

Footnotes:

--- () ---

* *Prior ordinance history: Ord. 158.*

17.16.010 - Zoning by districts.

In accordance with the requirement of the Utah Code that zoning within counties by districts, Iron County, as shown on the Iron County zoning district map, is divided into zoning districts which govern the use, intensity, area and other requirements for the use of land as required by this chapter and the land management code. The map accompanying this chapter and incorporated herein by reference, the Iron County zoning district map, identifies the location and distribution of each district within Iron County. All development, use, activity and authorized permits and licenses shall adhere to all the provisions, standards and requirements of the applicable zoning district.

To meet the purposes of this chapter, Iron County is divided into the following zoning districts:

Base Zoning Districts.

- A. Agricultural Districts:
 - 1. Agriculture (A-20);
 - 2. Intensive agricultural (I-A).
- B. Residential Districts:
 - 1. Residential (R-5);
 - 2. Residential (R-2);
 - 3. Residential (R-1);
 - 4. Residential (R-1/2).
- C. Commercial Districts:
 - 1. Commercial (C).
- D. Industrial Districts:
 - 1. Light industrial (LI);
 - 2. Industrial (I).

(Ord. 171 § 9(D) (part), 2001)

(Ord. No. 2010-1, § 2(Exh. B), 1-25-2010; Ord. No. 2012-4, § 2, 11-26-2012)

17.16.020 - Zoning districts purpose.

Consistent with the goals and policies of the Iron County general plan, the zoning districts are formulated to provide and achieve the following purposes:

- A. The agriculture (A-20) district is provided and designed to protect and preserve lands suited for farming, ranching, the production of food and fiber, open space, recreation, services or related purposes and minimal rural estate living, and to protect from encroachment of incompatible uses. Other purposes of this district include protection and enhancement of the economic base of the county, as well as the protection of environmentally sensitive lands, such as areas subject to flooding, wetlands, unstable soils and areas with steep slopes or other geologic conditions. This zone anticipates limited commercial uses that have similar impacts to agricultural uses and provides services in rural areas that are compatible and commensurate with typical commercial agricultural uses. The permitted and conditional uses identified in the "Table of Uses" (Section 17.16.030) for the A-20 zone are intended to be compatible with agricultural

uses while encouraging economic growth and reasonable options for the use of private property. The district accommodates more intense uses when the required services are made available and the potential cost to Iron County residents of providing the services necessary to support more intense development and activities is minimal.

- B. The rural agriculture (RA-20) district is generally intended to protect and preserve valuable agricultural and natural resources through low-density rural single-family detached residential development. It is created to foster conditions favorable to certain agricultural uses (see Table of Uses — Section 17.16.030) of the agriculture areas of Iron County by preventing incompatible forms and degrees of urban uses by limiting the type and density of development and intensive or commercial agriculture so that a harmonious relationship of land uses in the rural area is insured.

The primary purpose of requiring large minimum lots of not less than twenty acres is to discourage small lot subdivisions where public facilities such as central sewage disposal, parks and playgrounds, and governmental services such as police and fire protection are not as readily available, or could not reasonably be made available.

- C. The intensive agricultural zoning district (I-A) is intended to help preserve existing agricultural land resources, promote the areas suitable for developing agricultural operations that can become or remain competitive by taking advantage of economies of scale, prevent the premature conversion of rural lands to urban use and accommodate animal agricultural uses and other uses that may be more intensive agriculture enterprises than have been historically developed in Iron County. The zone use and development regulations are designed to implement general plan goals by discouraging urban and suburban development on lands that have prime agricultural soils, water and locations that are conducive to agriculture and are not well served by public facilities and services typical of residential development. The I-A zone is generally compatible with the "agriculture" and "open space" land-use designations of the general plan. An I-A zone is intended for more intensive uses than historical agricultural. The I-A zone is not intended to be applied near urbanized areas and is not intended to accommodate residential uses as a principal use. The I-A zone is compatible with, and complimentary to, the A-20 zone and the classification of land into the I-A zone shall not be considered a spot zone when the land is surrounded by property zoned A-20, but is consistent with the intent of the Iron County general plan for agricultural lands. Accordingly, it is inconsistent with the intent of the I-A zone to change land from A-20 zoning district to the I-A zoning district where the intended use of the land is a permitted use in the A-20 zone. It is also inconsistent with the intent of the I-A zone to zone land I-A for more land than is required by the intended use of the land.
- D. The residential districts of Iron County (, R-5, R-2, R-1 and R-1/2) are formulated to provide single-family housing choices to meet the needs of Iron County residents, to offer a balance of housing types and densities, and to preserve and provide safe and convenient places to live. These districts are intended for well-designed residential uses free from any activity or use that may weaken the residential integrity of these areas. Generally, residential districts shall be located where adequate public services and facilities are available to meet the needs of residents. Typical uses include single-family dwellings, parks and public facilities necessary to meet the needs of residents. Hobby farms are consistent with the residential districts, so long as, the farms meet the requirements of Section 17.36.250 of this title.
- E. The residential recreation district (RR-20) is created to provide seasonal housing choices to meet the needs of the recreational second home owner looking for a limited access housing opportunity. This district is intended for well-designed recreational housing second homes that do not have year-round access because of limitations on road maintenance and snow removal. These areas are usually limited by minimal service availability (e.g. power, water, fire protection or other emergency services, etc.) and provide for water hauling to meet potable water needs. Subdivision roads within this district are generally private access roads and driveways built to a smaller width than typical county roads and are accessible in the summer only.
- F. The commercial (C) district is intended to provide controlled and compatible locations for retail, office and business/commerce activities, to enhance employment opportunities, to encourage the efficient use of land, to enhance property values and to strengthen the county's tax base. Typical uses allowed in this district include retail sales and services, offices and institutional uses.
- G. The purpose of the light industrial (LI) district is to provide locations for industrial uses that produce no appreciable impact on adjacent properties and which provide employment opportunities for residents of Iron County.
- H. The industrial (I) district is formulated to recognize existing industrial sites and activities within Iron County, to provide

opportunities for heavier industrial activities than allowed in the light industrial district, to provide economic stability and opportunity and to provide employment opportunities for county residents.

(Ord. 171 § 9(D) (part), 2001)

(Ord. No. 2010-1, § 2(Exh. B), 1-25-2010; Ord. No. 2012-4, § 2, 11-26-2012; Ord. No. 2013-2, § 1, 5-16-2013; Ord. No. 2014-9, § 2, 10-13-2014; Ord. No. 2015-4, § 1, 6-8-2015)

17.16.030 - Table of uses.

The table of uses identifies the uses allowed within each zoning district of the county. The purpose of the table of uses is to implement the goals and policies of the Iron County general plan. The table of uses identifies uses allowed as a permitted use (identified as "P" in the table of uses), uses allowed as an administrative land use (identified as "A" in the table of uses — see Chapter 17.38, Administrative Land Use Permits), and uses allowed as a conditional use (identified as "C" in the table of uses). Uses not identified as either a permitted or conditional use are deemed to be a prohibited use (identified as "X" in the table of uses).

