

**RICHMOND CITY CORPORATION
ORDINANCE NO. 2025-06**

WHEREAS, under the Utah Land Use, Development, and Management Act (“LUDMA”), Utah Code 10-9a-101 et seq., the City Council of Richmond may enact ordinances it considers necessary or appropriate for the use and development of land within the City; and

WHEREAS, the City has determined that to further the purposes of LUDMA, it is in the best interests of the City to eliminate the Planned Unit Development (PUD) overlay and Multi-Family Dwelling Unit Overlay zones to allow for their replacement by a new Multi-Family Zone (RMF) will fulfill the needs previously addressed by those overlay zones; and

NOW THEREFORE, the City Council of Richmond City, County of Cache, State of Utah, hereby adopts, passes and publishes the following:

AN ORDINANCE AMENDING RICHMOND CITY MUNICIPAL CODE, TITLE 10-000 “FIRE, HEALTH, SAFETY AND WELFARE”, CHAPTER 10-700 “TELECOMMUNICATIONS TOWER FACILITIES”, PART 10-701 “PURPOSE OF CHAPTER”, TITLE 12-000 “LAND USE, DEVELOPMENT AND MANAGEMENT (LUDMO)”, CHAPTER 12-200 “SUMMARY OF CONTENTS”, CHAPTER 12-300 “DEFINITIONS”, CHAPTER 12-400 “ESTABLISHMENT AND PROCEDURAL MATTERS”, PART 12-404 “DUTIES AND POWERS”, CHAPTER 12-800 “ZONING ESTABLISHMENT”, PART 12-805-21 “ACCESSORY DWELLING UNIT”, CHAPTER 12-900 “ZONES”, PART 12-903-3 “CONDITIONAL USES”, PART 12-904-3 “CONDITIONAL USES”, PART 12-905-3 “CONDITIONAL USES”, PART 12-901 “ESTABLISHMENT OF ZONES”, CHAPTER 12-1000 “OVERLAYS”, PARTS 12-1010 “PLANNED UNIT DEVELOPMENT OVERLAY ZONE “PUD”, 12-1010-1 “PURPOSE”, 12-1010-2 “CONDITIONAL USES”, 12-1010-3 “HEIGHT, AREA, WIDTH AND YARD REGULATIONS”, 12-1010-4 “GENERAL REQUIREMENTS”, 12-1010-5 “ADMINISTRATION”, 12-1010-6 “SITE PLAN”, 12-1010-7 “OPEN SPACE”, 12-1010-8 “DEVELOPMENT IN PHASES AND TIME OF APPROVAL”, 12-1010-9 “LOST DEVELOPMENT ALTERATIONS”, 12-1010-10 FEES AND PART 12-1030 “MULTIPLE-FAMILY DWELLING UNIT OVERLAY “MF””, 12-1030-1 “PURPOSE”, 12-1030-2 “PERMITTED USES”, 12-1030-3 “CONDITIONAL USES”, 12-1030-4 “REGULATIONS”, 12-1030-5 “HEIGHT REGULATIONS”, 12-1030-6 “AREA, WIDTH, AND YARD REGULATIONS” AND 12-1030-7 “ACCESSORY DWELLING UNIT”.

BE IT ORDAINED BY THE CITY COUNCIL OF RICHMOND CITY, CACHE COUNTY, UTAH AS FOLLOWS:

PART 10-701 PURPOSE OF CHAPTER

Subparagraph I. of Part 10-701 is amended to read as follows:

- I. Telecommunication towers and antennas shall not be allowed in the following overlay zones: MHT (Mobile Home/Trailer Court), CRMU (Commercial-Residential Multi-Use), SL (Sensitive Lands), SCH (School) or CEM (Cemetery).

~~CHAPTER 12-200 SUMMARY OF CONTENTS~~ BLANK

Chapter 12-200 Summary of Contents is hereby repealed in its entirety.

