

**WILLARD CITY
ORDINANCE 2025-04**

**AN ORDINANCE TO UPDATE WILLARD CITY'S ZONING USE TABLES AND
DEFINITIONS**

WHEREAS, the Willard City Council, pursuant to the provisions of Utah Code Ann. §10-3-707, has the authority to enact ordinances of the municipality of a general and permanent character;

WHEREAS, the City of Willard has authority to regulate land use, pursuant to Utah Code Ann. §10-9a-501 et seq.;

WHEREAS, it is necessary to amend the zoning usage tables and definitions to ensure compatibility with zoning designations and protect public safety, health, and welfare;

WHEREAS, the Willard City Planning and Zoning Commission recommends the adoption of amendments to the zoning usage tables and definitions to ensure clarity and compliance with applicable laws; and

WHEREAS, the Willard City Council deems it necessary to enact this ordinance to update the zoning code for the orderly development of the city and the preservation of the public interest.

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

SECTION 1: AMENDMENT "24.44.030 Uses" of the Willard City Zoning Code is hereby *amended* as follows:

BEFORE AMENDMENT

24.44.030 Uses

No building, structure or land shall be used and no building or structure shall be hereafter erected structurally altered, enlarged or maintained in the multiple use, rural, or residential districts except as provided in this Ordinance. (See Table I)

TABLE I	MU-40	A-3	A-5	R-1/2	R-1
1. Accessory buildings and uses customarily incidental to permitted uses...	P	P	P	P	P
2. Accessory uses and buildings customarily incidental to conditional uses...	C	C	C	C	C

3. Temporary buildings, for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work...	C	C	C	C	C
4. AGRICULTURE AND FORESTRY					
a. Agriculture, except grazing and pasturing of animals	P	P	P	P	P
b. Agriculture, including grazing and pasturing of animals	C	P	P	P	P
c. Agriculture, business or industry	C	C	C	C	C
d. Animals and fowl for recreation or for family food production for the primary use of persons residing on the premises	P	P	P	P	P
e. Nursery or green house, wholesale or retail	C	P	P	P	P
f. The tilling of the soil, the raising of crops, horticulture and gardening	C	P	P	P	P
g. Farms devoted to raising and marketing chickens, turkeys or other fowl or poultry, fish or frogs, including wholesale and retail sales	C	C	P	C	C
h. Forestry, except forest industry	P	P	P	P	P
i. Forest industry, such as a sawmill, wood products plant, or others	C	-	-	-	-
5. APIARY	P	C	P	C	C
6. AVIARY	P	P	P	P	P
7. PLANNED UNIT DEVELOPMENT (PUD) OR CLUSTER SUBDIVISION OF SINGLE FAMILY DWELLINGS:					
a. Provided that the residential unit density of the total parcel is not increased above two units per acre.	C	C	C	C	C
b. Provided that the area, in acres, of the total parcel is not less than thirteen acres.	A	A	A	A	A
8. DUDE RANCH; family vacation ranch	C	-	C	-	-
9. DWELLINGS:					
a. Single-family dwelling	C	C	C	P	P

b. Multi-family dwelling	C	C	C	C	C
c. Seasonal Home or Cabin	C	-	-	-	-
d. Farm or Ranch Housing	C	C	C	-	-
e. Manufactured Housing	C	C	C	P	P
f. Mobile Homes					
1) When located in a mobile home park or subdivision	P	P	P	P	P
2) When not located in a mobile home park or subdivision	-	-	-	-	-
10. Home occupation	C	C	C	C	C
11. Household Pets	P	P	P	P	P
12. Kennel	-	-	C	-	-
13. Power generation	C	P	P	P	P
14. Private park or recreational grounds or private recreational camp or resort, including accessory or supporting dwellings or dwelling complexes and commercial service uses which are owned or managed by the recreational facility to which it is accessory	C	-	C	-	-
15. Public and quasi-public					
a. Churches	-	-	-	C	C
b. Parks, golf courses, swimming pools and other recreation areas	-	-	-	P	P
c. Public buildings	-	-	-	C	C
d. Private schools	-	-	-	C	C
16. Public stable, riding academy or riding ring, horse show barns or facilities	C	-	P	-	-
17. Residential Housing Developments					
a. Mobile home park	C	-	C	C	C
b. Mobile home subdivision	C	-	C	C	C
c. Subdivisions and Planned Unit Developments.	C	C	C	C	C
18. Signs (See Sign Ordinance WZC 24.60)					

AFTER AMENDMENT

24.44.030 Uses

No building, structure or land shall be used and no building or structure shall be hereafter erected structurally altered, enlarged or maintained in the multiple use, rural, or residential districts except as provided in this Ordinance. (See Table I)

TABLE I	MU-40	A-3	A-5	R-1/2	R-1	<u>Old Willard Township</u>
1. Accessory buildings and uses customarily incidental to permitted uses...	P	P	P	P	P	<u>P</u>
2. Accessory uses and buildings customarily incidental to conditional uses...	C	C	C	C	C	<u>C</u>
3. Temporary buildings, for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work...	C	C	C	C	C	<u>C</u>
4. AGRICULTURE AND FORESTRY*						
a. Agriculture, except grazing and pasturing of animals	P	P	P	P	P	<u>P</u>
b. Agriculture, including grazing and pasturing of animals	C	P	P	P	P	<u>P</u>
c. Agriculture, business or industry	C	C	C	C	C	<u>C</u>
d. Animals and fowl for recreation or for family food production for the primary use of persons residing on the premises	P	P	P	P	P	<u>P</u>
e. Nursery or green house, wholesale or retail	C	P	P	P	P	<u>P</u>
f. The tilling of the soil, the raising of crops, horticulture and gardening	C	P	P	P	P	<u>P</u>
g. Farms devoted to raising and marketing chickens, turkeys or other fowl or poultry, fish or frogs, including wholesale and retail sales	C	C	<u>P</u> C	C	C	<u>C</u>
h. Forestry, except forest industry	P	P	P	P	P	<u>P</u>
i. Forest industry, such as a sawmill,						

wood products plant, or others	C	-	-	-	-	
<u>j. Small-Scale Retail</u>	<u>C</u>	<u>C</u>	<u>C</u>	=	=	=
<u>k. Limited and light manufacturing</u>	<u>C</u>	<u>C</u>	<u>C</u>	=	=	=
<u>l. Storage (Non-Agricultural, Small Scale)</u>	<u>C</u>	<u>C</u>	<u>C</u>	=	=	=
5. <u>APIARY, Private</u>	P	<u>E</u> P	<u>P</u> <u>C</u>	C	C	<u>C</u>
6 <u>APIARY, Commercial</u>	<u>C</u>	<u>C</u>	<u>C</u>	=	=	=
<u>67. AVIARY, Private or Commercial</u>	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	<u>C</u>
<u>78. PLANNED UNIT DEVELOPMENT (PUD) OR CLUSTER SUBDIVISION OF SINGLE FAMILY DWELLINGS: Moved to item 18)</u>						
<u>a. Provided that the residential unit density of the total parcel is not increased above two units per acre.</u>	<u>E</u>	<u>E</u>	<u>E</u>	<u>E</u>	<u>E</u>	
<u>b. Provided that the area, in acres, of the total parcel is not less than thirteen acres.</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	
8. <u>DUDE RANCH; family vacation ranch</u>	<u>E</u>	-	<u>E</u>	-	-	
9. <u>DWELLINGS:</u>						
<u>a. Single-family dwelling</u>	<u>E</u> P	<u>E</u> P	<u>E</u> P	P	P	P
<u>b. Accessory Dwelling Unit, Detached - Per 24.96</u> <u>Multi-family dwelling</u>	<u>E</u> P	<u>E</u> P	<u>E</u> P	<u>E</u> P	<u>E</u> P	<u>P</u>
<u>c. Accessory Dwelling Unit, Attached - Per 24.96</u>	P	P	P	P	P	P
<u>e. Seasonal Home or Cabin</u>	<u>E</u>	-	-	-	-	
<u>d. Farm or Ranch Housing (Addressed by ADU, Detached)</u>	<u>E</u> <u>C</u>	C	C	- <u>C</u>	- <u>C</u>	<u>C</u>
<u>e. Manufactured Housing</u>	<u>E</u> P	<u>E</u> P	<u>E</u> P	P P	P P	<u>P</u>
<u>f. Mobile Homes when not located in a mobile home park or subdivision</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>1) When located in a mobile home park or subdivision</u>	P	P	P	P	P	

2) When not located in a mobile home park or subdivision	-	-	-	-	-	-
<u>10. DUDE RANCH, Family Vacation Ranch</u>	<u>C</u>	<u>C</u>	<u>C</u>	=	=	=
10 11. Home occupation	<u>E</u> <u>P</u>	<u>E</u> <u>P</u>	<u>E</u> <u>P</u>	<u>E</u> <u>P</u>	<u>E</u> <u>P</u>	<u>P</u>
11 12. Household Pets Per 16.12.050	P	P	P	P	P	P
12 13. Kennel per to 16.12.060	-	- <u>C</u>	<u>E</u> =	-	-	=
13 14. Power generation	C	P	P	P	P	<u>P</u>
14. Private park or recreational grounds or private recreational camp or resort, including accessory or supporting dwellings or dwelling complexes and commercial service uses which are owned or managed by the recreational facility to which it is accessory <u>15. PRIVATE PARK OR RECREATIONAL GROUNDS OR PRIVATE RECREATIONAL CAMP OR RESORT, including accessory supporting dwellings or dwellings</u>	C	- <u>C</u>	<u>E</u> =	-	-	=
15 16. Public and quasi-public						
a. Churches	- <u>C</u>	- <u>P</u>	- <u>P</u>	<u>E</u> <u>P</u>	<u>E</u> <u>P</u>	<u>P</u>
b. Parks, golf courses, swimming pools and other recreation areas	- <u>C</u>	- <u>P</u>	- <u>P</u>	P	P	P
c. Public buildings	- <u>C</u>	- <u>P</u>	- <u>P</u>	<u>E</u> <u>P</u>	<u>E</u> <u>P</u>	<u>P</u>
d. Private schools	- <u>C</u>	- <u>P</u>	- <u>P</u>	<u>E</u> <u>P</u>	<u>E</u> <u>P</u>	<u>P</u>
16 17. Public stable, riding academy or riding ring, horse show barns or facilities	C	- <u>P</u>	P	-	-	=
17 18. Residential Housing Developments						
a. <u>Master Planned Community</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
a b. Mobile home park	C	- <u>C</u>	C	C	C	<u>C</u>
b c. Mobile home subdivision	C	- <u>C</u>	C	C	C	<u>C</u>

ed. Subdivisions and Planned Unit Developments: <u>Planned Unit Development (PUD) or Cluster Subdivision of Single-family Dwellings</u>	€ =	€ =	€ =	€ =	€ =	=
19. <u>SHORT-TERM RENTALS (subject to Short-Term Rental Ordinance)</u>	€	€	€	€	€	€
18. Signs (See Sign Ordinance WZC 24.60)						

*Limited Non-Agricultural Use Provision Property owners in an agricultural zone (MU-40, A-3, A-5) may apply for a conditional use permit to utilize up to fifteen percent (15%) of their total parcel area for non-agricultural revenue-generating enterprises. The proposed use must be:
a. Compatible with the rural character of the area. b. Not a detriment to surrounding agricultural operations. c. Compliant with all applicable state and local regulations.
The conditional use permit shall be reviewed by the Conditional Use Review Committee and Planning Commission with conditions as necessary to mitigate potential impacts. Examples of permitted non-agricultural conditional uses include, but are not limited to: Small-scale retail sales (e.g., farm stores, artisan goods) Agricultural tourism (e.g., farm stays, event venues) Professional services (e.g., home-based businesses) Limited light manufacturing (e.g., woodworking, small-scale food production)
The City may impose additional requirements regarding parking, traffic, noise, hours of operation, and environmental considerations

SECTION 2: AMENDMENT "24.48.030 Uses Not Listed" of the Willard City Zoning Code is hereby *amended* as follows:

BEFORE AMENDMENT

24.48.030 Uses Not Listed

The Table in this Section provides a listing of permitted and conditionally permitted uses for Commercial and Manufacturing zones within the city. The Table in this section is not comprehensive. In the event a sought-after use is not listed, the City Planner is empowered to interpret the list and determine if the unlisted use is substantially similar in character, origin, and impact to a listed use. In making this determination, the City Planner may, at their sole discretion, ask the Planning Commission for its review and interpretation.

