thirty feet (30')~~. The minimum setback line for accessory buildings shall be at least ten feet (10') to the rear of the main building. ~~On corner lots, the minimum setback for all sides that front a street is~~ distance between any two buildings on a lot must be ten feet (10').
- C. Front Yard: ~~The minimum front yard setback for any building shall be~~ thirty feet (30').
- D. Rear Yard: The minimum rear yard for any main building shall be thirty feet (30'), from the property line and for an accessory building five feet (5'). ~~On corner lots which rear upon the side yard of another lot, accessory buildings shall be located not closer than five feet (5') to such side yard.~~
- E. Corner Lots: ~~On corner lots, the minimum setback for all sides that front a street is~~ thirty feet (30').
- F. Drip Line: ~~All run off from the roof of any building must run off onto the owner's property.~~

SECTION 3: REPEAL “10-6-6 ACCESSORY BUILDINGS” of the Mona City Code is hereby *repealed* as follows:

R E P E A L

~~10-6-6 ACCESSORY BUILDINGS (Repealed)~~

- A. ~~Located Ten Feet To Rear Of Main Building~~: Accessory buildings, located at least ten feet (10') to the rear of the main building, shall have a side yard and a rear yard of not less than five feet (5'). ~~On corner lots, the side yard which faces on a street shall be not less than thirty feet (30') for both main and accessory buildings.~~
- B. ~~Other Location~~: Accessory buildings not located ten feet (10') behind the main building may be located upon the same lot as a residence; however, the following regulations shall apply:
 - 1. ~~Location Within Side Yard~~: The building shall be located within the side yard, and the side of the building closest to the main building shall continue parallel to the wall of the main building until a point at least ten feet (10') to the rear of the main building.
 - 2. ~~Front Yard~~: The minimum front yard setback shall be thirty feet (30').
 - 3. ~~Rear Yard~~: The minimum rear yard shall be thirty feet (30').
 - 4. ~~Side Yard~~: The minimum side yard shall be ten feet (10').
 - 5. ~~Separation~~: There shall be a minimum of three feet (3') between the main building and an accessory building.

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

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Michael Stringer	<u>X</u>	_____	_____	_____
Councilmember Katrina Long	<u>X</u>	_____	_____	_____
Councilmember Frank Riding	<u>X</u>	_____	_____	_____
Councilmember Jonathan Jones	<u>X</u>	_____	_____	_____
Councilmember Jeffrey Hearty	<u>X</u>	_____	_____	_____

Leading Authority

Attest

William M Mills

William M. Mills, Mayor, Mona City

Lyla R Spencer

Lyla R. Spencer, City Recorder Mona City



CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §442-172-184 as amended, I hereby certify that the foregoing Ordinance was duly passed and published or posted at:

- 1) *Mona City Office*
- 2) *Mona City Post Office*
- 3) *Gaydean's Sweet Art*

on the above referenced dates.

Attest

Lyla R. Spencer, City Recorder, Mona
City