TABLE OF USES											
USES	ZONE DISTRICTS										
	A-20	RA-20	RR-20	R-5	R-2	R-1	R-1/2	C	LI	I	IA
Accessory agricultural retail sales	P	P	X	P	X	X	X	X	X	X	P
Accessory dwelling	A	X	X	X	X	X	X	A	A	A	A
Accessory outside storage	P	P	X	X	X	X	X	A	P	P	P
Accessory outside storage of flammable or hazardous materials	C	X	X	X	X	X	X	C	C	C	C
Accessory solar energy system, concentrated solar thermal	C	C	X	C	C	C	C	C	C	C	C
Accessory solar energy system, photovoltaic or hot water	P	P	P	P	P	P	P	P	P	P	P
Accessory structure	P	P	P	P	P	P	P	P	P	P	P
Accessory uses	P	P	P	P	P	P	P	P	P	P	P
Adult day care facility	A	A	X	A	X	X	X	C	X	X	X

Agricultural experiment station/agricultural field station	C	X	X	X	X	X	X	X	X	X	X	P
Agricultural fertilizer products and storage	C	X	X	X	X	X	X	C	C	C	C	C
Agricultural products processing and storage	C	X	X	X	X	X	X	C	C	C	C	C
Airport	C	C	X	C	X	X	X	X	X	C	C	C
Animal operation												
Type I (0—25 AUs)	P	P	A	P	P	P	P	X	X	P	P	P
Type Ia (26—99 AUs)	P	P	X	X	X	X	X	X	X	P	P	P
Type II (100—999 AUs)	P	X	X	X	X	X	X	X	C	P	P	P
Type III (1,000—2,000 ⁽¹⁾ AUs, <180 days/year)	C	X	X	X	X	X	X	X	X	C	C	C
Type IV (1,000—2,000 ⁽¹⁾ AUs, >180 days/year)	C	X	X	X	X	X	X	X	X	X	X	C
Type V (>2,000 ⁽¹⁾ AUs, <90 days/year)	C	X	X	X	X	X	X	X	X	X	X	C
Type VI (>2,000 ⁽¹⁾ AUs, >90 days/year)	X	X	X	X	X	X	X	X	X	X	X	C
Assisted living facility	C	X	X	X	X	X	X	C	X	X	X	X
Bakery	C	X	X	X	X	X	X	P	P	P	P	X
Bank	X	X	X	X	X	X	X	P	P	P	P	X
Bed and breakfast	P	P	P	P	P	P	P	P	X	X	X	X
Boarding house	P	P	P	P	P	A	A	P	X	X	X	X
Building material or garden store	C	X	X	X	X	X	X	C	P	P	P	X
Cabinet shop, carpentry, furniture making	C	X	X	X	X	X	X	C	P	P	P	X

Campground	C	X	X	X	X	X	X	C	X	X	X
Car wash	C	X	X	X	X	X	X	P	P	P	C
Cemetery	C	C	X	C	C	C	C	X	X	X	X
Chemical and explosives manufacture and storage	X	X	X	X	X	X	X	X	X	C	X
Child day care facility/preschool center	A	A	X	A	A	A	A	C	X	X	X
Church	A	A	C	A	A	A	A	P	P	X	X
Commercial hazardous industry	X	X	X	X	X	X	X	X	X	X	X
Commercial plant nursery	P	C	X	X	X	X	X	C	P	P	P
Community correctional facility	C	X	X	X	X	X	X	C	X	X	X
Composting facility	C	X	X	X	X	X	X	X	X	C	C
Contractor's shop/office	A	X	X	X	X	X	X	C	P	P	X
Convenience store	A	X	X	X	X	X	X	P	P	P	X
Correctional institution	C	X	X	X	X	X	X	C	C	X	X
Day care center/assisted care center	A	A	X	A	A	A	A	C	X	X	X
Distribution center	X	X	X	X	X	X	X	X	C	P	X
Dwelling, single-family	P ⁽²⁾	P ⁽²⁾	P	P	P	P	P	X	X	X	P ⁽²⁾
Electric substation	C	C	X	C	C	C	C	C	C	C	C
Electric transmission line	C	C	C	C	C	C	C	C	C	C	C
Emergency care facility	C	X	X	X	X	X	X	P	P	C	X
Expanded home occupation	A	A	X	A	A	A	A	X	X	X	A

Meat or poultry processing facility	X	X	X	X	X	X	X	X	X	C	C
Membership club	C	C	C	C	X	X	X	P	P	P	X
Mortuary	A	X	X	X	X	X	X	P	P	X	X
Motel	X	X	X	X	X	X	X	P	P	X	X
Nursing home or convalescent care facility	C	X	X	X	X	X	X	P	X	X	X
Oil and gas drilling facilities/production	C	X	X	X	X	X	X	X	X	C	C
Outdoor theater	C	X	X	X	X	X	X	C	C	C	X
Outdoor recreation	C	C	X	C	C	X	X	C	C	C	C
Park and ride facility	C	X	C	X	X	X	X	P	P	P	C
Permanent farm worker dwelling units, on farm	A	X	X	X	X	X	X	X	X	X	A
Personal service facility	A	X	X	X	X	X	X	P	P	X	X
Personal storage facility	A	X	X	X	X	X	X	P	P	P	X
Power plant, not otherwise listed	X	X	X	X	X	X	X	X	X	C	C
Printing and/or publishing establishment	C	X	X	X	X	X	X	P	P	P	X
Private educational facility	C	X	X	C	C	C	C	C	C	C	X
Private club	C	C	X	X	X	X	X	C	C	X	X
Professional office	A	X	X	X	X	X	X	P	P	X	X
Protective housing facility	C	X	X	X	X	X	X	C	X	X	X
Public educational facility	C	X	X	C	C	C	C	C	C	C	X

Type I (0—5 swine)	P	P	X	P	P	P	P	X	X	P	P
Type Ia (6—20 swine)	P	P	X	X	X	X	X	X	X	P	P
Type II (21—50 swine)	P	X	X	X	X	X	X	X	X	C	P
Type III (51—249 swine)	C	X	X	X	X	X	X	X	X	X	C
Type IV (250 or more swine)	X	X	X	X	X	X	X	X	X	X	C
Telecommunications site/facility	A	A	C	A	A	X	X	C	C	C	C
Temporary construction or sales office	P	P	P	P	P	P	P	P	P	P	P
Temporary dwelling unit	A	A	A	P	P	P	P	X	X	X	A
Temporary use	P	P	P	P	P	X	X	P	P	P	X
Travel trailer park *1—4 spaces **5+ spaces	CA*, **C	XC* X**	X	X	X	X	X	C	X	X	X
Utility service facility	P	P	P	P	P	P	P	P	P	P	P
Vehicle service center/service station	A	X	X	X	X	X	X	P	P	P	C
Vehicle sales/rental lot	C	X	X	X	X	X	X	C	P	P	X
Veterinary clinic, with outdoor holding facilities	A	X	X	X	X	X	X	C	C	P	P
Veterinary clinic, without outdoor holding facilities	P	C	X	C	X	X	X	P	P	P	P
Warehouse	X	X	X	X	X	X	X	C	P	P	P
Wind energy system, commercial	C	X	X	X	X	X	X	X	X	C	C
Wind energy system, small	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾	X	X	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾	P ⁽³⁾

Wind monitoring tower and equipment	P, C ⁽⁴⁾	P ₍₄₎ C	P ₍₄₎ C	P ₍₄₎ C	P ₍₄₎ C	X	X	P ₍₄₎ C	P ₍₄₎ C	P ₍₄₎ C	P ₍₄₎ C
-------------------------------------	---------------------	--------------------	--------------------	--------------------	--------------------	---	---	--------------------	--------------------	--------------------	--------------------

- (1) See Definition.
- (2) Requires an agricultural acknowledgment to be signed and recorded.
- (3) See also [Section 17.34.030](#).
- (4) See also [Section 17.34.050](#).
- (5) See also [Chapter 17.35](#).
- (6) See also [Chapter 17.33](#).
- (7) See also [Chapter 16.25](#).