(See TABLE I)

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A. Accessory Buildings/dwellings/manufacturing/storage	M	C-N	C-G
Accessory uses and buildings customarily incidental to the permitted uses.	P	C	P
Single-Family Dwelling	C	P	P
Multi-Family Twin Home	C	P	P
Multi-Family Attached	C	P	P
Multi-Family Stacked	C	P	P
Accessory Dwelling Units	P	P	P
Manufactured and Modular Homes	C	C	C
Manufacturing/Industrial Heavy	P	-	C
Manufacturing/Light	P	C	C
Refineries	C	-	-
Renewable Energy Systems	C	C	C
Storage Facility/Units	P	-	C
Temporary Buildings	C	C	C
Warehousing/Distribution	P	C	C
Warehousing/Distribution Motor Fuels/Propane/Plant/Storage Facilities	C	-	C
B. Public Facilities/Utilities	M	C-N	C-G
Air BNB or any short-term lodging facility	C	C	C
Communication Towers and Antennas	C	C	C
Churches/Places of Worship	P	P	P
Educational Facilities	P	P	P
Public Utility installations	P	P	P
C. Recreations/Entertainment	M	C-N	C-G
Bowling Alley	C	C	P
Dance Studio	C	C	C
Fitness Center	C	C	P
Golf Course	C	C	P
Recreation Center	P	C	P
Recreational Vehicle Park	-	-	C
Sexually Oriented Businesses: See Willard City General Ordinances Title 9-600	C	-	-

Swimming Pool	C	C	C
Theater/Entertainment	C	C	C
D. Retail	M	C-N	C-G
Alcohol or Tobacco Specialty Store	C	-	C
Art and/or Art Supply	P	C	P
Book Store	P	P	P
Christmas Trees Sales	P	C	P
Clothing/Department Store	C	C	P
Convenience Store	P	C	P
Craft/Hobby Store	P	P	P
Fireworks Stand	C	C	C
Florist Shop/Nursery	C	C	P
Fruit Stand	P	P	P
Grocery Store	P	P	P
Hardware Store/Lawn and Garden	P	C	C
Pet Shop	C	C	P
Retail, Big Box Store	P	P	P
Retail, General	P	C	P
Shoe Store/Repair	P	C	P
Sporting Goods	P	P	P
E. Restaurant/Food Establishments	M	C-N	G-G
Bakery	P	P	P
Candy/Ice Cream Store	C	C	P
Private Club/Bar/Tavern	C	C	P
Restaurant/Fast Food	C	C	P
F. Service	M	C-N	C-G
Agriculture, Existing	P	P	P
Agricultural Industry/Food	P	C	P
Automobile Service and Sales Station (Includes Fuel)	C	C	C
Bank/Credit Union/Financial	P	C	P

Barber/Beauty Salon/Tanning/ Nales	P	P	P
Bed and Breakfast/ Air BNB	-	P	-
Business/ Professional Office	C	C	C
Car Wash	C	C	C
Check Cashing, Payday Lender, Title Loans	C	C	C
Childcare/Preschool: See Willard General Ordinances Title 9-000 for Home Business	C	C	C
Dry Cleaning	P	C	P
Fabrication/Welding	P	C	P
Hospital	P	P	P
Hotel/Motel	C	-	P
Kennel: See Willard City General Ordinances Title 13-00-0-00	C	C	C
Locksmith/Key and Lock	P	C	P
Laundromat	P	P	P
Medical and Dental Clinic	P	C	P
Nursing Home	-	C	C
Pet Grooming	P	P	P
Pharmacy	P	C	P
Residential Facilities for Persons With Disabilities	P	C	P
Slaughterhouse	C	C	C
Tattooing/Body Art	P	C	P
Towing/Impound Yard	P	-	C
Transportation/Trucking	P	C	P

AFTER AMENDMENT

24.48.030 Uses Not Listed

The Table in this Section provides a listing of permitted and conditionally permitted uses for Commercial and Manufacturing zones within the city. The Table in this section is not comprehensive. In the event a sought-after use is not listed, the City Planner is empowered to interpret the list and determine if the unlisted use is substantially similar in character, origin, and impact to a listed use. In making this determination, the City Planner may, at their sole

discretion, ask the Planning Commission for its review and interpretation.

(See TABLE I)

A. Accessory Buildings/dwellings/manufacturing/storage	M	<u>C-N</u> <u>C-G</u>	<u>C-G</u> <u>C-N</u>	<u>TO</u> <u>D</u> <u>(Per</u> <u>24.9</u> <u>6)</u>	<u>C-R</u>
Accessory uses and buildings customarily incidental to the permitted uses.	P	<u>E</u> <u>P</u>	P	P	=
<u>Single-Family Dwelling</u>	<u>C</u>	<u>C</u>	P	=	=
<u>Multi-Family, Twin Home (Subject to spacing requirements)</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P*</u>	=
<u>Multi-Family, Attached (Subject to spacing requirements)</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P*</u>	=
<u>Multi-Family, Stacked (Subject to spacing requirements)</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P*</u>	=
<u>Accessory Dwelling Unit (ADU), Detached, per WCC 24.96</u>	=	=	<u>C</u>	=	=
<u>Accessory Dwelling Unit (ADU), Attached, per WCC</u>	P	P	P	=	=
Single-Family Dwelling Multi-Family Twin Home Multi-Family Attached Multi-Family Stacked Accessory Dwelling Units Manufactured and Modular Homes					
Manufacturing/Industrial Heavy	P	- <u>C</u>	<u>E</u> =	=	=
Manufacturing/Light	P	<u>E</u> <u>P</u>	C	=	<u>C</u>
Refineries	<u>E</u> =	-	-	=	=
Renewable Energy Systems	C	C	C	=	=
Storage Facility/Units	P	- <u>C</u>	<u>E</u> =	=	=
Temporary Buildings	C	C	C	=	<u>C</u>
Warehousing/Distribution	P	C	<u>E</u> =	=	=
Warehousing/Distribution-Motor Fuels/Propane/Plant/Storage Facilities	<u>E</u> <u>P</u>	- <u>C</u>	<u>E</u> =	=	=
				TO	

B. Public Facilities/Utilities	M	C-N	C-G	<u>D</u>	<u>C-</u>
Air BNB or any short-term lodging facility	E	E	E		
Communication Towers and Antennas	C	C	C	<u>C</u>	<u>C</u>
Churches/Places of Worship	P	P	P	<u>C</u>	=
<u>Community Garden</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>P</u>	=
Educational Facilities (Public or Private)	P	P	P	<u>C</u>	=
<u>Government or Municipal Offices</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>
<u>Library or Reading Room, Museum, and other Cultural Services</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>
<u>Parks, Public or Private/Open Space</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	=
Public Utility installations	P	P	P	P	=
C. Recreations/Entertainment	M	C-N	C-G	<u>TO</u> <u>D</u>	<u>C-R</u>
<u>Auditorium or Performing Arts Center</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	P
Bowling Alley	E <u>P</u>	E <u>P</u>	P =	<u>C</u>	P
Dance Studio	E <u>P</u>	E <u>P</u>	E <u>P</u>	<u>C</u>	=
<u>Dance Club</u>	=	=	=	<u>C</u>	<u>C</u>
Fitness Center	E <u>P</u>	E <u>P</u>	P	<u>C</u>	<u>C</u>
Golf Course	E <u>P</u>	E <u>P</u>	P <u>C</u>	=	=
Recreation Center	P	E <u>P</u>	P =	<u>C</u>	P
Recreational Vehicle Park	- <u>P</u>	- <u>P</u>	E =	=	=
Sexually Oriented Businesses: See Willard City General Ordinances Title 9-600	C	-	-	=	=
Swimming Pool	C	E <u>P</u>	C	=	=
Theater/Entertainment	C	C	E =	<u>P**</u>	<u>C</u>
D. Retail	M	C-N	C-G		

Alcohol or Tobacco Specialty Store	E P	- P	E =	=	P
Art and/or Art Supply	P	E	P		
Book Store	P	P	P		
Christmas Trees Sales	P	E P	P C	=	C
Clothing/Department Store	E	E	P		
Convenience Store, <u>With drive-thru</u>	P	E P	P	C	P
Convenience Store, <u>Without drive-thru</u>	P	P	P	C	P
Craft/Hobby Store	P	P	P		
Fireworks Stand	C	C	C	=	C
Florist Shop/Nursery	C	C	P	P Flouri st only)	C
Fruit Stand	P	P	P	=	P
Grocery Store	P	P	P =	P	P
Hardware Store/ <u>Lawn and Garden</u>	P	E	E		
Pet Shop, <u>Including pet grooming</u>	E P	E P	P P	P	P
Retail, <u>Big Box Store</u>	P	P	P		
Retail, <u>General</u>	P	E	P		
Shoe Store/ <u>Repair</u>	P	E	P		
Sporting Goods	P	P	P		
E. Restaurant/Food Establishments	M	C-N	G-G		
Bakery	P	P	P	P	P
Candy/Ice Cream Store	E P	E P	P P	P	PF
<u>Food Truck, Temporary</u>	P	P	P	P	P
<u>Food Truck, Permanent</u>	C	P	C	=	P
	E	C			