TITLE 12-000 CHAPTER 200

~~12-200. SUMMARY OF CONTENTS BY CHAPTER AND SECTION.~~

~~Chapter 12-100. Authority and Purpose.~~

~~12-101. Land and Water Use Authority.~~

~~12-102. Purpose.~~

~~Chapter 12-200. Summary of Contents by Chapter and Section.~~

~~Chapter 12-300. Definitions.~~

~~Chapter 12-400. Establishment and Procedural Matters.~~

~~12-401. Planning and Zoning Commission Established.~~

~~12-402. Term of Office.~~

~~12-403. Organization.~~

~~12-404. Duties and Powers.~~

~~12-405. Decision Appeal Process.~~

~~12-406. Establishment of Appeal Authority.~~

~~12-407. Land Use, Development and Management Appeals Judge.~~

~~12-408. BLANK.~~

~~12-409. Appeals.~~

~~12-410. Variances.~~

~~12-411. Applicability of the State of Utah Property Rights Ombudsman.~~

~~12-412. District Court Review of Appeal Authority Decision.~~

~~Chapter 12-500. Administration.~~

~~12-501. General Plan.~~

~~12-502. Annexation of Land into Richmond City.~~

~~12-503. Rezoning of Land.~~

~~12-504. Official Map.~~

~~12-505. Notification and Public Hearings.~~

~~12-506. Inner block Development.~~

~~12-507. Survey Required Prior to Issuance of Building Permit for Human Inhabitable Buildings.~~

TITLE 12-000 CHAPTER 200

~~12-508. Building Permits.~~

~~12-509. Adherence to Construction and Design Standards.~~

~~12-510. Building Inspector and Inspections.~~

~~12-511. Certificate of Occupancy.~~

~~12-512. Land Entitlement.~~

~~12-513. Conditional Uses.~~

~~12-514. Nonconforming Uses and Noncomplying Structures.~~

~~12-515. Fees.~~

~~12-516. Financial Assignment and Responsibility.~~

~~12-517. Water Exaction.~~

~~12-518. Changes and Amendments to Ordinance.~~

~~12-519. Penalties.~~

~~12-520. Validity.~~

~~Chapter 12-600. Vehicular Transportation and Pedestrian Circulation.~~

~~12-601. Parking Space for Dwellings.~~

~~12-602. Parking Space for Buildings or Uses Other than Dwellings.~~

~~12-603. Parking Lot Regulations.~~

~~12-604. Off street Truck Loading Space.~~

~~12-605. Motor Vehicle Access.~~

12-606. Pedestrian Circulation.
Chapter 12-700. Signs.
12-701. Purpose.
12-702. Types of Signs.
12-703. Exemptions From Sign Regulations.
12-704. Enforcement.
12-705. Building Permit Required.
12-706. Violations.
Chapter 12-800. Zoning Establishment.
TITLE 12-000 CHAPTER 200
12-801. Statement of Purpose.
12-802. Interpretation.
12-803. Conflict.
12-804. Effect Upon Previous Ordinance and Map.
12-805. Supplementary and Qualifying Regulations.
12-805-1. Purpose.
12-805-2. Lots in Separate Ownership—Nonconforming Lots.
12-805-3. Yard Space for One (1) Building Only.
12-805-4. Every Dwelling to Be on a “Lot”.
12-805-5. Wall, Fence or Hedge.
12-805-6. Area of Accessory Buildings.
12-805-7. Height of Accessory Buildings.
12-805-8. Minimum Height of Main Buildings.
12-805-9. Clear View of Intersecting Streets.
12-805-10. Sale or Lease of Required Space.
12-805-11. Multiple Family Dwelling.
12-805-12. Coverage Regulations.
12-805-13. Mobile Home Court aka Trailer Park.
12-805-14. Public Utilities.
12-805-15. Corner Lots.
12-805-16. Agricultural Structures in Agricultural Zone.
12-805-17. Landscaping.
12-805-18. Financial Assignment and Responsibility.
Chapter 12-900. Zones.
12-901. Establishment of Zones.
12-902. Boundaries of Zones.
12-902-1. Filing of Ordinance and Map.
12-902-2. Rules for Locating Boundaries.
TITLE 12-000 CHAPTER 200
12-903. Agricultural Zone “A-10” and “A-5.”
12-903-1. Purpose.
12-903-2. Permitted Uses.
12-903-3. Conditional Uses.
12-903-4. Height Regulations.
12-903-5. Area, Width, and Yard Regulations.
12-903-6. Modifying Regulations.
12-903-7. Agricultural Lands Protection.
12-904. Residential Estate Zones “RE-1” and “RE-2.”

