

## CHAPTER 5: ZONING

### 5.1 ZONE DISTRICTS AND ZONE DISTRICT MAP

In order to carry out the purposes of this Title, Zone Districts have been established as described in Chapter 6 and identified on a Zone District Map that is made part of this Title by reference. In the interpretation of the map, the Zone District boundary lines are intended to conform to the property lines or along the center lines of the public right-of-way, unless such boundary lines are established by fixed dimension shown on the map. If Zone District lines diverge from lot lines, said District shall be considered to be on the property boundary.

Each Zone District description in Chapter 6 includes one or more of the following categories of regulations:

- Purpose
- Permitted Uses
- Conditional Uses
- Physical Requirements

### 5.2 USE AND/OR MODIFICATION OF LAND AND BUILDINGS MUST BE CONSISTENT WITH THIS ORDINANCE

Any building or structure erected, constructed, altered, enlarged, converted, moved or maintained contrary to provisions of this Title; and any use of land, building or premises established, conducted or maintained contrary to provisions of this Title shall be, and the same hereby is, declared to be unlawful and a public nuisance. The City Attorney, upon request of the Toquerville Mayor or Council, shall take such steps as necessary to cause removal of such structure(s) and/or uses. This shall not apply to non-conforming uses, preexisting the adoption of this Ordinance that are properly maintained and not enlarged or abandoned as provided in Utah Code Ann. § 10-9a-511 (2005).

### 5.3 AMENDMENTS TO THE ZONE DISTRICT MAP

The Zone District Map may be amended as provided below. The Toquerville City Council may establish a fee for zone change applications to cover the cost of processing and review. Pursuant to Utah Code Ann. § 10-9a-103, the Toquerville City Council shall be the "Land Use Authority" for any proposed zone amendments.

#### 5.3.1 Review Process

##### a. PLANNING COMMISSION

The proposed amendment shall be submitted to the Planning Commission with documentation as prescribed in Chapter 3. The Planning Commission may recommend approval, modification and approval, or denial of the proposed zone amendment following the procedures described by state law and this Chapter, and in accordance with the criteria below. Within a reasonable time after a proposed zone amendment is submitted to the

Planning Commission, the Planning Commission shall submit its recommendations on proposed zone amendment to the Toquerville City Council for its consideration. Failure of the Planning Commission to submit its recommendations to the City Council within one hundred twenty (120) days of the date a complete application is filed with the City shall constitute a recommendation of approval by the Commission.

b. CITY COUNCIL

Upon receipt of the Planning Commission recommendations, the City Council shall grant, grant with conditions or deny the proposed zone amendment

c. PUBLIC HEARING

*Upon receipt of a completed application, the Planning Commission shall advertise and convene a public hearing pursuant to section 1.8 of this title to receive public comment. Within a reasonable time after the public hearing, the Planning Commission shall recommend approval, approval with conditions, or denial of the proposed amendment to the Toquerville City Council.*

### 5.3.2 Standards for Review

No proposed zone amendment shall be approved unless the Planning Commission finds that the proposed amendment meets the following standards and conditions:

- a. addresses a recognized and demonstrated need in the community;
- b. will be compatible with the character of the neighborhood and surrounding structures in use, scale, mass and circulation;
- c. will not result in an over-intensive use of the land or excessive depletion of natural resources;
- d. will not have a material adverse effect on community capital improvement programs;
- e. will not require a level of community facilities and services greater than that which is available;
- f. will not result in undue traffic congestion and traffic hazards;
- g. will not cause significant air, odor, water, light, or noise pollution;
- h. will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Toquerville City.
- i. will meet the requirements of the General Plan.

### 5.3.3 Diversity and Minimum Area for a Zone Designation

Neither the size, diversity of zoning designations in the general vicinity, nor the number of landowners in one proposed zone shall be considered as evidence of the illegality of a proposed zone designation.