Table of Uses Notes:

P = Permitted Use

A = Administrative Land Use

C = Conditional Use

X = Prohibited Use

(Ord. 8 § 1, 2008; Ord. 6 § 1, 2008; Ord. 2 § 1, 2008; Ord. 196 § 1, 2004; Ord. 187 § 2, 2003; Ord. 171 § 9(D)(part), 2001)

(Ord. No. 2010-1, § 2(Exh. B), 1-25-2010; Ord. No. 2010-4, § 1, 4-26-2010; Ord. No. 2011-6, § 1(Exh. A, III), 10-24-2011; [Ord. No. 2012-4](#), § 2, 11-26-2012; [Ord. No. 2013-3](#), § 9, 5-28-2013; [Ord. No. 2014-9](#), § 3, 10-13-2014; [Ord. No. 2015-4/](#), § 2, 6-8-2015; [Ord. No. 2019-1](#), § 3, 3-25-2019)

17.16.040 - Table of site development standards.

The table of site development standards accompanies the table of uses set forth in [Section 17.16.030](#). With the exception of the minimum lot size in an A-20 zone and in accordance with the conditions [in] [Section 17.16.040\(3\)](#), this table identifies the lot requirements, required setback and yard standards, building height standards, site coverage standards and other requirements for the uses allowed within each zoning district. The values identified in the following table are the minimum standards that apply in the zones indicated. However, more restrictive or additional development standards may also apply, as set forth in other applicable sections of the Iron County Code. A thorough review of the Iron County zoning ordinance is required to ensure that all applicable development standards are identified.

TABLE OF SITE DEVELOPMENT STANDARDS

	ZONING DISTRICTS										
	A-20	R-20	RR-20	R-5	R-2	R-1	R-1/2 (2)	C	LI	I	I-A
Minimum lot width	300 ft.	300 ft.	200 ft. (See note 6)	300 ft.	165 ft.	165 ft.	120 ft.	90 ft.	100 ft.	150 ft.	1,320 ft.

Minimum front yard setback	60 ft.	60 ft.	60 ft.	60 ft.	60 ft.	30 ft.	30 ft.	25 ft.	25 ft.	25 ft.	200 ft. ⁽¹⁾
Minimum rear yard setback	60 ft.	60 ft.	60 ft.	60 ft.	60 ft.	40 ft.	30 ft.	25 ft.	30 ft.	50 ft.	200 ft. ⁽¹⁾
Minimum side yard setback	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	10 ft.	10 ft.	25 ft.	40 ft.	200 ft. ⁽¹⁾
Minimum side yard setback (corner lot)	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	NR	NR	NR	200 ft. ⁽¹⁾
Minimum distance between buildings	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	NR	NR	NR	15 ft.
Maximum/minimum building height	NR	NR	NR	30 ft. or 2 stories/ 1 story	30 ft. or 2 stories/ 1 story	30 ft. or 2 stories/ 1 story	30 ft. or 2 stories/ 1 story	3 stories/ 1 story	3 stories/ 1 story	NR	NR
Minimum lot size (acres)	20 * (See notes 3 and 5 below)	20 * (See notes 3 and 5 below)	20 * (See notes 3 and 5 below)	5	2	1	1/2	NR	NR	NR	80
Maximum total lot coverage (all buildings)	NR	NR	NR	5% (max. site coverage may be >5% for green-houses)	10%	15%	30%	50%	50%	50%	NR
Accessory outside storage areas								When located adjacent to any agricultural or residential district must be screened by a solid, non-landscape, fence or wall at least six feet in height.			

Outside and security lighting									Must reflect away from adjacent agricultural and residential district.
-------------------------------	--	--	--	--	--	--	--	--	--

(1) All uses and buildings located within the I-A zoning district, except for dwellings and accessory uses for dwellings, shall meet the minimum setbacks required for the I-A zoning district. Accessory uses and buildings in the I-A zoning district shall meet the minimum setbacks of the A-20 zoning district.

(2) The R-1/2 zone, where a "Performance Subdivision Option" is approved, shall incorporate minimum and/or maximum values for setbacks, lot sizes and widths, building separation and heights, and maximum building coverage as prescribed in Section 16.23.040 (Development standards).

(3) If a lot or parcel of property is located within an A-20 zone and is less than twenty acres but at least ten or more acres, and provided that the lot was legally created or existed prior to August 14, 2000, the lot or parcel shall be considered suitable for uses identified as permitted or conditional as set forth in the A-20 zone, except for kennels; provided that all listed uses (permitted and/or conditional) in the A-20 zone shall be considered conditional uses for lots or parcels in the A-20 zone and smaller than twenty acres, but at least ten or more acres, subject to the following provisions:

a. The requested use is allowed in the A-20 zone as a permitted or conditional use;

b. The requested use complies with the requirements for the A-20 zone with respect to yard requirements, setback requirements, height, buffer and landscape standards, and all other requirements applicable to the district are sufficient to permit the requested use, other than the minimum area requirement; and

c. The requested use will not substantially impair or adversely impact the neighboring property owners, but if so asserted, or the planning commission believes that the requested use will negatively impact or impair a neighboring property owner, then the planning commission may impose such requirements and conditions with respect to location, construction, maintenance, operation, site planning, traffic control and time limits, and other items for the conditional use permit as deemed necessary for the protection of adjacent properties and the public interest.

d. Conditional use permit applications for a kennel in the A-20 zone shall only be considered eligible for lots with twenty or more acres.

If the proposed use requested does not comply with the requirements of this title, or cannot be reasonably mitigated by the property owner, the planning commission shall deny the application. Upon finding that the proposed use, building or structure complies with the standards and requirements of this title, the requirements of the land management code, can be adequately serviced by the existing or proposed infrastructure, and the negative impacts can be reasonably mitigated, the planning commission shall authorize the conditional use permit.

(4) Accessory Building Setbacks and Separations. Unless determined otherwise by the county commission, accessory building setbacks shall be five feet minimum for rear and side yard setbacks. Front yard setbacks are the same as for the principle building and accessory buildings may not be set closer to the front property line than the principle building. Accessory buildings may not be located in utility easements. Building separation distances for accessory buildings shall be regulated by the building code.

(5) For the purpose of calculating minimum lot size, one-half the width of public streets or rights-of-way along not more than two sides of the lot may be included if that public street or right-of-way is established in conformance with the Iron County transportation plan or the Iron County addressing coordinate grid system (i.e., along section lines, quarter section lines, etc. as commonly done with aliquot parts divisions). Such area of public streets and rights-of-way shall not exceed two acres of the minimum twenty acres required.

(6) Lot width for private lots in the RR-20 zoning district that do not have lot frontage on a public street shall consider the edge of the lot where the driveway enters the lot as the front of the lot.

17.16.050 - Specially planned area (SPA).

In addition to the districts described in Section 17.16.010, Iron County may apply the specially planned area (SPA) district described in this section to the land covered by a project that is a new community, a new village or a new resort as contemplated by the Tier III policies in the general plan of Iron County, Utah, as amended by the 2005 amendments to the general plan of Iron County, Utah (the "General Plan"). The SPA zone is provided and designed to allow, at the discretion of Iron County, flexibility in the use of land, densities, site layout and project design. Iron County shall only use the SPA zone in connection with the approval of a new community, new village or new resort by development agreement consistent with the Tier III policies in the general plan. The SPA zone may be designated by Iron County only after an application has been submitted by the owner of the property to be considered in the application. The burden shall rest upon an applicant to demonstrate that the proposed new community, new village or new resort is in the best interest of the general health, safety and welfare of Iron County.