Private Club/Bar/Tavern	P	P	P	=	C
Restaurant/Fast Food <u>with drive-thru</u>	<u>E</u> P	<u>E</u> P	P	C	P
Restaurant/Fast Food <u>without drive-thru</u>	P	P	P	P	P
F. Service	M	C-N	C-G	<u>TO</u> <u>D</u>	<u>C-R</u>
Agriculture, Existing	P	P	P	=	C
Agricultural Industry/Food	P	<u>E</u> P	<u>P</u> C	=	=
Automobile Service and Sales Station (Includes Fuel)	<u>E</u> P	C	<u>E</u> P	=	P
Bank/Credit Union/Financial <u>with drive-thru</u>	P	<u>E</u> P	P	C	P
Bank/Credit Union/Financial <u>without drive-thru</u>	P	P	P	P	P
Barber/Beauty Salon/Tanning/ <u>Nails/Tattoo-Nails</u>	P	P	P	P	P
Bed and Breakfast/ Air BNB	-	P	-		
Business/ Professional Office	<u>E</u> P	<u>E</u> P	<u>E</u> P	P	C
Car Wash	C	C	C	=	C
Check Cashing, Payday Lender, Title Loans	E	E	E		
Childcare/ <u>Daycare/Preschool, Commercial</u> See Willard General Ordinances Title 9-000 for Home Business	<u>E</u> P	<u>E</u> P	C	C	C
Dry Cleaning	P	<u>E</u> P	P	C	P
Fabrication/Welding	P	<u>E</u>	P		
Hospital	P	P	P	=	=
Hotel/Motel	<u>E</u> P	- P	P	=	=
Kennel: <u>See WCC 16.12.060</u> See Willard City General Ordinances Title 13-00-0-00	C	C	C	=	=
Locksmith/Key and Lock	P	<u>E</u> P	P	=	P
Laundromat	P	P	P	C	P
		<u>E</u>			

Medical, and-Dental, and Physical Therapy Clinic	P	P	P	C	C
Nursing Home	-	C	C	=	=
Pet Grooming	P	P	P		
Pharmacy	P	P	P	P	P
Residential Facilities for Persons With Disabilities	P	P	P	P	P
Slaughterhouse/Meat Processing	C	C	P	=	=
Tattooing/Body Art	P	P	P		
Towing/Impound Yard	P	C	P	=	=
Transportation/Trucking	P	P	P	C	C
<u>*Subject to density limit in 24.58.080</u>					
<u>** TOD requires parking study</u>					

SECTION 3: AMENDMENT "24.01.060 Definitions - Zoning" of the Willard City Zoning Code is hereby *amended* as follows:

BEFORE AMENDMENT

24.01.060 Definitions - Zoning

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this ordinance. Words used in the present tense include the future; the singular number shall include the plural, and the plural the singular, the word "building" shall include the word "structure"; and the words "used" or "occupied" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used or occupied; the word "shall" is mandatory and not directory, and the word "may" is permissive; the word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual; the word "lot" includes the words plot, or parcel. Words used in this ordinance but not defined herein shall have the meaning as defined in any other ordinance adopted by the local jurisdiction. "Accessory Use or Building" means a use or building on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or building. "Agent of Owner" means any person who can show written proof that he is acting for the property owner and with the property owner's knowledge and permission. "Agriculture" means the tilling of the soil, the raising of crops, horticulture and

gardening, commercial greenhouses; breeding, grazing, and keeping or raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business, such as fruit packing plants, fur farms, animal hospitals, or similar uses. "Agricultural Industry or Business" means 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. "Airport" means any area of land or water designed and set aside for the landing and the taking off of aircraft. "Alley" means a public access-way less than twenty-six feet in width, which is designed to give secondary access to lots or abutting properties; an alley shall not be considered a street, for the purposes of this ordinance. "Alterations, Structural" means any change in the supporting members of a building, such as bearing walls, columns, beams or girders. "Amusement Park" means any place of organized amusement activity not conducted wholly within a completely enclosed building. "Architectural Projection" means any building or structural projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building or structure, but not including signs. "Automatic Car Wash" means a facility for automatic or self-service washing and cleaning of automobiles and small trucks not exceeding one and one-half tons capacity. "Automobile Paint Shop" means a facility for painting of automobiles, trucks, trailers, boats, or other travel or recreation vehicles or units. "Automobile Sales Area" means an open area used for display, sale, or rental of new or used motor vehicles, mobile homes, recreational coaches, or recreation vehicles in operable condition. "Automobile Service Station" means a place where gasoline, or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, and where services performed may include tube and tire repair, battery charging, storage of merchandise, lubricating of automobiles, replacement of spark plugs, lights, fans, and other small parts, but not including major auto repair. "Average Percent of Slope" means an expression of rise or fall in elevation along a line perpendicular to the contours of the land, connecting the highest point of land to the lowest point of land within an area or within a lot. A vertical rise of one hundred feet between two points one hundred feet apart, measured on a horizontal plane is a one hundred percent slope. "Basement" means a story whose floor is more than twelve inches below the average level of the adjoining ground, but where no more than one-half of its floor-to-ceiling heights is below the average contact level of the adjoining ground. A basement shall be counted as a story for purposes of height measurements and as a half-story for the purpose of side-yard determination. "Basement House" means a residential structure without a full story structure above grade. "Beginning of Construction" means the pouring of concrete footings for a building or structure. "Block" means the land surrounded by streets or other rights-of-way, other than an alley, or land which is designed as a block on any recorded subdivision plat. "Boarding House" means a dwelling where, for compensation, meals are provided for a least three but not more than fifteen persons. "Body and Fender Shop" means a facility for major automobile, truck, mobile home, recreational coach or recreation vehicle repairs to body, frame, or fenders and including rebuilding. "Buildable Area" means the portion of a lot remaining after required yards have been provided, except that land with an average grade exceeding fifteen percent shall not be considered buildable area unless it is approved by conditional use permit for construction, after study by a geologist, soils engineer, or sanitarian

as required by the planning commission. "Building" means any structure used or intended to be used for the shelter, or enclosure of persons, animals, or property. "Building, Accessory" means a building which is subordinate to, and the use of which is incidental to, that of the main building or use on the same lot. "Building, Height of" means the vertical distance from the average finished grade surface to the highest point of the building roof or coping. "Building Inspector" means the official designated as the building inspector for the local jurisdiction by the governing body. The building inspector may also be the zoning administrator, if so designated. "Campground" means a public area designated by a public agency for camping, or a private area licensed by the local governing body for camping. "Camping" means a temporary establishment of living facilities such as tents or recreational coaches as regulated by this ordinance. "Carport" means a private garage not completely enclosed by walls or doors. For the purposes of this ordinance, a carport shall be subject to all the regulations prescribed for a private garage. "Cellar" means a room or rooms wholly under the surface of the ground, or having more than fifty percent of its floor to ceiling height under the average level of the adjoining ground. "Child Nursery" means an establishment for the care and/or the instruction of five or more children, for compensation, other than for members of the family residing on the premises, but not including a public school. "Church" means a building, together with its accessory buildings and uses, maintained and controlled by a duly-recognized religious organization where persons regularly assemble for worship. "Clinic, Dental or Medical" means a building in which a group of dentists, physicians, and allied professional assistants are associated for the conduct of their professions. The clinic may include a dental and/or a medical laboratory and an apothecary, but it shall not include in-patient care or operating rooms for major surgery. "Club, Social" means any organization, group, or association supported by its members where the sole purpose is to render a service to said members and their guests. "Conditional Use" means a use of land for which a conditional use permit is required, pursuant to this ordinance. "Condominium" means the ownership of a single unit in a multi-unit project together with an undivided interest in the common areas and facilities of the property. "Corral" means an enclosure for confining livestock. "Court" means 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 or more sides by such building or buildings. "Coverage, Building" means the percent of the total site area covered by buildings. "Crosswalk or Walkway" means a right-of-way to facilitate pedestrian access through a subdivision block, designed for use by pedestrians and not for use by motor vehicles; may be located within or without a street right-of-way, at grade, or separated from vehicular traffic. "Dairy" means a commercial establishment for the manufacture, processing or packaging of dairy products; and their sale; for purposes of this definition, the production of milk on a farm for wholesale marketing off the premises shall not classify the farm as a dairy. "District" means a portion of the territory of the local jurisdiction, established as a zoning district by this ordinance, within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this ordinance; also includes "zone", and "zoning district". "Driveway" means a private roadway, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which the driveway is located. "Dwelling" means any building or portion thereof designed or used as the more or less permanent residence or sleeping place of one or more persons or families, but not including a tent, recreational coach, hotel, motel, hospital, nursing home, or mobile home. "Dwelling, Farm or Ranch housing" means dwelling units constructed to provide housing for

migratory or temporary farm workers; or for persons permanently working on a farm or ranch. "Dwelling, Mobile Home" (See "Mobile Home") "Dwelling, Single-family" means a building arranged or designed to be occupied by one family, the structure having only one dwelling unit. "Dwelling, Two-family" means a building arranged or designed to be occupied by two families, the structure having only two dwelling units. "Dwelling, Three-family" means a building arranged or designed to be occupied by three families, the structure having only three dwelling units. "Dwelling, Four-family" means a building arranged or designed to be occupied by four families, the structure having only four dwelling units. "Dwelling, Multiple-family" means a building arranged or designed to be occupied by more than four families and having more than four dwelling units. "Dwelling Group" means a group of two or more detached buildings used as dwellings, located on a lot or parcel of land. "Dwelling Unit" means one or more rooms in a dwelling, apartment hotel or apartment motel, designed for or occupied by one family for living or sleeping purposes and having one but not more than one kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units. "Easement" means that portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner(s) of said property(ies). The easement may be for use under, on, or above said lot or lots. "Essential Facilities" means utilities or sanitary and public safety facilities provided by a public utility or other governmental agency for overhead or surface or underground services, excluding any building, electrical sub-station or transmission line of fifty KV or greater capacity, except by conditional use permit. "Family" means an individual, or two or more persons related by blood, marriage, or adoption, or a group of not more than four persons (excluding servants) who are not related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities. "Family Food Production" means the keeping of domestic animals and fowl for the production of food for the sole use of the family occupying the premises. "Flood Hazard" means a hazard to land or improvements due to inundation or overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses. "Floor Area" means area included within surrounding walls of a building or portion thereof, exclusive of vents, shafts, and courts. "Forest Industry" means an industry which uses forest products, such as sawmill, pulp or paper plant, wood products plant, and similar uses. "Frontage, Block" means all property fronting on one side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts or that common line between a lot and a public street. "Frontage, Lot" means the lineal measurement of the front lot line. "Garage, Private" means a detached accessory building, or a portion of a main building, used or intended to be used for the storage of motor vehicles, recreational coaches, boats, or other recreational vehicles, but not including the parking or storage of trucks or vans having the capacity in excess of one and one-half tons, and not including space for more than a total of four such vehicles for each dwelling unit on the premises, except that not more than two snowmobiles may be stored in addition to the number of other vehicles herein permitted. "Garage, Repair" means a structure or portion thereof, other than a private garage, used for the repair of self-propelled vehicles, trailers, or boats, including general repair, rebuilding or reconditioning of engines, motor vehicles, recreational coaches, and minor collision service, but not including major body, frame or fender repairs or overall automobile or truck painting,

except by conditional use permit. A repair garage may also include incidental storage, care, washing, or sale of automobiles. "Geological Hazard" means a hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to the movement, failure, or shifting of the earth. "Grade" means:

- A. For buildings adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street.
- B. For buildings adjoining more than one street, the average of the elevations of the sidewalk at the centers of all walls adjoining the streets.
- C. For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the centers of all exterior walls of the building.
- D. Any wall parallel or nearly parallel to and not more than five feet from a street line is to be considered as adjoining the street.