## 5.4 ZONING REGULATION OF ANNEXED TERRITORY

The City Council shall assign a zoning district (or variety thereof) to all territory annexed to the City at the time of annexation. If the Zone District Map does not identify a default zoning district for the

proposed territory to be annexed, the zoning designation shall be the most common zoning district of parcels located within three hundred (300) feet of the subject property. If an annexation applicant seeks a different zoning designation than that which is identified in the Zone District Map, the applicant shall follow the same process identified in this Chapter, Chapter 6 and Section 1.8 of this Code for the amendment of the Zone District Map.

**5.5 VESTED RIGHTS/PENDING ORDINANCES**

Applicants of a proposed zone amendment shall obtain vested rights in any zone amendment upon the occurrence of the events, and subject to the conditions, set forth in Section 1.8.6 of this Code.

## CHAPTER 6: ZONE DISTRICT REGULATIONS

### 6.1 R-1 SINGLE-FAMILY RESIDENTIAL

#### 6.1.1 Purpose

The R-1 district is intended to provide sites for low-density single-family residential uses, together with such public facilities as may appropriately be located in the same district. The R-1 district regulations are intended to ensure adequate light, air, open space for each dwelling, commensurate with single-family occupancy, and, to maintain the desirable residential qualities of such sites by establishing appropriate site development standards. Certain non-residential uses may be permitted as conditional uses, and where approved, are intended to blend harmoniously with the residential character of the district.

#### 6.1.2 Permitted Uses

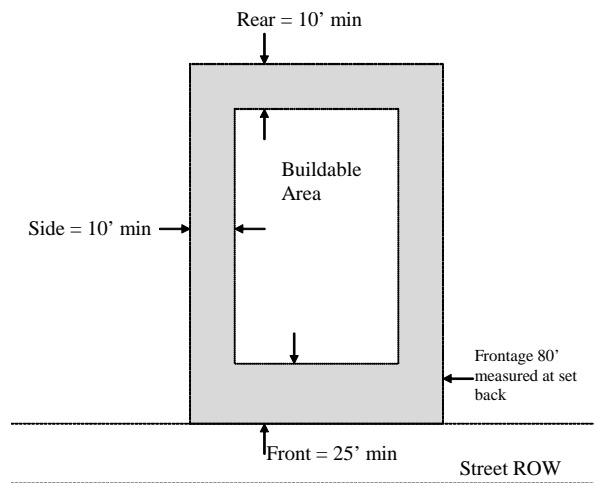
- a. Single unit dwellings and other uses customarily incidental and accessory to single family residential uses, and necessary for the operation thereof (garages or carports, play equipment, etc.);
- b. Rentals of single-family residences;
- c. Household pets as defined and allowed under the Toquerville Animal Control Ordinance of the Toquerville City Code;
- d. Tilling of the soil, raising crops, horticulture and gardening for family food production;
- e. Accessory buildings and uses customarily and incidental to the permitted and conditional uses allowed herein;
- f. Elderly Residential Facility (see Utah Code Ann. § 10-9a-519 *et. seq.*)
- g. Residential Facility for Persons with a Disability (see Utah Code Ann. § 10-9a-520 *et. seq.*) This use shall require a permit under §6.8 below.

#### 6.1.3 Conditional Uses –

- a. Bed-and-breakfast rentals;
- b. Public utility uses;
- c. Public or private schools;
- d. Public parks, recreation fields, or public swimming pool;
- e. Child daycare or nursery;
- f. Churches;
- g. Private recreation grounds and facilities not open to the general public and to which no admission charge is made;
- h. Public and quasi-public buildings;
- i. Cemeteries;
- j. Home Occupations
- k. Other uses similar to the permitted uses above and judged by the Toquerville City Council to be in harmony with the character and intent of this zone.