A. The SPA is intended to:

1. Permit innovative considerations in the development of land, to ensure that all development is undertaken in a manner that significantly further the goals and objectives of the general plan;
2. Allow a creative approach to the development and use of the land and related physical facilities to produce better development, design and construction of quality and aesthetic amenities;
3. Allow for a choice in the type and quality of environments, including a mix of land uses, available to residents and the public;
4. Better relate residential, commercial, and other development with community facilities and infrastructure location, size and design;

B. Requirements for Adopting a SPA zone. Before a SPA zone is designated in any area, the county commission, after receiving a recommendation of the planning commission, shall determine the following:

1. That the proposed new community, village or resort to be regulated by the SPA zone may be approved consistent with the Tier III policies in the general plan, and the county commission is prepared to reclassify the subject land to Tier III at the time of rezoning the subject property to the SPA zone;
2. That the proposed new community, village or resort to be covered by the SPA zone may be approved consistent with the development agreement policies in Chapter 13 of the Iron County zoning ordinance and that the county commission is prepared to approve and execute a development agreement authorizing and regulating the new community, village or resort at the time of rezoning the subject property to the SPA zone. For purposes of this finding, the development agreement must contain the elements of a development agreement described in Sections 17.42.040(B)(1) through (B)(8) of the Iron County zoning ordinance;
3. That the proposed new community, village or resort is described in a conceptual master development plan showing the general configuration of the project, including the general location of development areas and including the types of uses contemplated within each development area, major community roads, recreational and open space amenity areas reasonably anticipated to meet the needs of the residents, any public facilities and other features of the project, which conceptual master development plan is incorporated into and to be adopted along with the development agreement;
4. That the applicant has demonstrated the feasibility of obtaining centralized water and sewer services to serve the requirements of the community, village or resort and the development agreement contains a mechanism to assure the provision of such services in connection with any development approved pursuant to the development agreement;
5. That the applicant has demonstrated the feasibility of obtaining police, public safety and fire services to the reasonable satisfaction of Iron County and the development agreement contains a mechanism to assure the provision and financing of such services in connection with any development approved pursuant to the development agreement;

6. That the applicant has demonstrated the feasibility of providing fire flow, storage and other facilities relating to public facilities required by generally applicable standards of the county and the development agreement contains a mechanism to provide for such facilities in connection with any development approved pursuant to the development agreement;
 7. That the applicant has demonstrated the feasibility of providing on and off-site drainage ways and facilities to adequately discharge surface run-off generated or increased by the project and the development agreement contains a mechanism to assure the provision of such facilities in connection with any development approved pursuant to the development agreement;
 8. That the applicant has demonstrated the adequacy of the proposed transportation systems, including consideration of efficient vehicular circulation to, from and within the development and the provision of pedestrian and bicycle trails and ways within the development and the development agreement contains a mechanism to assure the provision of such services in connection with any development approved pursuant to the development agreement;
 9. That the proposed new community, village or resort is reasonably likely to provide to Iron County and its residents the benefits that significantly outweigh those that would otherwise be derived, if development occurred under the provisions of the underlying zone district, considering (without limitation) an analysis of the costs and revenues of the proposed development that are likely to be incurred or received by governmental agencies;
 10. That the proposed development (considering such mitigating conditions as may be imposed) will not have a material adverse impact on other property in the vicinity of the development;
 11. That the proposed development will be regulated by development standards contained in the development agreement that meet or exceed the development standards contained in Iron County ordinances or, with respect to any development standard that does not meet or exceed the existing county requirements, by development standards that are appropriate for the size and nature of the proposed project;
 12. That the applicant has a reasonable financial plan providing for the construction and maintenance of all reasonably required facilities and other improvements in connection with the development of the project;
 13. That the proposed development furthers the goals and objectives of the general plan; and
 14. That approving an SPA zone district will not adversely affect the public health, safety and general welfare.
- C. Allowed Uses With a SPA Zone. The uses allowed in a SPA zone adopted pursuant to the ordinance codified in this chapter shall be those uses specified in an approved development agreement for the subject project. The uses shall not be limited to those uses, otherwise permitted in the Iron County zoning ordinance or otherwise permitted in any other SPA zone. The development agreement may regulate the location, height, setbacks and other standards applicable to particular uses, which regulations may vary from regulations applicable to such uses in different zoning districts and in different SPA zones.
- D. Application and Review Procedure. Applications for the reclassification of property to a Tier III classification under the general plan, to a SPA zone under the zoning ordinance and for a project development agreement (including a master development plan) shall be considered together and approved or rejected at the same time by the county commission. All contiguous property under one ownership shall be planned in a unified and comprehensive fashion and shall be included in an application for Tier III, SPA zone and development agreement consideration and approval.

The applications shall include the following information:

1. A draft of development agreement containing all of the information required by Section 17.42.040 of the Iron County zoning ordinance and a proposed set of development standards for the proposed development.
2. A draft of conceptual master development plan containing the information described above in this SPA zone ordinance.
3. A statement addressing each of the above required findings and any findings required for the approval and adoption of a development agreement. The statement shall be accompanied by such information as may be necessary or appropriate to allow the county to assess the project in light of the required findings. Such additional information may include, without limitation, information addressing the feasibility of the project obtaining or providing central water and sewer, adequate storm drainage facilities, police, public safety and fire services, fire

flows and storage. In addition, the applicant shall provide an analysis of the revenues and costs, including capital and operating expenditures, of affected governmental agencies and an evaluation of the overall fiscal impact of the proposed development on Iron County.

4. The county may require the submission of additional preliminary site development information, including slope analysis, the location of wetlands, wildlife habitats, and other sensitive lands and other conceptual planning information to the extent reasonably necessary to permit the county to evaluate the proposed development.

The applicant is encouraged to have a preapplication conference with county planning and building officials to ascertain the appropriate scope of any additional information that may reasonably be expected in connection with any application for a SPA and development agreement approval.

In evaluating an application for a proposed new community (involving more than six hundred forty acres and one thousand housing units and not oriented to resort or recreational amenities) under the provisions of this SPA zone ordinance, the planning commission and county commission may consider additional factors, such as housing mix, employment development, the availability of retail and health care options to serve the new community and the availability of school capacity and other similar community elements in approving any proposal.

The applications shall be processed in accordance with normal processes for the adoption or amendment of a general plan and the adoption or amendment of a zoning ordinance and zoning map. Upon approval, the ordinance reclassifying the property to a SPA zone and the ordinance adopting the development agreement and the conceptual master development plan shall be published as amendments to the Iron County zoning ordinance and shall be recorded against the land covered by the project approvals.

(Ord. 206 § 1, 2005)

Chapter 17.20 - USE DEFINITIONS

17.20.010 - Definitions.

For the purpose of applying the table of uses and rendering other decisions required by this Title 17, the uses identified in the table of uses are defined as follows:

"Accessory agricultural retail sales" means a location for the retail or wholesale of agricultural or horticultural products which are grown on site: (1) products can only be sold on a seasonal basis with no permanent structure; and (2) products must be grown on site, not having been purchased for the purpose of resale.

"Accessory dwelling" means a dwelling unit for use as an independent living or dwelling unit located on the same parcel as a permitted principal use which is determined through conditional use review to be secondary to the permitted principal use.

"Accessory outside storage" means the outside placement of items which are customary and incidental to the principal use of the property, but excluding the outside storage and placement of flammable and hazardous materials.

"Accessory outside storage of flammable or hazardous materials" means the outside placement of flammable or hazardous materials which are customary and incidental to the principal use of the property.

"Accessory solar energy systems" include any photovoltaic, concentrated solar thermal, or solar hot water devices that are accessory to, and incorporated into the development of an authorized use of the property, and which are designed for the purpose of reducing or meeting on-site energy needs.