"Governing Body" means the elected legislative body of the local jurisdiction. "Home Occupation" means a use conducted by persons residing on the same lot as their dwelling, which use is clearly incidental and secondary to the use of the premises for residential purposes and which does not change the residential character thereof. Conduct of the use shall be confined to the dwelling unit or to accessory buildings normally associated with residential activities, equipment or machinery shall not be in open display or used unless enclosed in a permitted structure and the number of employees shall be limited to two other persons on premises. Approval of the home-occupation use shall be subject to individual application to the Planning Commission and shall be judged as to its appropriateness based on, among other considerations:

- A. Access to the property
- B. Parking
- C. Nature of use
- D. Attitude of adjoining owners
- E. Compatibility with neighborhood

"Hospital" means institution for the diagnosis, treatment and care of human illness or infirmity, but not including sanitariums and clinics. "Hotel" means a building designed for or occupied as the more or less temporary abiding place of sixteen or more individuals who are, for compensation, lodged, with or without meals. "Household Pets" means animals or fowl 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 as to constitute a kennel as defined in this ordinance. Household pets may also include the keeping of not more than two pairs of chinchillas, but not including the keeping of normally dangerous animals, such as lions or tigers. "Inundation" means ponded water or water in motion of sufficient depth or velocity to damage property, due to the presence of the water or to the deposit of silt. "Junk" means old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris or other waste or salvage materials; dismantled, junked, or wrecked automobiles or parts thereof; and old or scrap ferrous or non-ferrous metal materials. "Junk Yard" means 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 material, or for the dismantling, demolition or abandonment of automobiles, or other vehicles,

or machinery or parts thereof; provided that this definition shall be deemed not to include such uses which are clearly accessory and incidental to any agricultural use permitted in the district. "Kennel" means any premises where three or more dogs older than four months are kept, except that more than three of such dogs may be kept in the rural residential, agricultural, and multiple-use districts as accessory uses to a use allowed in the district. "Local Attorney" means the attorney employed by or officially representing the local jurisdiction. "Local Building Inspector" means the building inspector employed by or officially representing the local jurisdiction. "Local Engineer" means the engineer employed by or officially representing the local jurisdiction. "Local Governing Body" (See Governing Body) "Local Health Officer" means the health officer or department employed by or officially representing the local jurisdiction. "Local Jurisdiction" means Willard City "Local Planner" means the planner employed by or officially representing the local jurisdiction. "Lodging House" means a dwelling with not more than ten guest rooms where, for compensation, lodging is provided for at least three but not more than fifteen persons, but not including motels or hotels. "Lot" means a parcel or unit of land described by metes and bounds and held or intended to be held in separate lease or ownership or a parcel or unit of land shown as a lot or parcel on a recorded subdivision map, or shown on a plat used in the lease or sale or offer of lease or sale of land resulting from the division of a larger tract into three or more smaller units. "Lot, Corner" means a lot abutting upon two or more streets at their intersection or upon two parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty five degrees.

"Lot, Depth" means the horizontal distance between the front and the rear lot lines measured in the main direction of the side lot lines. "Lot, Interior" means a lot other than a corner lot.

- A. Flag Lot. A lot (flag) created by partition of a larger lot with a dwelling, to allow a second dwelling behind the original dwelling. The access (flag pole) to the second lot (flag) must be owned by the second lot.

"Lot Frontage Required" means the length of the front lot line, which is coterminous with the front street line.

"Lot Lines" means the property lines bounding the lot. "Lot Line, Front" means for an interior lot, the lot line adjoining the street; or a corner lot or through lot, the lot line adjoining either street, as elected by the lot owner. "Lot Line, Rear" means ordinarily, that line of a lot which is opposite and most distant from the front line of the lot. In the case of a triangular or gore-shaped lot, a line ten feet in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where these definitions are not applicable, the building inspector shall designate the rear lot line. "Lot Line, Side" means any lot boundary line not a front or rear lot line. A side lot line separating a lot from another lot or lots is an interior side lot line; a side lot line separating a lot from a street is a street side lot line. "Lot, Restricted" means a lot having an average slope of twenty-five percent or more or which does not contain a buildable area of at least seventy-five feet by one hundred feet with an average slope of less than fifteen percent, such lot being prohibited as a building site, or being required to be increased in area and width, and regulated and allowed to be developed only as required by the planning commission. "Lot Right-of-way" means a strip of land of not less than sixteen feet in

width connecting a lot to a street for use as private access to that lot. "Lot Width" means the horizontal distance between the side lot lines, measured at the required front yard setback lines. "Lot, Unrestricted" means a lot having an average slope of less than twenty-five percent and containing a buildable area of at least seventy-five feet by one hundred feet with an average slope of less than fifteen percent, which buildable area is designated as such on the subdivision plat in which the lot is located, if the average slope of the lot is greater than fifteen percent. "Manufactured Housing" means a structure designed and constructed for human habitation, its major component parts being either partially or entirely factory fabricated in single or multiple sections for erection on a site other than its place of fabrication. Manufactured housing shall include modular and panelized structure but not mobile homes as defined herein.

- A. Modular Home. A manufactured dwelling structure constructed after June 15, 1976, in compliance with Federal Mobile Home Construction and Safety Standards, or the Uniform Building Code as adopted by the local jurisdiction, designed for erection and installation on a site-built permanent, continuous wall foundation at least thirty-six inches in depth, and which is intended to remain indefinitely at the place of erection and for the purposes of this ordinance, has a body of not less than twenty-four feet in width and forty feet in length.
- B. Panelized Home. A manufactured dwelling structure consisting of sub-assemblies or component parts, factory joined and erected at a construction site in compliance with building codes adopted by the local jurisdiction.

"Mobile Home" means a transportable dwelling other than a modular or panelized structure, in one or more sections, having self-contained plumbing, heating, and electrical systems, which when installed on a site, with or without a permanent foundation, is at least eight feet in body width and thirty-two feet in body length.

"Mobile Home Lot" means a lot within a mobile home subdivision, designed and to be used for the accommodation of one mobile home.

"Mobile Home Park" means a space designed and approved by the local jurisdiction for occupancy by mobile homes, to be under a single ownership or management, and meeting all requirements of the zoning ordinance and mobile home park ordinance for mobile home parks.

"Mobile Home Space" means a space within a mobile home park, designed and to be used for the accommodation of one mobile home.

"Mobile Home Stand" means that part of the mobile home space which has been reserved for the placement of the mobile home and its appurtenant structures or additions.

"Mobile Home Subdivision" means a subdivision designed and intended for residential use where the lots are to be individually owned or leased, and occupied by mobile homes exclusively.

"Motel" means a building or group of buildings for the drive-in accommodation for transient

guests, comprising individual sleeping or living units, and designed and located to serve the motoring public.

"Non-conforming Building or Structure" means a building or a structure which does not conform to the regulations for height, coverage or yards of the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its erection.

"Non-conforming Use" means the use of a building or structure or land which does not conform to use regulations for the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its establishment. "Nursing Home" means an institution, other than a hospital, for the care of human illness or infirmity in which care, rather than diagnosis or treatment, constitutes the principal function. The term "nursing home" shall also include "rest home" and "convalescent home". "Official Map" means a map which has been adopted as the official map of the local jurisdiction, showing existing public streets, streets on plats of subdivisions which have been approved by the planning commission, and/or other street extensions, widening, narrowing, or locations which have been accurately surveyed and definitely located. "Off-street Parking Space" means the space required to park one 911 passenger vehicle, which space shall meet the requirements of this ordinance. "Off-site Facilities" means improvements, not on individual lots, but generally within the boundaries of the subdivision which they serve, and as further outlined in this ordinance. "On-site Facilities" means construction or placement of the dwelling and its appurtenant improvements on a lot. "Open Space" means the area reserved in parks, courts, playgrounds, golf courses, and other similar open areas to meet the density requirements of planned unit developments. "Open space, Usable" means usable open space shall be any portion of a lot or building which meets all the following conditions:

- A. The space shall be open to the sky or shall be open to view on at least two sides.
- B. The space shall be readily accessible by foot traffic from the dwelling unit to which it is accessory.
- C. If the space is provided on a balcony, roof, or other facility above grade, it shall have such protective devices as are deemed necessary by the zoning administrator to assure reasonably safe usage by children and adults.
- D. The space shall not be provided from any required front or side yard, parking area, or driveway space.

"Owner" means the holder of the fee title to land or buildings or to property, whether a person, partnership, corporation, or other entity, recognized by law, and his or its lessees, permittee, assignees, or successors in interest. "Package Agency" means any outlet authorized by the Utah Liquor Control Commission to sell original packaged liquor or wine for consumption off the premises. "Parcel of Land" (See "Lot"). "Parking Lot" means an open area, other than a street, used for the parking of more than four automobiles and available for public use, whether free, for compensation, or accommodation for clients or customers. "Pedestrian-way" (See "Cross-walk"). "Planned District" means a zoning district, the boundaries of which are to be shown on the zoning map, but the regulations for which shall be determined by a general development plan to be adopted by the governing body as part of the zoning ordinance, after public hearing, as required for other zoning districts. "Planned Unit Development (PUD)"

means an integrated design for development of residential, commercial or industrial uses, or limited combinations of such uses, in which the density and location regulations of the district in which the development is situated may be varied or waived to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed requirements. "Plot Plan" means a plat of a lot, drawn to scale, showing its actual measurements, the size and location of any existing buildings or buildings to be erected, the location of the lot in relation to abutting streets, and such other information as may be required by the planning commission. "Private Non-profit Locker Club" means a social, recreational, or athletic club, or kindred association, incorporated under the provisions of the Utah Non-profit Corporation and Cooperation Act, which maintains or intends to maintain premises upon which liquor is or will be stored, consumed, or sold. "Private Non-profit Recreational Grounds and Facilities" means non-profit recreational grounds and facilities operated by a non-profit corporation, association, or group. "Recreational Coach" means a vehicle, such as a travel trailer, tent camper, camp car or other vehicle with or without motive power, designed and/or constructed to travel on the public thoroughfare in accordance with the provisions of the Utah Vehicle Code, and designed for use as human habitation for a temporary and recreational nature. "Recreational Coach Park" means any area or tract of land or a separate designated section within a mobile home park where lots are rented or held out for rent to one or more owners or users of recreational coaches for a temporary time not to exceed thirty days. Such park may also be designated as "Overnite Park". "Recreational Coach Space" means a plot of ground within a recreational coach park designated and intended for the accommodation of one recreational coach. "School, Private" means a school which is operated by a quasi-public or private group, individual, or organization, and which has a curriculum similar to that provided in any public school in the state of Utah. Private schools may be non-profit, or profit-making establishments. "School, Public" means a school operated by a school district or other public agency in the state of Utah. "Sign" means a presentation or representation of words, letters, figures, designs, picture or colors, publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid; also, the structure or framework or any natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes. "Sign, Animated" means a sign which involves motion or rotation of any part, created by artificial means, or which displays flashing, revolving or intermittent lights. "Sign Area" means the area in square feet of the smallest rectangle enclosing the total exterior surface of a sign having but one exposed exterior surface. Should the sign have more than one surface, the sign area shall be the aggregate of all surfaces measured as above which can be seen from any one direction at one time. "Sign, Free-standing" means a sign which is supported by one or more upright columns, poles, or braces, in or upon the ground. "Sign, Identification and Information" means a sign displayed to indicate the name or nature of a building, or of a use. "Sign, Illuminated" means a sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs. "Sign, Marquee" means any sign attached to or made an integral part of a marquee. "Sign Ordinance" means the sign ordinance of the local jurisdiction. "Sign, Projecting Wall" means a sign which is affixed to an exterior wall or building or structure and which projects more than eighteen inches from the building or structure wall, and which does not extend above the parapet, eaves, or building facade of the building upon which it is placed.