12-904 1. Purpose.
12-904 2. Permitted Uses.
12-904 3. Conditional Uses.
12-904 4. Height Regulations.
12-904 5. Area, Width, and Yard Regulations.
12-904 6. Modifying Regulations.
12-905. Residential Low Density and Residential Medium Density Zones “RLD” and “RMD.”
12-905 1. Purpose.
12-905 2. Permitted Uses.
12-905 3. Conditional Uses.
12-905 4. Height Regulations.
12-905 5. Area, Width, and Yard Regulations.
12-905 6. Modifying Regulations.
12-906. Commercial, Manufacturing, and Industrial Zones Site Design Guidelines and Site Plan Review.
12-906 1. Conditional Use.
12-906 2. Site Design Guidelines / Site Plan Review.
12-907. Neighborhood Commercial Zone “NC”.
12-907 1. Purpose.
12-907 2. Conditional Uses.
TITLE 12-000 CHAPTER 200
12-907 3. Height Regulations.
12-907 4. Area, Width, and Yard Regulations.
12-907 5. Site Design Guidelines / Site Plan Review.
12-908. Central Business District Commercial Zone “CBD”.
12-908 1. Purpose.
12-908 2. Conditional Uses.
12-908 3. Special Provisions.
12-908 4. Height Regulations.
12-908 5. Area, Width, and Yard Regulations.
12-908 6. Site Design Guidelines / Site Plan Review.
12-909. Highway Commercial Zone “HC”.
12-909 1. Purpose.
12-909 2. Conditional Uses.
12-909 3. Height Regulations.
12-909 4. Area, Width, and Yard Regulations.
12-909 5. Site Design Guidelines / Site Plan Review.
12-910. Manufacturing / Light Industrial Zone “MLI”.
12-910 1. Purpose.
12-910 2. Conditional Uses.
12-910 3. Environmental Quality.
12-910 4. Height Regulations.
12-910 5. Area, Width, and Yard Regulations.
12-910 6. Site Design Guidelines / Site Plan Review.
Chapter 12-1000. Overlays.
12-1010. Planned Unit Development Overlay Zone “PUD.”
12-1010 1. Purpose.
12-1010 2. Conditional Uses.
12-1010 3. Height, Area, Width and Yard Regulations.