"Accessory structure" means a subordinate structure detached from, but located on the same lot as the principal use, the use of which is incidental and accessory to that of the principal use.

"Accessory uses" mean a use customarily incidental to and on the same parcel as the principal or main use.

"Adult day care facility" means any building or structure furnishing care, supervision and guidance for three or more adults unaccompanied by a guardian for periods of less than twenty-four hours per day.

"Agricultural experiment station/agricultural field station" means an area with associated accessory buildings and structures owned by an agency of federal or state government or educational institution for the raising of crops and the raising and keeping of farm animals for the purposes of scientific study and experimentation.

"Agricultural fertilizer processing and storage" means the processing and storage of premanufactured agricultural fertilizers and soil conditioners brought to the site for use, storage and sale. Normal farm use and application of commercial fertilizers and animal by-products, such as manure, are excepted from this use. This does not include the manufacturing of fertilizers or soil conditioners. See "Chemical and explosives manufacturing and storage."

"Agricultural products processing and storage" means the processing and storage of agricultural products brought to the site, including but not limited to cleaning, sorting, grading, packaging, milling, or storing of products which are intended for direct human or animal consumption or use. This use does not include the commercial slaughtering or the processing and packaging of meat and poultry. See "Meat or poultry processing facility."

"Airport" means areas used for the landing and take-off of aircraft and any appurtenant areas which are intended for use as airport buildings or other airport facilities. Such facilities include land and buildings necessary or convenient for the accommodation of the public, including but not limited to parking, retail, dining, hotel, and training facilities.

"Apartment" means a multiple dwelling; see also "Dwelling, multiple-family."

"Assisted living facility" means a residential facility, licensed by the state of Utah, with a home-like setting that provides an array of coordinated supportive personal and health care services, available twenty-four hours per day, to residents who have been assessed under Utah Department of Health or the Utah Department of Human Services rules to need any of these services. Each resident shall have a service plan based on the assessment, which may include: (1) specified services of intermittent nursing care; (2) administration of medication; and (3) support services promoting resident's independence and self-sufficiency. Such facility does not include adult day care provided in conjunction with a residential facility for elderly persons or a residential facility for persons with a disability.

"Bakery" means an establishment for the production of baked bread, cakes, and similar goods, primarily for sale to the public or to other commercial establishments.

"Bank" means a financial institution for the extension of credit, and the custody, loan or exchange of money which may have drive-through service.

"Bed and breakfast" means an owner-occupied dwelling offering transient lodging accommodations where meals may be provided. A bed and breakfast may have not more than five guest rooms or serve not more than ten guests per night and must be located to be served by adequate existing public services.

"Boarding house" means a building or portion thereof where, for compensation, rooms are rented together with meals for not more than fifteen boarders who generally do not directly utilize kitchen facilities. The operator of a boarding house must reside on the premises of a boarding house. The word "compensation" shall include compensation in money, services, or other things of value. A boarding house does not include a residential facility for disabled persons or a residential facility for the elderly. A boarding house does not include a nonresidential facility, such as a rehabilitation/treatment facility, where the primary purpose of the facility is to deliver rehabilitation, treatment, counseling, medical, protective or other similar services to the occupants.

"Building material or garden store" means a facility for the sale of home, lawn and garden supplies; landscaping materials; brick; lumber; and other similar materials. This use may include the outside storage of materials.

"Cabinet shop, carpentry, or furniture-making facility" means a building for the making, repairing or refinishing of furniture or wood products for retail or wholesale.

"Campground" means a privately owned area of land with accommodations for temporary or transient occupancy are located or may be placed, including tents and recreational vehicles with customary accessory uses.

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

"Cemetery" means a place designated for the burial or keeping of the remains of the dead, whether human or animal, including crematories and mausoleums.

"Chemical and explosives manufacture and storage" means the manufacture, processing and storage of chemical materials and explosives that by reason of materials, processes, products or waste may be hazardous or that by the emission of odor, dust, smoke, gases, noise, vibration, glare, heat or other impacts may impact adjoining properties.

"Child day care facility/preschool center" means any facility operated by a person qualified by the state of Utah which provides six or more children under fourteen years of age with day care and/or preschool instructions.

"Church" means a facility principally used for people to gather together for public worship, religious training, or other religious activities. One accessory dwelling for the housing of the pastor or similar leader of the church and their family will be considered customary and incidental as a part of this use.

"Commercial hazardous industry" means the importation for treatment, storage or disposal of hazardous wastes, materials or substances either for profit or nonprofit purposes.

"Commercial plant nursery" means a use wholly or partially contained within one or more greenhouses where trees, shrubs, flowers or vegetable plants are grown and sold either wholesale or retail.

"Community correctional facility" means a facility licensed by or contracted by the state of Utah to provide temporary occupancy for previously incarcerated persons which assists such persons in making a transition from a correctional institution environment to independent living. Such facility may also provide ancillary, temporary occupancy for individuals placed as part of, or in lieu of confinement rehabilitation, or treatment in a correctional institution.

"Composting facility" means a facility where organic materials are converted into a humus-like material under a process of managed biological decomposition or mechanical processes. Normal backyard composting and composting incidental to farming operations are excepted from this use.

"Comprehensive nutrient management plan (CNMP)" means a site-specific comprehensive nutrient management plan prepared in accordance with the Natural Resources Conservation Service, Field Office Technical Guide, including at a minimum, best management practices (BMP's) to address operational and maintenance activities in accordance with current state regulations and natural resources conservation service (NRCS) practice standards. Components based upon the operational needs of the permitted facility include manure and wastewater handling and storage, land application of manure, land management practices, feed management, record keeping and other utilization options.

"Contractor's shop/office" means a facility providing for general building repair, service, and maintenance such as, and including installation of plumbing, roofing, signs, electrical, air conditioning and heating.

"Convenience store" means any retail establishment selling consumer products including prepackaged food and household items, having a gross floor area of less than five thousand square feet. A convenience store may also have associated retail sale of gasoline and other petroleum products.

"Correctional institution" means a prison, jail, juvenile detention facility or juvenile secure facility.

"Day care center/assisted care center" means a facility which provides less than twenty-four hours assisted care or supervision for five or more persons, fourteen years of age and older and who are not related by blood, marriage or adoption to the owner or operator, with or without compensation for such care, and with or without stated educational purpose.

"Distribution center" means a building used primarily for the inside storage and distribution of goods and materials and the parking and storage of tractor and/or other trailer units.

"Dwelling" means any building or portion thereof containing one or more dwelling units occupied as, or designed or intended for occupancy as, a residence by one or more families.

Dwelling, Four-family. "Four-family dwelling" means a building arranged or designed to be occupied by four families, the structure having four dwelling units. This use is a prohibited use.

Dwelling, Multiple-family. "Multiple-family dwelling" means a building arranged or designed to include three or more dwelling units, each to be occupied by one family.

Dwelling, Single-family. "Single-family dwelling" means a building arranged or designed to be occupied by one family, to include only one dwelling unit.

Dwelling, Three-family. "Three-family dwelling" means a building arranged or designed to be occupied by three families, the structure having three dwelling units. This use is a prohibited use.

Dwelling, Two-family (Duplex). "Two-family dwelling" or "duplex" means a building arranged or designed to be occupied by two families, the structure having two dwelling units. This use is a prohibited use.

"Dwelling unit" means any building or portion thereof designed, occupied, or intended as a residence for one family, complete and independent for living, sleeping, eating, cooking and sanitation.

"Educational institution" means a public elementary or secondary school, seminary, parochial school or private education institution having a curriculum similar to that ordinarily given in grades one through twelve in a public school system. The term "educational institution" for the purpose of this title does not include post high school educational facilities or educational facilities which include residential facilities for its students.