"Site Plan" means a plan required by, and providing the information required by Section 11-2 herein. "Stable, Private" means a detached accessory building for the keeping of horses owned by the occupants of the premises and not kept for hire, remuneration, or sale. "Stable, Public" means any stable where horses are boarded and/or kept for hire. "State Store" means an outlet for the sale of liquor located on the premises, said premises owned or leased by the State of Utah. "Story, half" means a partial story under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls do not extend more than four feet above the floor of such story, and the ceiling area of which does not exceed two-thirds of the floor area of the same half story. "Structure" means anything constructed, the use of which requires fixed location on the ground, or attachment to something having a fixed location upon the ground, includes "building". "Subdivision, Cluster" means a subdivision of land in which the lots have areas less than the minimum lot area of the district in which the subdivision is located, but which complies with the cluster subdivision provisions of this ordinance and in which a significant part of the land is privately reserved or dedicated as permanent common open space to provide low-density character for the residential lots in the subdivision. "Vicinity Plan" means a map or drawing, to scale, showing the physical relationships of the proposed development to existing or proposed streets, buildings and utilities; other relevant information such as special terrain or surface drainage, and existing zoning classifications of all land within three hundred feet of the property proposed for development. "Yard" means a required open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as permitted elsewhere in this ordinance. "Yard, Front" means a space on the same lot with a building, between the front line of the building and the front lot line, and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line of the building. "Yard, Rear" means a space on the same lot with a building, between the rear line of the building and the rear lot line, and extending the full width of the lot. The "depth" of the rear yard is the minimum distance between the rear lot line and the rear line of the building. "Yard, Side" means a space on the same lot with a building, between the sideline of the building, and the side lot line and extending from the front yard to the rear yard. The "width" of the side yard shall be the minimum distance between the side lot line and the sideline of the building. "Zone" (See "District") "Zoning Ordinance" means the zoning ordinance of the local jurisdiction. "Zoning Administrator" means the local official designated by the local governing body to enforce the regulations of this ordinance, the zoning administrator may also be the building inspector or building official.

AFTER AMENDMENT

24.01.060 Definitions - Zoning

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this ordinance. Words used in the present tense include the future; the singular number shall include the plural, and the plural the singular, the word "building" shall include the word "structure"; and the words "used" or "occupied" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used or occupied; the word "shall" is mandatory and not directory, and the word "may" is permissive; the word "person" includes a firm, association, organization, partnership, trust,

company, or corporation as well as an individual; the word "lot" includes the words plot, or parcel. Words used in this ordinance but not defined herein shall have the meaning as defined in any other ordinance adopted by the local jurisdiction. "Accessory Use or Building" means a use or building on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or building. "Agent of Owner" means any person who can show written proof that he is acting for the property owner and with the property owner's knowledge and permission. "Agriculture" means the tilling of the soil, the raising of crops, horticulture and gardening, commercial greenhouses; breeding, grazing, and keeping or raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business, such as fruit packing plants, fur farms, animal hospitals, or similar uses. "Agricultural Industry or Business" means 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 Industry/Food" includes enterprises for processing agricultural products such as wineries, distilleries, breweries, dairy processing, and other like processes.

"Alcohol or Tobacco Specialty Shop" means a commercial establishment in which:

- A. sales of tobacco products, electronic cigarette products, and nicotine products account for more than 35% of the total quarterly gross receipts for the establishment;
- B. 20% or more of the public retail floor space is allocated to the offer, display, or storage of tobacco products, electronic cigarette products, or nicotine products;
- C. 20% or more of the total shelf space is allocated to the offer, display, or storage of tobacco products, electronic cigarette products, or nicotine products

"Airport" means any area of land or water designed and set aside for the landing and the taking off of aircraft. "Alley" means a public access-way less than twenty-six feet in width, which is designed to give secondary access to lots or abutting properties; an alley shall not be considered a street, for the purposes of this ordinance. "Alterations, Structural" means any change in the supporting members of a building, such as bearing walls, columns, beams or girders. "Amusement Park" means any place of organized amusement activity not conducted wholly within a completely enclosed building.

"Apiary, commercial" is a facility or operation where bees are raised primarily for profit or business purposes, such as the production of honey, beeswax, and other bee-related products, as well as providing pollination services to agricultural operations. Unlike a private apiary, which is typically for personal or hobby use, a commercial apiary involves a higher number of hives, a formal business operation, and compliance with various local, state, and federal laws and regulations regarding health, safety, and economic activities.

"Apiary, private" refers to a location or facility where bees are kept for the purpose of producing honey, beeswax, or other bee-related products, and may also involve the management of bee populations for purposes such as pollination or personal enjoyment. A private apiary specifically implies that the operation is not for commercial or large-scale

production, but rather for personal use, hobby, or small-scale beekeeping.

"Architectural Projection" means any building or structural projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building or structure, but not including signs.

"Auditorium" any commercially operated indoor or outdoor facility designed or used for the gathering of an audience for speeches and live performances of theater, music, dance or other performing arts, and athletic and sporting events.

"Automatic Car Wash" means a facility for automatic or self-service washing and cleaning of automobiles and small trucks not exceeding one and one-half tons capacity. "Automobile Paint Shop" means a facility for painting of automobiles, trucks, trailers, boats, or other travel or recreation vehicles or units. "Automobile Sales Area" means an open area used for display, sale, or rental of new or used motor vehicles, mobile homes, recreational coaches, or recreation vehicles in operable condition. "Automobile Service Station" means a place where gasoline, or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, and where services performed may include tube and tire repair, battery charging, storage of merchandise, lubricating of automobiles, replacement of spark plugs, lights, fans, and other small parts, but not including major auto repair. "Average Percent of Slope" means an expression of rise or fall in elevation along a line perpendicular to the contours of the land, connecting the highest point of land to the lowest point of land within an area or within a lot. A vertical rise of one hundred feet between two points one hundred feet apart, measured on a horizontal plane is a one hundred percent slope.

"Aviary, private or commercial" means an enclosure designed for the keeping and breeding of birds.

"Bank/Credit Union/Financial Institution with drive through" is a development, use, or building that is primarily for the banking or lending of money and other related services, including the method of external banking and other related services where customers can drive up and conduct business from within their vehicles.

"Bank/Credit Union/Financial Institution without a drive through" is a development, use, or building that is primarily for the banking or lending of money and other related services, including the method of external banking and other related services where customers must enter the building to conduct business.

"Barber/Beauty Salon/Tanning/Nails/Tattoo" Premises where an individual is authorized to engage in all branches of cosmetology including but not limited to hair cutting, hair dressing, shampooing, nail care, artificial tanning, and marking or coloring the skin with tattoo ink, and body piercings.

"Basement" means a story whose floor is more than twelve inches below the average level of the adjoining ground, but where no more than one-half of its floor-to-ceiling heights is below

the average contact level of the adjoining ground. A basement shall be counted as a story for purposes of height measurements and as a half-story for the purpose of side-yard determination. "Basement House" means a residential structure without a full story structure above grade. "Beginning of Construction" means the pouring of concrete footings for a building or structure. "Block" means the land surrounded by streets or other rights-of-way, other than an alley, or land which is designed as a block on any recorded subdivision plat. "Boarding House" means a dwelling where, for compensation, meals are provided for a least three but not more than fifteen persons. "Body and Fender Shop" means a facility for major automobile, truck, mobile home, recreational coach or recreation vehicle repairs to body, frame, or fenders and including rebuilding.

"Bowling Alley" a building intended for recreational use for the game of bowling. This shall not include a restaurant and/or bar areas, which call constitute a separate occupancy.

"Buildable Area" means the portion of a lot remaining after required yards have been provided, except that land with an average grade exceeding fifteen percent shall not be considered buildable area unless it is approved by conditional use permit for construction, after study by a geologist, soils engineer, or sanitarian as required by the planning commission. "Building" means any structure used or intended to be used for the shelter, or enclosure of persons, animals, or property. "Building, Accessory" means a building which is subordinate to, and the use of which is incidental to, that of the main building or use on the same lot. "Building, Height of" means the vertical distance from the average finished grade surface to the highest point of the building roof or coping. "Building Inspector" means the official designated as the building inspector for the local jurisdiction by the governing body. The building inspector may also be the zoning administrator, if so designated.

"Business/ Professional office" means a physical location or facility used by a business entity for the purpose of conducting its day-to-day operations.

"Business Services" Any premises where services including but not limited to consulting, legal, accounting, auditing, information technology, human resources, marketing and advertising, and logistics services are conducted.

"Campground" means a public area designated by a public agency for camping, or a private area licensed by the local governing body for camping. "Camping" means a temporary establishment of living facilities such as tents or recreational coaches as regulated by this ordinance. "Carport" means a private garage not completely enclosed by walls or doors. For the purposes of this ordinance, a carport shall be subject to all the regulations prescribed for a private garage.

"Car Wash" means a business or facility that provides services for cleaning the exterior (and sometimes the interior) of vehicles, typically through automated equipment or manual labor.

"Cellar" means a room or rooms wholly under the surface of the ground, or having more than fifty percent of its floor to ceiling height under the average level of the adjoining ground.

"Childcare/Daycare/Pre-school, commercial Nursery" means an establishment for the care

and/or the instruction of five or more children, for compensation, other than for members of the family residing on the premises, but not including a public school. "Church" means a building, together with its accessory buildings and uses, maintained and controlled by a duly-recognized religious organization where persons regularly assemble for worship. "Clinic, Dental or Medical" means a building in which a group of dentists, physicians, and allied professional assistants are associated for the conduct of their professions. The clinic may include a dental and/or a medical laboratory and an apothecary, but it shall not include in-patient care or operating rooms for major surgery. "Club, Social" means any organization, group, or association supported by its members where the sole purpose is to render a service to said members and their guests.

"Commercial Parking Facility" a structure or area that provides parking spaces for the public to rent, and for which a fee is charged. It can be a parking lot, garage, or other arrangement where vehicles are parked for a fee.

"Commercial Retail" A designated area in a city or municipality where commercial businesses, such as retail stores and services, can operate.