TITLE 12-000 CHAPTER 200

~~12-1010 4. General Requirements.~~

~~12-1010 5. Administration.~~

~~12-1010 6. Site Plan.~~

~~12-1010 7. Open Space.~~

~~12-1010 8. Development in Phases and Time of Approval.~~

~~12-1010 9. Lost Development Alterations.~~

~~12-1010 10. Fees.~~

~~12-1020. Planned Industrial Commercial Overlay Zone “PIC”.~~

~~12-1020 1. Purpose.~~

~~12-1020 2. Standards for Planned Industrial Commercial Developments.~~

~~12-1020 3. Applicable Zones.~~

~~12-1020 4. Planned Industrial Commercial Development Approval Process.~~

~~12-1020 5. Project Plan Approval Process.~~

~~12-1030. Multiple Family Dwelling Unit Overlay “MF”.~~

~~12-1030 1. Purpose.~~

~~12-1030 2. Permitted Uses.~~

~~12-1030 3. Conditional Uses.~~

~~12-1030 4. Regulations.~~

~~12-1030 5. Height Regulations.~~

~~12-1030 6. Area, Width, and Yard Regulations.~~

~~12-1030 7. Accessory Apartments.~~

~~12-2040. Mobile Home Court Overlay Also Known As Trailer Park Overlay.~~

~~12-2040 1. Purpose.~~

~~12-2040 2. Proximity Restrictions~~

~~12-1040 3. Requirements.~~

~~12-1040 4. Site Standards.~~

~~12-1040 5. Utilities.~~

~~12-1040 6. Driveways and Parking Spaces.~~

TITLE 12-000 CHAPTER 200

~~12-1040 7. Foundation and Tie down.~~

~~12-1040 8. Drainage.~~

~~12-1040 9. Utility Easements.~~

~~12-1040 10. Recreation Facilities.~~

~~12-1050. Commercial Residential Multi Use Overlay.~~

~~12-1050 1. Purpose.~~

~~12-1050 2. Waiver.~~

~~12-1050 3. General Design.~~

~~12-1050 4. Lighting.~~

~~12-1050 5. Signs.~~

~~12-1050 6. Development Plan Procedure.~~

~~12-1060. Moderate Income Housing Overlay.~~

~~12-1060 1. Purpose.~~

~~12-1060 2. Establishment.~~

~~12-1060 3. Biennial Review and Report.~~

~~12-1060 4. Density Bonus Program for Moderate Income Housing.~~

~~12-1060 5. Infill Development for Moderate Income Housing.~~

~~12-1060 6. Infill Development Support.~~

~~12-1070. Sensitive Lands Regulations Overlay.~~
~~12-1070-1. Overview.~~
~~12-1070-2. Development Requirements.~~
~~12-1070-3. Sensitive Lands Analysis Requirements.~~
~~12-1070-4. Waiver/Modification of Analysis and Study Requirements.~~
~~12-1070-5. Sensitive Lands Regulations.~~
~~12-1070-6. Administrative Process~~
 Chapter 12-2000. Subdivision Regulations
~~12-2001. Applicability.~~
~~12-2002. General Provisions.~~
 TITLE 12-000 CHAPTER 200
~~12-2002-1. Purpose.~~
~~12-2002-2. Applicability.~~
~~12-2002-3. Authority.~~
~~12-2003. Subdivision Process.~~
~~12-2003-1. Applicability.~~
~~12-2003-2. Pre Application Meeting.~~
~~12-2003-3. Preliminary Plat Process.~~
~~12-2003-4. Final Plat Process.~~
~~12-2003-5. Combined Preliminary and Final Plat Process.~~
~~12-2003-6. Required Findings.~~
~~12-2003-7. Term of Permits.~~
~~12-2103-8. Property Boundary Adjustment.~~
~~12-2003-9. Vacating or Changing a Subdivision Plat.~~
~~12-2004. Subdivision Design and Improvement Requirements.~~
~~12-2004-1. Purpose.~~
~~12-2004-2. Applicability.~~
~~12-2004-3. Required Improvements.~~
~~12-2004-4. Design Requirements.~~
~~12-2004-5. Escrow for Chip Sealing.~~

CHAPTER 12-300 DEFINITIONS

Definition X of Chapter 12-300 is amended in its entirety to read as follows:

- X. "Common Areas and Facilities". Unless otherwise provided in the declaration of covenants, conditions, or restrictions in any subdivision or other development involving a homeowners association, the term "Common Areas and Facilities" shall mean and include:
1. All land, other than the individual private lots, within the subdivision or development.
 2. Any buildings or structures intended for the joint use of the residents of the subdivision or other development.
 3. Installations of central services such as power, light, gas, water, sewer and roads, etc.
 4. Such community and commercial facilities as may be provided for in the declaration of covenants, conditions, and restrictions for the subdivision or other development.
 5. All other parts of the subdivision or other development necessary for or normally in common use.

~~X. "Common Areas and Facilities". Unless otherwise provided in the declaration of a Planned Unit Development or other development involving a Home Owners Association, shall mean and include:~~

- ~~1. All land, other than the individual private lots, within the PUD or HOA boundaries.~~
- ~~2. Any buildings or structures intended for the joint use of the residents of the PUD or HOA.~~
- ~~3. Installations of central services such as power, light, gas, water, sewer and roads, etc.~~
- ~~4. Such community and commercial facilities as may be provided for in the declaration of the PUD or HOA.~~
- ~~5. All other parts of the PUD or HOA necessary for or normally in common use.~~

PART 12-404 DUTIES AND POWERS

Section 12-404(D) is amended to read as follows:

E. Review, gather data, and recommend approval or denial of subdivisions and other land use applications to the Richmond City Council.

