

5-2A-1: CONDITIONAL USE; CRITERIA Item B:

Current Wording

- B. Maximum Number: There shall be a maximum of two (2) horses; cattle; sheep; pigs; per acre.

Proposed Update

- B. Maximum Number: There shall be a maximum of two (2) ~~livestock horses; cattle; sheep; pigs~~; per ~~one-half~~ acre.

Justification

Item C of this section allows livestock on one-half acre. Title 10 Appendix A Table of Uses Item 13 states “The raising and housing of livestock is limited to two livestock animals per ½ acre and Title 10 Appendix C defines livestock as “cattle, sheep, pigs, goats, horses, donkeys, mules, buffalo, oxen, llamas, and alpacas kept for pleasure, use, or profit, excluding poultry.” Changing item B makes it consistent with the rest of the ordinances

5-2A-1: CONDITIONAL USE; CRITERIA Item C:

Current wording

- C. Minimum Acreage: No livestock shall be permitted on one-half (1/2) acre or less.

Proposed Update

- C. Minimum Acreage: No livestock shall be permitted on ~~less than~~ one-half (1/2) ~~acre or less~~.

Justification

Current minimum lot size is one-half acre. The current wording does not allow livestock on one-half acre, which is inconsistent with allowing one-half acre parcels.

Title 10 Appendix C – Definitions

Current Wording

Home Occupation: An activity or service carried out for gain by a resident and conducted entirely within the resident's home and/or Accessory Building of no more than 800 square feet, and which is clearly incidental and accessory to the residential use of the dwelling or property. The home occupation shall not change the residential character of the residence, nor result in noise, vibration, light, odor, dust, smoke, or other nuisances at or beyond the property line, nor have any visible outside storage of goods, materials, or equipment. Home occupations may include one Employee. Uses involving access by pedestrian or vehicles shall only be conducted between the hours of 8:00 a.m. and 9:00 p.m.

Proposed Update

Home Occupation: An activity or service carried out ~~for gain~~ by a resident and conducted entirely within the resident's home and/or Accessory Building of no more than 800 square feet, and which is clearly incidental and accessory to the residential use of the dwelling or property. The home occupation shall not change the residential character of the residence, nor result in noise, vibration, light, odor, dust, smoke, or other nuisances at or beyond the property line, nor have any visible outside storage of goods, materials, or equipment. Home occupations may include one Employee. Uses involving access by pedestrian or vehicles shall only be conducted between the hours of 8:00 a.m. and 9:00 p.m.

Justification

The current wording precludes home occupation not for profits. By removing “for gain” either a for profit business or a not for profit can be conducted as a home occupation operation

Title 10-6-3

Proposed Update – Delete this section entirely while adding 10-6-3 Item A 1, 4, and 5 to the definition of Dwelling in Title 10 Appendix C Dwellings. Delete Item B Prohibited Dwellings

Justification

Item A definition of single-family dwellings is now in Title 10 Appendix C – Definitions. There are three items in A concerning manufactured dwellings that should be including in Title 10 Appendix C.

Item B Prohibited Dwellings is included in Title 10 Appendix C Dwelling definition, which requires dwellings a minimum of a kitchen, bathroom, and areas for living and sleeping. The dwelling must be on a permanent foundation, have plumbing, sewer, heating, and electrical systems.

Title 10 Appendix C Dwelling definition

Current Wording

Dwelling: A habitable building or portion thereof used as the living place for a family as defined herein. Dwelling units must include a minimum of a kitchen, a bathroom, and areas for living and sleeping, as well as permanent foundation, plumbing, sewer, heating, and electrical systems. They may be owner-occupied, or rented for periods of 30 days or more. Dwellings do not include transient lodging facilities such as motels, hotels, bed & breakfasts, short term rentals, tents, or tepees, nor travel trailers, RVs, or other temporary or mobile facilities. However, living in a travel trailer or RV is permitted during the construction of a permanent dwelling for a period no more than one year from the date of issuance of a building permit, though six-month extensions may be granted by the Town Council.