"Community Garden" : A community garden is any piece of land where plants are grown and maintained by a group of individuals from the community. Community gardens may produce food for individual consumption or for sale, may be designed for beautification of the community, and may be used for educational purposes.

"Communication Tower" : a structure that supports equipment used to transmit and receive wireless communications, such as radio, television, and cellular telephone signals.

"Conditional Use" means a use of land for which a conditional use permit is required, pursuant to this ordinance. "Condominium" means the ownership of a single unit in a multi-unit project together with an undivided interest in the common areas and facilities of the property.

"Convenience Store, With drive-thru" means a convenience eating establishment having a drive-through component where food and drink are served for consumption on or off the premises.

"Corral" means an enclosure for confining livestock. "Court" means 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 or more sides by such building or buildings. "Coverage, Building" means the percent of the total site area covered by buildings. "Crosswalk or Walkway" means a right-of-way to facilitate pedestrian access through a subdivision block, designed for use by pedestrians and not for use by motor vehicles; may be located within or without a street right-of-way, at grade, or separated from vehicular traffic.

"Cultural Services" : establishments primarily engaged in the provision of services that are strongly associated with community, social, or public importance.

"Dairy" means a commercial establishment for the manufacture, processing or packaging of

dairy products; and their sale; for purposes of this definition, the production of milk on a farm for wholesale marketing off the premises shall not classify the farm as a dairy.

"Dance Club" a place where dancing is conducted, whether for profit or not for profit, and to which the public is admitted either with or without charge or at which the public is allowed to participate in the dancing, either with or without charge.

"Dance Studio" Facility offering instructions for all types of dance either with our without charge.

"District" means a portion of the territory of the local jurisdiction, established as a zoning district by this ordinance, within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this ordinance; also includes "zone", and "zoning district". "Driveway" means a private roadway, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which the driveway is located. "Dwelling" means any building or portion thereof designed or used as the more or less permanent residence or sleeping place of one or more persons or families, but not including a tent, recreational coach, hotel, motel, hospital, nursing home, or mobile home. "Dwelling, Farm or Ranch housing" means dwelling units constructed to provide housing for migratory or temporary farm workers; or for persons permanently working on a farm or ranch. "Dwelling, Mobile Home" (See "Mobile Home") "Dwelling, Single-family" means a building arranged or designed to be occupied by one family, the structure having only one dwelling unit. "Dwelling, Two-family" means a building arranged or designed to be occupied by two families, the structure having only two dwelling units. "Dwelling, Three-family" means a building arranged or designed to be occupied by three families, the structure having only three dwelling units. "Dwelling, Four-family" means a building arranged or designed to be occupied by four families, the structure having only four dwelling units. "Dwelling, Multiple-family" means a building arranged or designed to be occupied by more than four families and having more than four dwelling units. "Dwelling Group" means a group of two or more detached buildings used as dwellings, located on a lot or parcel of land. "Dwelling Unit" means one or more rooms in a dwelling, apartment hotel or apartment motel, designed for or occupied by one family for living or sleeping purposes and having one but not more than one kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units. "Easement" means that portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner(s) of said property(ies). The easement may be for use under, on, or above said lot or lots. "Essential Facilities" means utilities or sanitary and public safety facilities provided by a public utility or other governmental agency for overhead or surface or underground services, excluding any building, electrical sub-station or transmission line of fifty KV or greater capacity, except by conditional use permit. "Family" means an individual, or two or more persons related by blood, marriage, or adoption, or a group of not more than four persons (excluding servants) who are not related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities. "Family Food Production" means the keeping of domestic animals and fowl for the production of food for the sole use of the family occupying the premises.

"Fast Food Restaurant with drive-through" means a type of restaurant that serves food

primarily prepared in advance and allows customers to order and pick up their food at a drive-through window.

"Fast food restaurant without drive-through" means an establishment that primarily provides food or beverages for immediate consumption either on or off the premises to customers who order or select items and pay before eating.

"Firework Stand" means a temporary structure used for the sale of safe and sane fireworks. It is subject to the NFPA 1124 Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnics.

"Fitness Center" An establishment which offers membership to utilize its fitness equipment and facilities. May offer a variety of services including but not limited to exercise classes, personal training, leisure facilities, swimming pools, gymnasiums, and sports halls.

"Flood Hazard" means a hazard to land or improvements due to inundation or overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses. "Floor Area" means area included within surrounding walls of a building or portion thereof, exclusive of vents, shafts, and courts.

"Forestry" refers to the science, management, and practice of growing and maintaining forests, as well as the activities related to the sustainable use of forest resources. It includes the planting, cultivation, conservation, and harvesting of trees and forest products.

"Florist" means a retail shop that sells flowers, indoor plants, and arrangements thereof.

"Food Truck, Temporary" A temporary food truck is a food service operation that is operated from a movable motor driven or propelled vehicle, portable structure, or watercraft and that can change location. It operates for a period of no more than 14 consecutive days in conjunction with a single event.

"Food Truck, Permanent" A permanent food truck is a food service operation that is operated from a movable motor driven or propelled vehicle, portable structure, or watercraft and that can change location. A permanent food truck has received permission to operate at a given location continuously for longer than 14 consecutive days.

"Forest Industry" means an industry which uses forest products, such as sawmill, pulp or paper plant, wood products plant, and similar uses. "Frontage, Block" means all property fronting on one side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts or that common line between a lot and a public street. "Frontage, Lot" means the lineal measurement of the front lot line.

"Fruit stand" means a facility from which seasonal fresh fruits or vegetables are sold to the public.

"Garage, Private" means a detached accessory building, or a portion of a main building, used or intended to be used for the storage of motor vehicles, recreational coaches, boats, or other recreational vehicles, but not including the parking or storage of trucks or vans having the capacity in excess of one and one-half tons, and not including space for more than a total of four such vehicles for each dwelling unit on the premises, except that not more than two snowmobiles may be stored in addition to the number of other vehicles herein permitted.

"Garage, Repair" means a structure or portion thereof, other than a private garage, used for the repair of self-propelled vehicles, trailers, or boats, including general repair, rebuilding or reconditioning of engines, motor vehicles, recreational coaches, and minor collision service, but not including major body, frame or fender repairs or overall automobile or truck painting, except by conditional use permit. A repair garage may also include incidental storage, care, washing, or sale of automobiles. "Geological Hazard" means a hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to the movement, failure, or shifting of the earth. "Grade" means:

- A. For buildings adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street.
- B. For buildings adjoining more than one street, the average of the elevations of the sidewalk at the centers of all walls adjoining the streets.
- C. For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the centers of all exterior walls of the building.
- D. Any wall parallel or nearly parallel to and not more than five feet from a street line is to be considered as adjoining the street.

"Grocery store" means any retail establishment, the business of which consists of the sale of food, food products, or beverages for consumption off the premises.

"Golf Course" The areas used or intended to be used as playing surfaces in the game of golf, including tees, fairways, greens and rough.

"Governing Body" means the elected legislative body of the local jurisdiction.

"Heavy Manufacturing/industrial" Heavy manufacturing means the manufacture or compounding process of raw materials. These activities or processes would necessitate the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. These activities may involve outdoor operations as part of their manufacturing process. Typical heavy manufacturing uses include but are not limited to: concrete batch plants; concrete, tile, or brick manufacturing; automobile, truck, and tire assembly; ammonia or chlorine manufacturing; metal casting or foundries; gas manufacturing; grain milling or processing; metal or metal ore production, refining, smelting, or alloying; petroleum or petroleum product refining; boat, pool and spa manufacturing; slaughtering of animals; glass manufacturing; paper manufacturing; and wood or lumber processing.

"Home Occupation" means a use conducted by persons residing on the same lot as their dwelling, which use is clearly incidental and secondary to the use of the premises for residential purposes and which does not change the residential character thereof. Conduct of

the use shall be confined to the dwelling unit or to accessory buildings normally associated with residential activities, equipment or machinery shall not be in open display or used unless enclosed in a permitted structure and the number of employees shall be limited to two other persons on premises. Approval of the home-occupation use shall be subject to individual application to the Planning Commission and shall be judged as to its appropriateness based on, among other considerations:

- A. Access to the property
- B. Parking
- C. Nature of use
- D. Attitude of adjoining owners
- E. Compatibility with neighborhood

"Hospital" means institution for the diagnosis, treatment and care of human illness or infirmity, but not including sanitariums and clinics. "Hotel" means a building designed for or occupied as the more or less temporary abiding place of sixteen or more individuals who are, for compensation, lodged, with or without meals. "Household Pets" means animals or fowl 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 as to constitute a kennel as defined in this ordinance. Household pets may also include the keeping of not more than two pairs of chinchillas, but not including the keeping of normally dangerous animals, such as lions or tigers. "Inundation" means ponded water or water in motion of sufficient depth or velocity to damage property, due to the presence of the water or to the deposit of silt. "Junk" means old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris or other waste or salvage materials; dismantled, junked, or wrecked automobiles or parts thereof; and old or scrap ferrous or non-ferrous metal materials. "Junk Yard" means 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 material, or for the dismantling, demolition or abandonment of automobiles, or other vehicles, or machinery or parts thereof; provided that this definition shall be deemed not to include such uses which are clearly accessory and incidental to any agricultural use permitted in the district. "Kennel" means any premises where three or more dogs older than four months are kept, except that more than three of such dogs may be kept in the rural residential, agricultural, and multiple-use districts as accessory uses to a use allowed in the district.

"Laundromat" means a self-service business where customers can wash and dry their clothes and other laundry items using coin-operated or card-operated washing machines and dryers.

"Library" : an organized collection of resources made accessible to the public for reference or borrowing supported with money derived from taxation.

"Local Attorney" means the attorney employed by or officially representing the local jurisdiction. "Local Building Inspector" means the building inspector employed by or officially representing the local jurisdiction. "Local Engineer" means the engineer employed by or officially representing the local jurisdiction. "Local Governing Body" (See Governing Body) "Local Health Officer" means the health officer or department employed by or officially representing the local jurisdiction. "Local Jurisdiction" means Willard City "Local Planner"

means the planner employed by or officially representing the local jurisdiction.

"Locksmith/Key and Lock" means a commercial entity or business that provides professional locksmith services, including the installation, repair, and maintenance of locks, keys, and security systems for residential, commercial, and automotive clients. A locksmith business may also include key duplication, emergency lockout services, rekeying, and the installation of electronic security systems.

"Lodging House" means a dwelling with not more than ten guest rooms where, for compensation, lodging is provided for at least three but not more than fifteen persons, but not including motels or hotels. "Lot" means a parcel or unit of land described by metes and bounds and held or intended to be held in separate lease or ownership or a parcel or unit of land shown as a lot or parcel on a recorded subdivision map, or shown on a plat used in the lease or sale or offer of lease or sale of land resulting from the division of a larger tract into three or more smaller units. "Lot, Corner" means a lot abutting upon two or more streets at their intersection or upon two parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty five degrees.

"Lot, Depth" means the horizontal distance between the front and the rear lot lines measured in the main direction of the side lot lines. "Lot, Interior" means a lot other than a corner lot.