~~E. Review, gather data, and recommend approval or denial of subdivisions and planned unit development (PUD) applications to the Richmond City Council.~~

PART 12-1030-7 ACCESSORY DWELLING UNIT

PART 12-805-21 ACCESSORY DWELLING UNIT

Section 12-805-20 Accessory Dwelling Unit is hereby added to Part 12-805 as follows:

12-805-21 Accessory Dwelling Unit

- A. The preceding applies to the establishment of a single additional apartment provision within or permanently attached to a private residence for the purpose of providing care and shelter.
 1. Commonly referred to as an “accessory dwelling unit” or “accessory apartment,” such space must adhere to the following provisions:
 - a. When remodeling takes place to provide such accommodations, it is required that the owner of the residence obtain a building permit through the currently established procedures at the time of the remodel.
 - (1) The purpose of this requirement is to ensure that any adjustments/additions/modifications to electrical, water, or sewer facilities adhere to code and do not present any type of a current or conceivable future hazard, no matter how inadvertent.
 - (2) Access to the accessory dwelling unit must include a minimum of two ingress-egress routes for the safety of the occupant(s), only one of which may pass through a garage area.
 - (3) Any remodeling incurred in this process must be within the footprint of the primary dwelling.
 - (A) Outside access doors into the accessory addition must be either on the side or rear of the residence.
 - (4) An addition to the original primary dwelling may be added, with approval by the city, for the purpose of creating an accessory dwelling unit attached to the original dwelling unit.

- b. The owner of the residence will be responsible for providing adequate parking space, within the provisions of this ordinance, for the additional occupant(s), not to exceed two (2) additional of any type or combination of types of vehicles.

B. Conditions

1. The accessory dwelling unit will be a separate housekeeping unit that can be isolated within the original residential dwelling.
2. Only one accessory dwelling unit is to be established within or as part of an original residential dwelling.
3. The owner(s) of the residence in which the accessory dwelling unit exists must occupy at least one of the apartments in the dwelling, except for bona fide temporary absences of two (2) years or less for activities such as:
 - a) A temporary job assignment, sabbatical, or voluntary service.
 - b) The owner is placed in a hospital, nursing home, assisted living facility or other similar facility.
 - c) City staff may require written documentation verifying the temporary absence.
 - d) The owner(s) shall apply for a continuance of their accessory dwelling unit permit during their absence by notifying the City Administrator in writing. They shall include in the request their anticipated length of absence and estimated return date, a forwarding address, phone number and email address where they may be contacted by the city, and the names, phone numbers and email addresses of those who will act in their stead as the “surrogate” owners of the property in their absence.
4. The owner of the primary dwelling must complete an “Accessory Dwelling Unit Registration Application” and receive approval from Richmond City prior to renting the accessory apartment.

C. For purposes of distance separation between Multiple Family Units or Dwellings, an accessory dwelling unit will not be counted as a Multiple Family Unit or Dwelling when determining additional Multiple Family Unit or Dwelling locations.

D. Definitions

Accessory Dwelling Unit: A habitable living unit created within the footprint of a primary owner-occupied single-family dwelling.

12-903-3 CONDITIONAL USES

Section 12-903-3 is amended such that the ~~strikeout~~ areas shall be deleted:

- A. Cemeteries.
- B. Country clubs.
- C. Fur farms, livestock feed yards, corrals, silage pits, chicken coops, and such other animals not covered by definition in “Animal Unit.”
- D. Stands for sale of produce grown on the premises.
- E. Gravel pits.
- F. Home occupation.
- G. Public utilities.

- H. Public school.
- I. Church.
- ~~J. Planned Unit Development (PUD).~~
- K. Other uses similar to the above judged by the Planning and Zoning Commission to be in harmony with the character and intent of this zone.

12-904-3 CONDITIONAL USES

Section 12-904-3 is amended such that the ~~strikeout~~ areas shall be deleted:

- A. Church.
- B. Public school.
- C. Public park and playground.
- D. Public buildings.
- E. Stable, private (provided not more than two (2) horses per acre or as otherwise established by this Title).
- F. Public riding stables.
- G. Public utility.
- ~~H. Planned Unit Development (PUD).~~

12-905-3 CONDITIONAL USES

Section 12-905-3 is amended such that the ~~strikeout~~ areas shall be deleted:

- A. Art museum, public.
- B. Church.
- C. Library, public.
- D. Parking lot for permitted use.
- E. Public building.
- F. Public park or playground.
- G. Public utility.
- H. Public school.
- ~~I. Planned Unit Development (PUD).~~
- ~~J. Multiple Family Overlay Zone.~~
- K. Neighborhood Commercial Zone.
- L. Affordable Housing Overlay Zone.
- M. Accessory uses and directly related buildings.
- N. Any use determined by the Planning and Zoning Commission to be in harmony with the intent of this zone and which shall not impair the present or future use of adjacent properties.