"Electric substation" means an assemblage of equipment and appurtenant facilities designed for voltage transformation or voltage control of electricity in amounts of one hundred fifteen thousand volts or more.

"Electric transmission line" means a series of three or more structures and appurtenant facilities erected above ground, supporting one or more conductors emanating from a power plant or a substation, designed to transit electric energy in voltages of one hundred fifteen thousand volts or more.

"Emergency care facility" means a health care facility providing primarily outpatient emergency care for the diagnosis and treatment of individuals.

"Expanded home occupation" means an accessory use consisting of a vocational activity that extends beyond the limitations of 'home occupation' but can be conducted in residential neighborhoods without undue detrimental impacts to surrounding properties; is required to obtain an administrative land use permit as described in [Chapter 17.38](#), and is regulated in [Section 17.36.280](#), Iron County Code. Expanded home occupation includes any use where an employee does not reside inside the dwelling unit, where outside storage, use of an accessory building on the same property, or use of an attached garage is anticipated or requested in conjunction with a home occupation.

"Farm" means an area of not less than twenty contiguous acres or larger which is used for the commercial production of farm crops, such as vegetables, fruit trees, hay, grain, and other products and their storage, as well as the raising thereon of farm poultry and farm animals, such as horses, cattle, sheep, swine and fur-bearing animals for commercial purposes and dairy farms. The term "farm" includes the operating of such an area for one or more of the above uses with the necessary accessory uses for treating or storing the products, and including accessory farm employee housing which must be located on the farm and shall not be divided or sold separately from the farm parcel. Farm includes Type II animal operations and Type II swine operations.

"Fish farm" means the hatching and raising of fish for the purpose of harvesting and sale. Fish farms do not include recreational fishing operations.

"Fraternity or sorority house" means a building occupied by and maintained exclusively for students affiliated with an academic or professional college or university or other recognized institution of higher learning, who are associated together in a fraternity/sorority that is officially recognized by such institution and who receive lodging and/or meals on the premises for compensation.

"General industrial activity" means a manufacturing operation or processing and assembly of goods including personal hygiene products and cosmetics, drugs and pharmaceuticals, tools, equipment and products and which are not likely to be obnoxious or offensive by reason of emission of odor, dust, smoke, noxious gases, noise, vibration, glare, heat or other impacts, nor hazardous by way of materials, process, product or waste. This use does not include agricultural products processing and storage. See "Agricultural products processing and storage."

"Geothermal power plant" means a facility that uses geothermal energy, defined as natural heat, hot water and/or steam from within the earth, to produce electricity.

"Golf course" means a recreational facility primarily used for the purpose of playing golf, but which may include associated eating and drinking areas, retail sales areas and staff offices.

"Guest house" means a separate dwelling unit located on the same lot as the principle dwelling and used for housing guests. Guest houses shall be considered an accessory building as is regulated in Section 17.36.270. A guest house must also meet the requirements of a "dwelling, single-family" or "manufactured home" as defined in the Iron County zoning ordinance.

"Guest ranch" means a facility, including either a single building or resort cabins, which serves as a destination point for visitors and generally has accessory recreational facilities for the use of guests. A guest ranch should maintain the existing farming operations, and all facilities should be designed and located to preserve and protect the openness of the area. Each guest is limited to not more than ninety days of residency for each calendar year.

"Heliport" means any designated area used for the landing and taking off of helicopters, including all necessary passenger and cargo facilities, fueling, and emergency service facilities.

"Hobby farm" means a farming operation that generally meets the description of a farm, including the production of farm crops, as well as raising thereon of farm poultry and farm animals; however, a hobby farm may not have more animals than allowed in a Type I animal operation or Type I swine operation, and does not require a twenty-acre minimum lot size. All provisions of Section 17.36.250 of the Iron County zoning ordinance shall apply to hobby farms within a subdivision in the R1/2, R1, R2 and R5 zoning districts.

Home Occupation. A "home occupation" means an accessory use consisting of a vocational activity conducted inside a dwelling unit and conducted only by the individuals who reside therein and provided that the home occupation:

1. Does not result in noise or vibration, light, odor, dust, smoke, or other air pollution noticeable at or beyond the property line;
2. Is clearly subordinate to the use of the lot for dwelling purpose and does not change the character of the lot;
3. Does not include the outside storage of goods, materials, or equipment;
4. Has signage limited to a nonilluminated identification sign two square feet or less in size;
5. Does not produce traffic volumes exceeding that produced by the dwelling unit by more than ten average daily trips or a maximum of twenty trips during any twenty-four-hour period;
6. Does not include nursing homes, restaurants, vehicle repair businesses, or boarding houses; and
7. Complies with all required federal and state licensing requirements.

Home occupation shall include the care of not more than six children other than members of the family residing in the dwelling.

"Hospital" means an institution licensed by the state of Utah which provides diagnostic, therapeutic and rehabilitative services to individuals on both an inpatient and outpatient basis by or under the supervision of one or more physicians. Any medical clinic or professional office which offers any inpatient or overnight care, or operates on a twenty-four hour basis shall be considered to be a hospital. A hospital may include integral support service facilities, such as laboratories, outpatient units and training and central services, together with staff offices necessary to the operation of the hospital.

"Hotel" means a building designed for or occupied as the more or less temporary abiding place of individuals who are, for compensation, lodged with or without meals.

"Indoor recreation" means an entirely enclosed building or facility which offers commercial indoor sports activities, including, but not limited to, tennis, bowling, skating, horse riding or similar activities but not including video game arcades. This use may include associated eating and drinking areas, retail sales areas and staff offices.

"Indoor theater" means a facility for showing motion pictures, video or staging theatrical performances to an audience inside an enclosed structure.

"Jail" means a place of incarceration owned and operated by the county.

"Junk yard" means the use of any lot, portion of a lot, or 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.

"Juvenile detention facility" means a place of temporary detention for delinquent juveniles, which either is owned and operated by the state of Utah or is under contract with the state of Utah.

"Juvenile secure facility" means a place of incarceration for delinquent juveniles, which either is owned and operated by the state of Utah or is under contract with the state of Utah.

"Kennel" means any establishment at which four or more dogs and cats are bred or raised for sale, boarded or cared for commercially or on a nonprofit basis exclusive of a veterinary clinic.

"Landfill" means a land disposal site where solid waste is disposed of using sanitary land filling techniques, including, but not limited to, an engineered method of disposing of solid waste on land in a manner that does not create a nuisance or health hazard.

Laundry, Self-service. "Self-service laundry" means a building within which clothes washing and drying machines, either coin-operated or attendant-operated, are provided on a rental basis for use by individuals for doing their own laundry and dry cleaning.

"Light industrial" means places for the conduct of any light manufacturing and assembly activities which are compatible with existing and other uses allowed in the zoning district and which will not be offensive by reason of emission of odor, dust, smoke, noxious gases, noise, vibration, glare, heat or other impacts, nor hazardous by way of materials, process, product or waste, and where all equipment, compressors, generators and other ancillary equipment is located within a building or structure and any outside storage areas are screened from view from all adjoining properties and streets.

"Livestock auction facility" means a structure, or structures, with associated pens, yards and corrals and loading and unloading facilities used for the sale of livestock.

"Major facility of a public utility" means any electric transmission lines (greater than one hundred fifteen thousand volts), power plants or substations of electric utilities; major gas regulator stations, transmission and gathering pipelines and storage areas of utilities providing natural gas or petroleum derivatives; and their appurtenant facilities.

"Meat or poultry processing facility" means a facility for the commercial processing of meat and poultry for human consumption, including, but not limited to, the slaughtering, butchering, cutting, dressing and packaging of meat and poultry products and not to exceed twelve thousand animal units of any one species during the twelve-month period.