- A. Flag Lot. A lot (flag) created by partition of a larger lot with a dwelling, to allow a second dwelling behind the original dwelling. The access (flag pole) to the second lot (flag) must be owned by the second lot.

"Lot Frontage Required" means the length of the front lot line, which is coterminous with the front street line.

"Lot Lines" means the property lines bounding the lot. "Lot Line, Front" means for an interior lot, the lot line adjoining the street; or a corner lot or through lot, the lot line adjoining either street, as elected by the lot owner. "Lot Line, Rear" means ordinarily, that line of a lot which is opposite and most distant from the front line of the lot. In the case of a triangular or gore-shaped lot, a line ten feet in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where these definitions are not applicable, the building inspector shall designate the rear lot line. "Lot Line, Side" means any lot boundary line not a front or rear lot line. A side lot line separating a lot from another lot or lots is an interior side lot line; a side lot line separating a lot from a street is a street side lot line. "Lot, Restricted" means a lot having an average slope of twenty-five percent or more or which does not contain a buildable area of at least seventy-five feet by one hundred feet with an average slope of less than fifteen percent, such lot being prohibited as a building site, or being required to be increased in area and width, and regulated and allowed to be developed only as required by the planning commission. "Lot Right-of-way" means a strip of land of not less than sixteen feet in width connecting a lot to a street for use as private access to that lot. "Lot Width" means the horizontal distance, between the side lot lines, measured at the required front yard setback lines. "Lot, Unrestricted" means a lot having an average slope of less than twenty-five percent and containing a buildable area of at least seventy-five feet by one hundred feet with an

average slope of less than fifteen percent, which buildable area is designated as such on the subdivision plat in which the lot is located, if the average slope of the lot is greater than fifteen percent. "Manufactured Housing" means a structure designed and constructed for human habitation, its major component parts being either partially or entirely factory fabricated in single or multiple sections for erection on a site other than its place of fabrication. Manufactured housing shall include modular and panelized structure but not mobile homes as defined herein.

- A. Modular Home. A manufactured dwelling structure constructed after June 15, 1976, in compliance with Federal Mobile Home Construction and Safety Standards, or the Uniform Building Code as adopted by the local jurisdiction, designed for erection and installation on a site-built permanent, continuous wall foundation at least thirty-six inches in depth, and which is intended to remain indefinitely at the place of erection and for the purposes of this ordinance, has a body of not less than twenty-four feet in width and forty feet in length.
- B. Panelized Home. A manufactured dwelling structure consisting of sub-assemblies or component parts, factory joined and erected at a construction site in compliance with building codes adopted by the local jurisdiction.

"Manufacturing Light" Light industry refers to manufacturing activity that uses moderate amounts of partially processed materials to produce items of relatively high value per unit weight. Light industries require only a small amount of raw materials, area and power. Typical light manufacturing activities include but are not limited to manufacturing of clothes, shoes, furniture, consumer electronics and household items, fabrication, and welding. "Mobile Home" means a transportable dwelling other than a modular or panelized structure, in one or more sections, having self-contained plumbing, heating, and electrical systems, which when installed on a site, with or without a permanent foundation, is at least eight feet in body width and thirty-two feet in body length.

"Mobile Home Lot" means a lot within a mobile home subdivision, designed and to be used for the accommodation of one mobile home.

"Mobile Home Park" means a space designed and approved by the local jurisdiction for occupancy by mobile homes, to be under a single ownership or management, and meeting all requirements of the zoning ordinance and mobile home park ordinance for mobile home parks.

"Mobile Home Space" means a space within a mobile home park, designed and to be used for the accommodation of one mobile home.

"Mobile Home Stand" means that part of the mobile home space which has been reserved for the placement of the mobile home and its appurtenant structures or additions.

"Mobile Home Subdivision" means a subdivision designed and intended for residential use where the lots are to be individually owned or leased, and occupied by mobile homes exclusively.

"Motel" means a building or group of buildings for the drive-in accommodation for transient guests, comprising individual sleeping or living units, and designed and located to serve the motoring public.

"Museum" means a public, tribal, or private nonprofit institution which is organized on a permanent basis for essentially educational, cultural heritage, or aesthetic purposes and which, using a professional staff

"Non-conforming Building or Structure" means a building or a structure which does not conform to the regulations for height, coverage or yards of the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its erection.

"Non-conforming Use" means the use of a building or structure or land which does not conform to use regulations for the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its establishment.

"Nursery or green house" means a retail business where plants are propagated, grown, and sold to the general public, businesses, commercial gardeners, and private nurseries.

"Nursing Home" means an institution, other than a hospital, for the care of human illness or infirmity in which care, rather than diagnosis or treatment, constitutes the principal function. The term "nursing home" shall also include "rest home" and "convalescent home". "Official Map" means a map which has been adopted as the official map of the local jurisdiction, showing existing public streets, streets on plats of subdivisions which have been approved by the planning commission, and/or other street extensions, widening, narrowing, or locations which have been accurately surveyed and definitely located. "Off-street Parking Space" means the space required to park one 911 passenger vehicle, which space shall meet the requirements of this ordinance. "Off-site Facilities" means improvements, not on individual lots, but generally within the boundaries of the subdivision which they serve, and as further outlined in this ordinance. "On-site Facilities" means construction or placement of the dwelling and its appurtenant improvements on a lot. "Open Space" means the area reserved in parks, courts, playgrounds, golf courses, and other similar open areas to meet the density requirements of planned unit developments. "Open space, Usable" means usable open space shall be any portion of a lot or building which meets all the following conditions:

- A. The space shall be open to the sky or shall be open to view on at least two sides.
- B. The space shall be readily accessible by foot traffic from the dwelling unit to which it is accessory.
- C. If the space is provided on a balcony, roof, or other facility above grade, it shall have such protective devices as are deemed necessary by the zoning administrator to assure reasonably safe usage by children and adults.
- D. The space shall not be provided from any required front or side yard, parking area, or driveway space.

"Owner" means the holder of the fee title to land or buildings or to property, whether a person, partnership, corporation, or other entity, recognized by law, and his or its lessees, permittee, assignees, or successors in interest. "Package Agency" means any outlet authorized by the

Utah Liquor Control Commission to sell original packaged liquor or wine for consumption off the premises. "Parcel of Land" (See "Lot"). "Parking Lot" means an open area, other than a street, used for the parking of more than four automobiles and available for public use, whether free, for compensation, or accommodation for clients or customers. "Pedestrian-way" (See "Cross-walk").

"Pest Control" means a commercial enterprise that provides services aimed at controlling, eliminating, or managing pests such as insects, rodents, termites, and other vermin. These services typically involve the use of pesticides, traps, exclusion methods, and other pest management techniques to ensure public health, safety, and property protection.

"Pet Store" means any retail establishment where animals, including but not limited to dogs, cats, rabbits, guinea pigs, hamsters, gerbils, rats, mice, gophers, chinchillas, birds, and animal merchandise are sold, exchanged, bartered, or offered for sale as pet animals to the general public at retail.

"Pharmacy" means a business or facility where prescription medications, over-the-counter (OTC) drugs, and other health-related products are dispensed to the public.

"Planned District" means a zoning district, the boundaries of which are to be shown on the zoning map, but the regulations for which shall be determined by a general development plan to be adopted by the governing body as part of the zoning ordinance, after public hearing, as required for other zoning districts. "Planned Unit Development (PUD)" means an integrated design for development of residential, commercial or industrial uses, or limited combinations of such uses, in which the density and location regulations of the district in which the development is situated may be varied or waived to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed requirements. "Plot Plan" means a plat of a lot, drawn to scale, showing its actual measurements, the size and location of any existing buildings or buildings to be erected, the location of the lot in relation to abutting streets, and such other information as may be required by the planning commission.

"Power generation" refers to the process of producing electrical energy through various means such as fossil fuels, renewable sources (solar, wind, hydro), or nuclear energy. It is typically associated with facilities designed to produce and distribute electricity for consumption.

"Private club/bar/tavern" refers to an organization that is not open to the public, operates exclusively for recreational, fraternal, social, patriotic, political, benevolent, or athletic purposes, and only sells alcoholic beverages incidental to its operation.

"Private Non-profit Locker Club" means a social, recreational, or athletic club, or kindred association, incorporated under the provisions of the Utah Non-profit Corporation and Cooperation Act, which maintains or intends to maintain premises upon which liquor is or will be stored, consumed, or sold. "Private Non-profit Recreational Grounds and Facilities" means non-profit recreational grounds and facilities operated by a non-profit corporation, association, or group.

"Public Utility Installations" means carpeting, window and wall coverings, power panels, electrical distribution systems, lighting fixtures, air conditioning, plumbing and telephone and telecommunication wiring and equipment.

"Recreational Coach" means a vehicle, such as a travel trailer, tent camper, camp car or other vehicle with or without motive power, designed and/or constructed to travel on the public thoroughfare in accordance with the provisions of the Utah Vehicle Code, and designed for use as human habitation for a temporary and recreational nature. "Recreational Coach Park" means any area or tract of land or a separate designated section within a mobile home park where lots are rented or held out for rent to one or more owners or users of recreational coaches for a temporary time not to exceed thirty days. Such park may also be designated as "Overnite Park". "Recreational Coach Space" means a plot of ground within a recreational coach park designated and intended for the accommodation of one recreational coach.

"Refinery" A facility where a semi-finished substance such as oil or metal is refined and turned into a higher grade product through electrolysis or distillation.

"Renewable Energy System" methods of facility design and construction and types of equipment for the utilization of renewable energy sources including, but not limited to, hydroelectric power, active or passive solar space heating or cooling, domestic solar water heating, windmills, waste heat, biomass and/or refuse-derived fuels, photovoltaic devices, and geothermal energy.

"Residential Facilities for Persons with Disabilities" refers to housing arrangements designed to provide a supportive living environment for individuals with physical, mental, or developmental disabilities. These facilities offer specialized services that assist residents with activities of daily living, medical care, and other needs related to their disabilities.

"School, Private" means a school which is operated by a quasi-public or private group, individual, or organization, and which has a curriculum similar to that provided in any public school in the state of Utah. Private schools may be non-profit, or profit-making establishments. "School, Public" means a school operated by a school district or other public agency in the state of Utah. "Sign" means a presentation or representation of words, letters, figures, designs, picture or colors, publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid; also, the structure or framework or any natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes. "Sign, Animated" means a sign which involves motion or rotation of any part, created by artificial means, or which displays flashing, revolving or intermittent lights. "Sign Area" means the area in square feet of the smallest rectangle enclosing the total exterior surface of a sign having but one exposed exterior surface. Should the sign have more than one surface, the sign area shall be the aggregate of all surfaces measured as above which can be seen from any one direction at one time. "Sign, Free-standing" means a sign which is supported by one or more upright columns, poles, or braces, in or upon the ground. "Sign, Identification and Information" means a sign displayed to indicate the name or nature of a building, or of a use. "Sign, Illuminated" means a sign in which a source of light is used in order to make the message readable. This

definition shall include internally and externally lighted signs. "Sign, Marquee" means any sign attached to or made an integral part of a marquee. "Sign Ordinance" means the sign ordinance of the local jurisdiction. "Sign, Projecting Wall" means a sign which is affixed to an exterior wall or building or structure and which projects more than eighteen inches from the building or structure wall, and which does not extend above the parapet, eaves, or building facade of the building upon which it is placed. "Site Plan" means a plan required by, and providing the information required by Section 11-2 herein.