PART 12-901 ESTABLISHMENT OF ZONES

Part 12-901 is amended such that the ~~strikeout~~ areas shall be deleted.

Part 12-901 Establishment Of Zones

For the purpose of this Title, the following zones and overlays are created to be applied as necessary to regulate the development of the land in the City of Richmond, Utah:

Basic Zones:

Agricultural Zones (See 12-903):

Ten (10) Acres.....A-10

Five (5) Acres.....A-5

Residential Zones (See 12-904 and 12-905):

Residential Estate.....RE
Two (2) Acres.....RE-2
One (1) Acre.....RE-1
Residential Medium Density.....RMD
Residential Low Density.....RLD

Residential Multiple-Family.....RMF

Commercial Zones:

Neighborhood Commercial Zone (12-907).....NC
Central Business District Commercial Zone (12-908).....CBD
Highway Commercial Zone (12-909).....HC
Manufacturing and Industrial Zones (See 12-910):
Manufacturing/Light Industrial Zone.....MLI

Overlay Zones:

Planned Unit Development

Overlay (See 12-903-3 & 12-1010).....PUD
Planned Industrial/Commercial Overlay (See 12-1020).....PIC
~~Multiple family Dwelling Unit Overlay (See 12-1030).....MF~~
Mobile Home/Trailer Court Overlay (See 12-1040).....MHT
Commercial-Residential Multi-use Overlay (See 12-1050).....CRMU
Moderate Income Housing Overlay (See 12-1060).....MIH
Sensitive Lands Overlay (See 12-1070).....SL
School, public.....SCH
City owned property.....CITY
Cemetery.....CEM

PART 12-1010 PLANNED UNIT DEVELOPMENT OVERLAY ZONE “PUD”

Part 12-1010 “Planned Unit Development Overlay Zone “PUD””, 12-1010-1 “Purpose”, 12-1010-2 “Conditional Uses”, 12-1010-3 “Height, Area, Width and Yard Requirements”, 12-1010-4 “General Requirements”, 12-1010-5 “Administration”, 12-1010-6 “Site Plan”, 12-1010-7 “Open Space”, 12-1010-8 “Development In Phases And Time Of Approval”, 12-1010-9 “Lost Development Alterations” and 12-1010-10 “Fees” are hereby repealed in their entirety.

The following shall be added to each Part listed above: *****This Part was repealed in its entirety by Ordinance 2025-06 dated June 17, 2025.*****

PART 12-1030 MULTIPLE-FAMILY DWELLING UNIT OVERLAY “MF”

Part 12-1030 “Multiple-Family Dwelling Unit Overlay Zone “MF””, 12-1030-1 “Purpose”, 12-1030-2 “Permitted Uses”, 12-1030-3 “Conditional Uses”, 12-1030-4 “Regulations”, 12-1030-5 “Height Regulations”, 12-1030-6 “Area, Width, And Yard Regulations”, and 12-1030-7 “Accessory Dwelling Unit” are hereby repealed in their entirety.

The following shall be added to each Part listed above: *****This Part was repealed in its entirety by Ordinance 2025-06 dated June 17, 2025.*****

1. Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, in whole or in part, the same shall not affect the validity of the Ordinance as a whole, or any other part thereof.
2. All ordinances, and the chapter, clauses, sections, or parts thereof in conflict with provision of this ordinance are hereby repealed, but only insofar as is specifically provided for herein.
3. This ordinance shall become effective immediately upon publication or posting as set forth by State law.

ADOPTED AND PASSED by the Richmond City Council on this 17th day of June, 2025.

RICHMOND CITY CORPORATION

Paul J. Erickson, Mayor

ATTEST:

Justin B. Lewis, City Recorder