"Membership club" means a facility owned or operated by a group of people organized for a common educational, service or recreational purpose. These clubs may be characterized by certain membership qualifications, payment of fees or dues and regular meetings and activities. This use may include hunting and gun clubs but does not include private clubs.

"Mortuary" means a facility where bodies are prepared for burial or cremation, which may include areas for embalming, performing of autopsies and the storage of funeral supplies and vehicles.

"Motel" means a building or group of buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the building with a garage or parking space located on the lot and designed, used or intended wholly or in part for the accommodation of automobile transients. Motel includes motor courts, motor lodges and tourist courts, but not limited to, mobile home parks or travel trailer parks.

"Nursing home" means an intermediate care/nursing facility or a skilled nursing facility, licensed by the state of Utah, for the care of individuals who due to illness, advanced age, disability, or impairment require assistance and/or supervision on a twenty-four hour per day basis. Such facility does not include an adult day care facility or adult day care provided in conjunction with a residential facility for elderly persons or a residential facility for persons with a disability.

"Oil and gas drilling facilities/production" means any operation utilizing equipment which advances a bore hole into the earth's substrata for the purpose of discovery, development and/or production of oil or gas, including, but not necessarily limited to, wells, tanks or tank batteries, pits, access roads for ingress and egress and pipelines.

"Outdoor recreation" means an area or facility which offers entertainment or recreation where any portion of the activity takes place outside. This includes but is not limited to a golf driving range, rifle range, riding arena and corrals, tennis facility or a miniature golf course.

"Outdoor theater" means a facility for outdoor performances where the audience views the production from automobiles or while seated outside.

"Park and ride facility" means a parking area and transit facility, the purpose of which is to allow the parking of motor vehicles with a connection to mass transit service.

"Permanent farm worker dwelling unit, on-farm" means a dwelling occupied by a permanent farm worker household—defined as a household that consists of a permanent farm worker (see definition) and his/her family, or not more than four unrelated permanent farm workers living together as a single household; which dwelling is located on, and owned by, the farm operation that employs the permanent farm worker(s). On-farm permanent farm worker dwelling units shall be considered an accessory use to the principal use of farming, in that they shall not be considered single-family, two-family, three-family, four-family, or multifamily dwellings for purposes of zoning definition and classification. On-farm permanent farm worker dwelling units are subject to the requirements of Iron County Code, Section 17.36.260.

"Personal service facility" means an establishment for the provision of personal services, including drive-through service; a retail facility, including but not limited to barber or beauty shop, dry cleaners, optometrist shop, tanning salon, fitness center, reception center, photographic studio or travel bureau.

"Personal storage facility" means a facility for storage of personal items in individual units, bins, rooms or containers. Any unit, bin, room or container must be a permanent structure.

"Power plant" means an electrical energy generating facility with a generating capacity of more than fifty megawatts and any appurtenant facilities.

"Printing and/or publishing establishment" means a facility for the reproduction, cutting, printing, or binding of materials on a bulk basis using lithography, offset printing, blueprinting, silk screening or similar methods.

"Prison" means a place of incarceration owned and operated by the state of Utah.

"Private educational facility" means buildings and uses for educational or research activities which has a curriculum for technical or vocational training, kindergarten, elementary, secondary or higher education, which may include residential facilities for faculty, staff and students.

"Private club" means a social club, recreational athletic or kindred association which maintains or intends to maintain premises upon which liquor is or will be stored, consumed or sold.

"Private jail" means a place of incarceration established or operated under a contract with the county.

"Private prisons" mean a correctional facility established or operated under a contract with the state of Utah under the provisions of the Private Correctional Facilities Act, Chapter 13c, Title 64, Utah Code Annotated, as amended.

"Professional office" means a building for the professions including but not limited to government, physicians, dentists, lawyers, realtors, architects, engineers, artists, musicians, designers, teachers, accountants and others who, through training, are qualified to perform services of a professional nature, and where no storage or sale of merchandise exists. This use includes medical and dental clinics.

"Protective housing facility" means a facility either: (1) operated, licensed or contracted by a governmental entity, or (2) operated by a charitable, nonprofit organization, where, for no compensation, temporary, protective housing is provided to:

- a. Abused or neglected children awaiting placement in foster care;
- b. Pregnant or parenting teens;
- c. Victims of sexual abuse; or
- d. Victims of domestic abuse.

"Public educational facility" means buildings and uses for educational or research activities which are operated by a public entity and have curriculum for technical or vocational training, kindergarten, elementary, secondary or higher education, including facilities for faculty, staff and students.

"Public use" means a use operated exclusively by a public body or quasi-public body, such use having the purpose of serving the public health, safety or general welfare, and including recreational facilities, administrative and service facilities, and public utilities, including water and sewer lines and facilities, gas and electricity lines and facilities, cable television lines and facilities and telecommunications facilities, but excluding prisons and animal control facilities.

"Reception hall/reception center" means a facility for the holding of events, including but not limited to, weddings, wedding receptions, community meetings and group gatherings.

Recreation, Commercial. "Commercial recreation" means recreational facilities operated as a business and open to the general public for a fee, such as ski resorts, golf driving ranges and baseball batting ranges.

"Recycling collection center" means a center for the acceptance and temporary storage of recyclable materials to be transferred to a processing facility. Recycling collection centers involve not more than three collection containers up to forty cubic yards in total size. Collection centers located in parking lots may not occupy required parking spaces. A collection center must be arranged so as not to impede traffic flow. The operator of the collection center shall remove products stored at the site at least once a week. The operator of the collection center shall keep the collection center in proper repair and the exterior must have a neat and clean appearance. Automated can recycling machines are limited to two per site.

"Recycling processing facility" means a facility where recyclable and organic materials are collected, stored and processed. Processing, includes but is not limited to baling, briquetting, compacting, flattening, crushing, mechanical sorting, shredding and cleaning. Facilities where the sole purpose is to utilize recyclable materials in manufacturing an end product which does not require further processing shall be considered a general industrial and not a recycling use. Organic materials are limited to tree limbs, leaves and grass clippings only.

"Rehabilitation/treatment facility" means a facility licensed by or contracted by the state of Utah to provide temporary occupancy and supervision of individuals (adults/juveniles) in order to provide rehabilitation, treatment, or counseling services. Without limitation, such services may include rehabilitation, treatment, counseling, or assessment and evaluation services related to delinquent behavior, alcohol and drug abuse, sex offenders, sexual abuse, or mental health. Associated education services may also be provided to juvenile occupants.

"Residence, Residential Facility. "Residential facility residence" means any building or portion thereof where an individual is actually living at a given point in time and intends to remain, and not a place of temporary sojourn or transient visit. See "Dwelling."

"Residential facility for elderly persons" mean a dwelling unit that is either owned by one of the residents or by an immediate family member of one of the residents, or is a facility for which the title has been placed in trust for a resident; and is occupied on a twenty-four-hour per day basis by eight or fewer elderly persons in a family-type arrangement. A residential facility for elderly persons shall not include any facility:

1. Which is operated as a business; provided, that such facility may not be considered to be operated as a business solely because a fee is charged for food or for actual and necessary costs of operation and maintenance of the facility;
2. Where persons being treated for alcoholism or drug abuse are placed;
3. Where placement is not on a strictly voluntary basis or where placement is part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional institution;

4. Which is a health care facility as defined by Section 26-21-2 of the Utah Code; or
5. Which is a residential facility for persons with a disability.