"Slaughterhouse" refers to a facility or establishment that is legally authorized and regulated for the purpose of slaughtering animals for the production of meat and other by-products. It is where animals, such as cattle, pigs, sheep, and poultry, are slaughtered and processed into consumable meat products. Slaughterhouses may also handle the initial processing of the meat including dressing, cutting, and packaging.

"Stable, Private" means a detached accessory building for the keeping of horses owned by the occupants of the premises and not kept for hire, remuneration, or sale. "Stable, Public" means any stable where horses are boarded and/or kept for hire. "State Store" means an outlet for the sale of liquor located on the premises, said premises owned or leased by the State of Utah.

"Storage Facility" A business or entity that provides storage space or services related to storage for the public, including self service storage facilities.

"Story, half" means a partial story under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls do not extend more than four feet above the floor of such story, and the ceiling area of which does not exceed two-thirds of the floor area of the same half story. "Structure" means anything constructed, the use of which requires fixed location on the ground, or attachment to something having a fixed location upon the ground, includes "building". "Subdivision, Cluster" means a subdivision of land in which the lots have areas less than the minimum lot area of the district in which the subdivision is located, but which complies with the cluster subdivision provisions of this ordinance and in which a significant part of the land is privately reserved or dedicated as permanent common open space to provide low-density character for the residential lots in the subdivision.

"Swimming Pool" a swimming or leisure pool where members of the public accessing the facility pay to use.

"Theater/Entertainment" Any edifice used for the purpose of dramatic or operatic or other representations, plays, or performances, for admission to which entrance-money is received, not including halls rented or used occasionally for concerts or theatrical representations.

"Temporary Building" : a structure that is designed to be easily dismantled or moved after its intended use has been fulfilled. Temporary buildings can be used for a variety of purposes, including storage, warehousing, workspace, industrial applications. Building can not exist for more than 90 days in a 365 day period.

"Towing/Impound Yard" refers to a facility where vehicles are stored after being towed.

"Transit station" refers to a designated facility where passengers can board or arrive from public transportation vehicles, such as buses, trains, subways, or trams.

"Transportation/Trucking" refers to a site or premises used for activities related to the transportation of goods by truck, and it typically encompasses a range of operations that support the movement of freight.

"Veterinary services" refers to the provision of medical and surgical care for animals by licensed veterinary professionals. This includes a broad range of services aimed at maintaining or improving the health of animals, diagnosing and treating disease injuries, and other health conditions, and promoting the well-being of animals through preventive care.

"Vicinity Plan" means a map or drawing, to scale, showing the physical relationships of the proposed development to existing or proposed streets, buildings and utilities; other relevant information such as special terrain or surface drainage, and existing zoning classifications of all land within three hundred feet of the property proposed for development.

"Yard" means a required open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as permitted elsewhere in this ordinance. "Yard, Front" means a space on the same lot with a building, between the front line of the building and the front lot line, and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line of the building. "Yard, Rear" means a space on the same lot with a building, between the rear line of the building and the rear lot line, and extending the full width of the lot. The "depth" of the rear yard is the minimum distance between the rear lot line and the rear line of the building. "Yard, Side" means a space on the same lot with a building, between the sideline of the building, and the side lot line and extending from the front yard to the rear yard. The "width" of the side yard shall be the minimum distance between the side lot line and the sideline of the building.

"Warehouse Distributing" an establishment that primarily stores and warehouses merchandise or sells merchandise through non-store means.

"Zone" (See "District") "Zoning Ordinance" means the zoning ordinance of the local jurisdiction. "Zoning Administrator" means the local official designated by the local governing body to enforce the regulations of this ordinance, the zoning administrator may also be the building inspector or building official.

SECTION 4: AMENDMENT "24.44.050 Setback And Height Regulations"
of the Willard City Zoning Code is hereby *amended* as follows:

BEFORE AMENDMENT

24.44.050 Setback And Height Regulations

TABLE II	MU-40	A-3	A-5	R-1/2	R-1
1. AREA REGULATIONS. The minimum lot area in acres for any main use in the districts regulated by this chapter shall be...	40	3	5	1/2	1
2. WIDTH REGULATIONS. The minimum width in feet for any lot in the districts regulated by this chapter except as modified by planned unit developments or cluster subdivisions, shall be...	660	200	270	100	150
3. FRONTAGE REGULATIONS: The minimum frontage in feet for any lot in the districts regulated by this chapter on a public street or a private street approved by the governing body shall be...	100	100	100	100	100
Exception: The minimum frontage in feet for a lot in a planned unit development or an odd-shaped lot that meets the width requirements above, may, upon approval of the governing body, be reduced to:	60	50	50	40	40
4. FRONT YARD REGULATIONS. The minimum depth in feet for the front yard for main buildings in districts regulated by this chapter shall be...	25	30	30	30	30
Accessory buildings may have the same minimum front yard depth as main buildings if they have the same side yard required for main buildings, otherwise they shall be set back at least ten feet in the rear of the main building.	A	A	A	A	A
5. REAR YARD REGULATIONS. The minimum depth in feet for the rear yard in the districts regulated by this chapter shall be...					
For main buildings...	60	30	60	30	30
For accessory buildings...	60	10	60	10	10
Except on corner lots two front and two rear yards are required...	A	A	A	A	A
6. SIDE YARD REGULATIONS. The minimum side yard in feet for any dwelling or other main or accessory buildings regulated by this chapter shall be...	60	10	10	10	10
A total width of the two required side yards of not less	120	50	100	25	25

than...					
Provided the small width of each side yard shall not be contiguous with the neighbor's small-width side yard...	A	A	A	-	-
Except that private garage and other accessory buildings located in the rear and at least ten feet behind the main building, shall have a side yard of not less than.	3	3	3	3	3
Except that structure may not be placed on utility easements.	A	A	A	A	A
Provided the drainage from any roof shall not fall on the adjacent property...	A	A	A	A	A
Provided that no private garage or other accessory buildings shall be located closer to a main structure on an adjacent lot than...	10	10	10	10	10
Except on corner lots two front and two rear yards are required...	A	A	A	A	A
7. HEIGHT REGULATIONS. The maximum height for all buildings in districts regulated by this chapter shall be...					
In feet...	35	35	35	35	35
In number of stories...	2.5	2.5	2.5	2.5	2.5
8. COVERAGE REGULATIONS. The maximum coverage in percent for any lot in the districts regulated by this chapter shall be...	-	20	-	20	20

AFTER AMENDMENT

24.44.050 Setback And Height Regulations

TABLE II	MU-40	A-3	A-5	R-1/2	R-1
1. AREA REGULATIONS. The minimum lot area in acres for any main use in the districts regulated by this chapter shall be...	40	3	5	1/2	1
2. WIDTH REGULATIONS. The minimum width in feet for any lot in the districts regulated by this chapter except as modified by planned unit developments or cluster subdivisions, shall be...	660	200	270	100	150
3. FRONTAGE REGULATIONS: The minimum frontage					

in feet for any lot in the districts regulated by this chapter on a public street or a private street approved by the governing body shall be...	100	100	100	100	100
Exception: The minimum frontage in feet for a lot in a planned unit development or an odd-shaped lot that meets the width requirements above, may, upon approval of the governing body, be reduced to:	60	50	50	40	40
4. FRONT YARD REGULATIONS. The minimum depth in feet for the front yard for main buildings in districts regulated by this chapter shall be...	25	30	30	30	30
Accessory buildings may have the same minimum front yard depth as main buildings if they have the same side yard required for main buildings, otherwise they shall be set back at least ten feet in the rear of the main building.	A	A	A	A	A
5. REAR YARD REGULATIONS. The minimum depth in feet for the rear yard in the districts regulated by this chapter shall be...					
For main buildings...	60	30	60	30	30
For accessory buildings...	60	10	60	10	10
Except on corner lots two front and two rear yards are required...	A	A	A	A	A
6. SIDE YARD REGULATIONS. The minimum side yard in feet for any dwelling or other main or accessory buildings regulated by this chapter shall be...	60	10	10	10	10
A total width of the two required side yards of not less than...	120	50	100	25	25
Provided the small width of each side yard shall not be contiguous with the neighbor's small-width side yard...	A	A	A	-	-
Except that private garage and other accessory buildings located in the rear and at least ten feet behind the main building, shall have a side yard of not less than.	3	3	3	3	3
Except that structure may not be placed on utility easements.	A	A	A	A	A
Provided the drainage from any roof shall not fall on the adjacent property...	A	A	A	A	A
Provided that no private garage or other accessory buildings shall be located closer to a main structure on	10	10	10	10	10

an adjacent lot than...					
Except on corner lots two front and two rear yards are required...	A	A	A	A	A
7. HEIGHT REGULATIONS. The maximum height for all buildings in districts regulated by this chapter shall be...					
In feet...	35	35	35	35	35
In number of stories...	2.5	2.5	2.5	2.5	2.5
8. COVERAGE REGULATIONS. The maximum coverage in percent for any lot in the districts regulated by this chapter shall be...	-	20	-	20	20
<u>Publicly owned buildings located on public property, including but not limited to fire stations, police stations, and municipal offices, may be exempt from standard setback requirements upon approval by the City Council following a review for public necessity and compatibility with surrounding properties.</u>					

SECTION 5: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 6: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 7: EFFECTIVE DATE This Ordinance shall be in full force and effect from _____ and after the required approval and publication according to law.

SECTION 8: DIRECTION Staff are authorized and directed to make such non-substantive changes and take other actions to finalize, post, and publish this Ordinance.

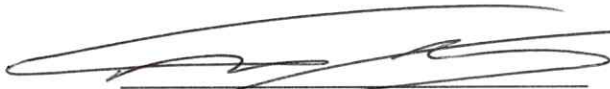
PASSED AND ADOPTED BY THE WILLARD CITY COUNCIL

March 27, 2025.

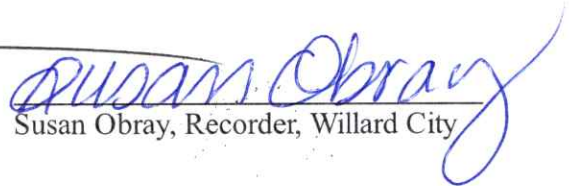
	AYE	NAY	ABSENT	ABSTAIN
Jacob Bodily	<u>X</u>	_____	_____	_____
Rod Mund	_____	_____	<u>X</u>	_____
Mike Breager	<u>X</u>	_____	_____	_____
Rex Christensen	<u>X</u>	_____	_____	_____
Jordon Husley	<u>X</u>	_____	_____	_____

Presiding Officer

Attest



Travis Mote, Mayor, Willard City



Susan O'Bray, Recorder, Willard City