Proposed Update

Dwelling: A habitable building or portion thereof used as the living place for a family as defined herein. Dwelling units must include a minimum of a kitchen, a bathroom, and areas for living and sleeping, as well as permanent foundation, plumbing, sewer, heating, and electrical systems. They may be owner-occupied, or rented for periods of 30 days or more. Dwellings do not include transient lodging facilities such as motels, hotels, bed & breakfasts, short term rentals, tents, or tepees, nor travel trailers, RVs, or other temporary or mobile facilities. However, living in a travel trailer or RV is permitted during the construction of a permanent dwelling for a period no more than one year from the date of issuance of a building permit, though six-month extensions may be granted by the Town Council. **The dwelling must be taxed as real property. If the dwelling is a manufactured home, an affidavit must be filed with the state tax commission pursuant to Utah Code Annotated section 59-2-1501 et seq. Manufactured homes will be permitted as long as axles, tongues, running gear and wheels are removed and they are sitting on a permanent foundation on a minimum of two (2) acres both single and double wide, or in a designated or approved trailer park. Any manufactured home shall comply with and conform to all other zoning laws, rules, regulations and building, plumbing, electrical, fire prevention and all other codes and requirements applicable to a structure or building erected with the town.**

Justification

The additional text is items from 10-6-3 Item A 1, 4, and 5. This clarifies the requirements of manufactured homes.

Title 9 Table 1

Description of wall sign placement

1 wall sign for each building wall that faces directly toward a public road or street with a maximum of 2 wall signs *or one wall and one two-sided blade sign* for each building or structure. Wall signs may be placed on walls facing east or west.

Proposed Update

1 wall sign for each **business or one two-sided blade sign on each building side.**

Justification

The requirement that the wall sign face a public road precludes businesses from placing signs over the business entrance when the entrance is on the side of the building. This change has been requested by a new business that will have entrances on the side of the building.

Title 10 Section 4-1 Mixed-Use Zone (MU) Location & Official Zone Map

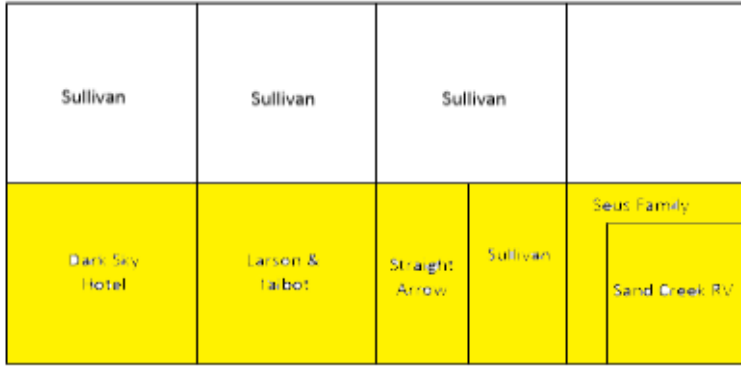
Current Location Description & Map

The current location definition requires all parcel in the mixed-use zone to have a boundary with Main Street/Highway 24 or Center Street. However, the map includes parcels that do not have a boundary with either Main Street or Center Street.

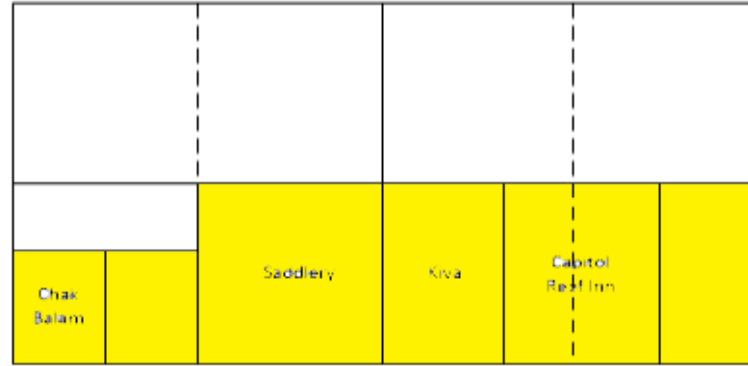
Proposed Update:

Update the official map to conform to the location description in 10-4-1

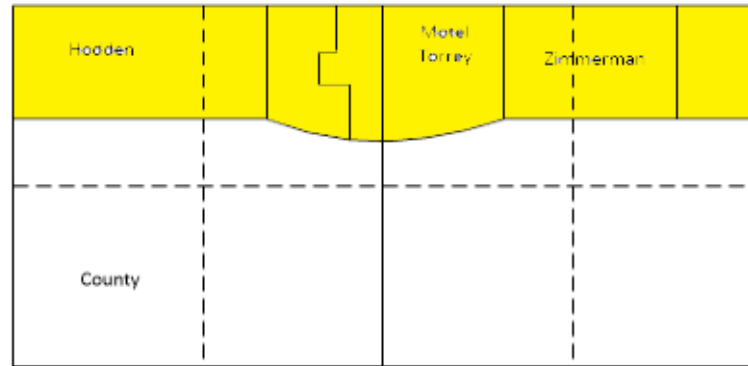
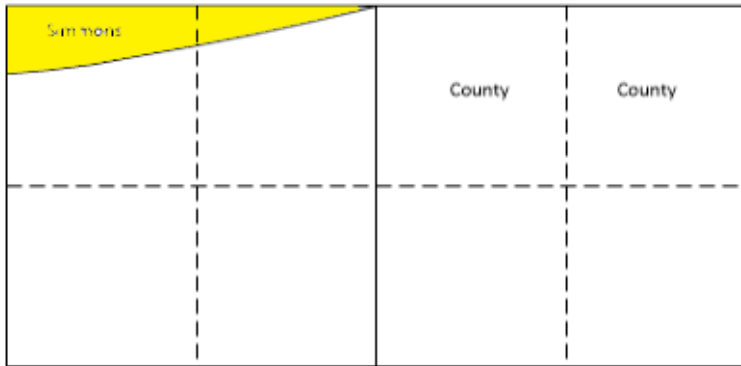
Below are three maps, West Town Limits to 300 West, 300 West to 100 East, and 100 East to the East Town Limits. The parcels in yellow indicate mixed-use zone.



400 West
Sand Creek Road



Highway 24



West Town Limits to 300 West

Highway 24 – 300 West to 100 East
 Center Street 100 South to 200 North

200 North

Von Deresch	Burgess
Von Deresch	Vermint Ranch
Erickson	Retreat Property
	Todd

Frazier	Gerrard	Phillips
	Phillips	Phillips
Retreat Property	Torrey Town	Torrey Town

100 North

Antczak & Polich	Haws
	Baker
Schneider Enterprise	Torgerson
	Torrey

Phillips	Pett	Gueder
Bagley	Bagley	Bagley
		Wright

Price	Stokes	Houa
		Mennial
Fowles & Clark		
Backman	Grace Church	Austin

Austin	Torrey Ward	Torrey Ward
Austin		Torrey Ward
	DUP	

300 West

200 West

100 West

Center Street

100 East

Highway 24

Burgess & Ferrard	Zimmerman	South Central
Boulder Mountain Zendo		
Boulder Mountain Zendo		Hickman

Scholl	Scholl	Jones Lyman	Cowling
Entrada		Tammy Barton	Carl Barton

Tell	Tu Enterprises	Tu Enterprises	Torrey Center & Station
			Lennart
Daubek & McCoy		Owen	

Torrey	Lee Brothers	Lee Brothers
Lee Brothers		Lee Brothers
Lee Brothers		Lee Brothers
Lee Brothers		Lee Brothers

300 West to 100 East & 100 South to 200 North Center Street

Highway 24
100 East to
Town Limits



100 East to East Town Limits