"Residential facility for persons with a disability" means a residence in which more than one person with a disability resides and which is:

1. Licensed or certified by the department of human services under Title 62A, Chapter 2, of the Utah Code, Licensure of Programs and Facilities; or
2. Licensed or certified by the department of health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act.

"Resort lodge" means a facility, including a single building and/or resort cabins, which serves as a destination point for visitors and generally has accessory recreational facilities for the use of guests. Guest residency is limited to not more than ninety days. Resort lodges may be approved for the following accessory uses through the conditional use permit process:

1. Use of the resort facilities for "reception hall/center" events; and
2. Up to eight R.V. spaces, subject to the ninety-day occupancy limit.

"Restaurant" means a place of business where a variety of food and drink is prepared and served to the public for consumption on and off the premises.

"Retail store" means an establishment for the retail sale of merchandise. A retail store includes but is not limited to antique or art shops, clothing, department, drug, dry good, florist, furniture, gift, grocery, hardware, hobby, office supply, paint, pet, shoe, sporting or toy stores.

"Retirement home" means a residential facility designed, occupied and intended for residents fifty years of age or older, where common facilities for cooking and dining are available to all residents and independent facilities are provided for living, sleeping and sanitation.

"Saw mill" means a facility for the storage, sales and milling of forest products, but not including the cutting of firewood.

"Shelter for the homeless" means charitable lodgings or sleeping rooms provided on a temporary basis (usually on a daily basis), to those members of society lacking other safe, sanitary or affordable shelter. May also include kitchen and cafeteria.

"Sheltered workshop" means an on-site supervised educational or vocational training facility for persons with a disability that does not provide any residential facilities.

"Short-term rental" means a privately owned residential dwelling, such as, but not limited to, a single-family dwelling or multiple-family dwelling, apartment house, guest house, duplex, rented for occupancy for dwelling, lodging, or sleeping purposes for any period less than thirty consecutive days, when the owner is not present.

"Solar power plant" means a utility-scale commercial facility that converts sunlight into electricity, whether by photovoltaics (PV), concentrating solar thermal (CST) devices, or various experimental solar technologies, with the primary purpose of wholesale or retail sales of generated electricity.

"Subsurface mining" means the extraction of natural mineral deposits by underground methods, including the milling and processing of the ore produced and the reprocessing of tailings.

"Surface mining" means the extraction of earth materials by mining directly from the exposed deposits or other materials, including, but not limited to, such processes as open cut mining, open pit mining, strip mining, gravel pits, quarrying and dredging.

"Telecommunications site/facility" means a facility used for the transmission or reception of electromagnetic or electro-optic information, which is placed on a structure. This use does not include radio frequency equipment which has an effective radiated power of one hundred watts or less. This use is not required to be located on a building lot or to comply with the minimum lot size requirement for the district in which it is located.

"Temporary construction or sales office" means a facility temporarily used, for a period not to exceed twelve months, as a construction or sales office.

"Temporary dwelling unit" means a dwelling unit temporarily used, for a period not to exceed twelve months, by the property owner during construction or remodeling of the principal dwelling unit.

"Temporary use" means and includes fireworks stands, Christmas tree sale lots and similar activities which are open to the public and scheduled to occur over a period not to exceed forty days in any calendar year and including uses incidental to construction.

"Trade or vocational school" means a post high school educational or vocational training facility.

"Transitional housing facility" means a facility owned, operated or contracted by a governmental entity or a charitable, nonprofit organization, where, for no compensation, temporary housing (for usually three to twenty-four months, but in no event less than thirty days) is provided to homeless persons, while they obtain work, job skills, or otherwise take steps to stabilize their circumstances. A transitional housing facility shall not include a shelter for the homeless. A dwelling unit provided to a family for their exclusive use as part of a transitional housing program, for more than thirty days, shall not be considered to be a transitional housing facility.

"Travel trailer park" means any parcel of land upon which two or more travel trailers for dwelling or sleeping purposes are located regardless of whether or not a charge is made for such accommodation.

"Unlicensed rehabilitation/treatment facility" means a facility providing temporary occupancy for individuals (adult/juvenile) in order to provide rehabilitation, treatment, or counseling services, which facility either does not require licensure by the state of Utah or does not operate under contract with the state of Utah. Without limitation, such services may include rehabilitation, treatment, or counseling services, related to delinquent behavior, alcohol and drug abuse, sex offenders, sexual abuse, or mental health.

"UPDES Permit No. UTG080000" means Utah pollutant discharge elimination system general approval for concentrated animal feeding operations (CAFOs) Permit No. UTG080000, issued by the Utah State Department of Environmental Quality (DEQ) for the purpose of maintaining that large animal feeding operations shall have no discharge from their manure management facilities and remain in compliance with the provisions of the Utah Water Quality Act, Title 19, Chapter 5, Utah Code Annotated, 1953.

"Urban planning area" means a political or planning boundary surrounding a municipality, identified by the municipality, for the purpose of planning for land uses beyond the incorporated boundary of the municipality. Other common associated names include "policy declaration area" or "growth boundary."

"Utility service facility" means any electrical distribution lines, natural gas distribution lines, minor gas regulator stations, cable television lines, telegraph and telephone lines, and gathering lines or other minor service facilities. This use is not required to be located on a building lot or to comply with the minimum lot size requirement for the district in which it is located, but no buildings are allowed, and the use is limited to the following sizes: (1) gas lines less than twelve inches, and (2) electric lines of less than one hundred fifteen thousand volts.

"Vehicle sales/rental lot" means an area designated for the sale or rent of three or more motor vehicles per year. Vehicles include, but are not limited to, cars, trucks, boats, recreation vehicles and trailers.

"Vehicle service center/service station" means a building or use devoted to the retail sale of fuels, lubricants and other supplies for motor vehicles including minor repair activities which are subordinate to the sale of petroleum products and where all repairs are conducted wholly within a building.

"Veterinary clinic, with outdoor holding facilities" means a facility for the diagnosis, treatment, hospitalization and boarding of animals which includes outdoor holding facilities.

"Veterinary clinic, without outdoor holding facilities" means a facility for the diagnosis, treatment, hospitalization and boarding of animals which does not include outdoor holding facilities.

"Warehouse" means a building used primarily for the inside storage of nonhazardous goods and materials and including accessory office facilities.

"Wind energy system, commercial" means a wind energy conversion system consisting of one or more wind turbine(s) and tower(s), with associated control or conversion electronics which will be used for on-site and/or off-site consumption of power with a rated capacity in excess of 100 kW.

"Wind energy system, small" means a wind energy conversion system consisting of a wind turbine, a tower or other support structure and associated control or conversion electronics with a rated capacity appropriate to the on-site electric usage of the end-use and which will be used primarily to reduce on-site consumption of utility power. A small wind energy system shall not exceed a rated capacity of 100 kW.

"Wind monitoring tower and equipment-meteorological (met) tower" means a tower that houses or supports wind measuring equipment, such as an anemometer, for the purpose of measuring and monitoring wind velocity, duration, intensity, regularity, air temperature and pressure, etc.

(Ord. 8 § 3, 2008; Ord. 6 § 3, 2008; Ord. 2 § 3, 2008; Ord. 196 § 3, 2004; Ord. 183 § 1, 2003; Ord. 171 § 9(B), 2001; Ord. 158 § 1 (part), 1998)

(Ord. No. 2010-1, § 2(Exh. B), 1-25-2010; Ord. No. 2010-4, § 2, 4-26-2010; Ord. No. 2011-3, § 1, 3-28-2011; Ord. No. 2011-6, § 1(Exh. A, I), 10-24-2011; Ord. No. 2013-3, § 1, 5-28-2013; Ord. No. 2019-1, § 4, 3-25-2019)