6.1.4 Physical Restrictions/R-1-12 (12,000 square feet)

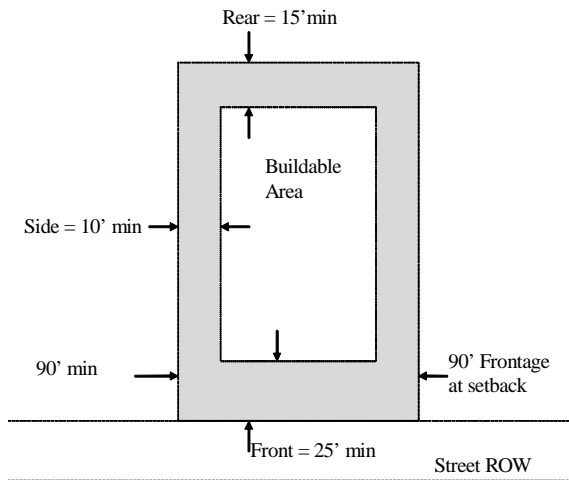
- a. *Minimum lot area:* 12,000 square feet
- b. *Minimum frontage:* 80'(except corner lots=90') measured at setback
- c. *Minimum setbacks:* front = 25'; side = 10'; rear = 10'
- d. *Setback Exception:* Driveway, walkway
- e. *Maximum height:* 35' (see Definitions) (Church steeples)
- f. *Parking:* In accordance with Section 11.12 (Parking)
- g. *Minimum Road setback:* 25' from any dedicated street or highway
- h. *Secondary structure height:* Up to 18', 18' to 35' conditional, above 35' not allowed
- i. *Secondary structure setback:* Front= 25' ; side=5'; rear=5'



**R-1-12 Site Restrictions**

6.1.5 Physical Restrictions/R-1-15 (15,000 square feet)

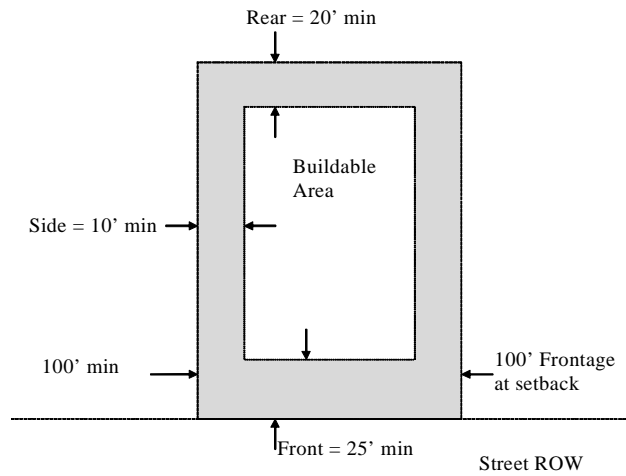
- a. *Minimum lot area:* 15,000 square feet
- b. *Minimum frontage:* 90 feet (except corner lots= 100') measured at setback
- c. *Minimum setbacks:* front=25', side= 10', rear= 15'
- d. *Setback Exception:* Driveway, walkway
- e. *Maximum height:* 35' (see Definitions)
- f. *Parking:* In accordance with Section 11.12(Parking)
- g. *Minimum road setback:* 25' from any dedicated street or highway.
- h. *Secondary structure height:* 18'; between 18' and 25' conditional; above 35' not allowed.
- i. *Secondary structure setback:* Front= 25'; Side= 5'; Rear=5'



**R-1-15 Site Restrictions**

6.1.6 Physical Restrictions/R-1-20 (20,000 square feet)

- a. *Minimum lot area:* 20,000 square feet
- b. *Minimum frontage:* 100' (except corner lots= 110') measured at setback
- c. *Minimum setbacks:* front = 25'; side = 10'; rear = 20'
- d. *Setback Exception:* Driveway, walkway
- e. *Maximum height:* 35' (see Definitions)
- f. *Parking:* In accordance with Section 11.12 (Parking)
- g. *Minimum road setback:* 25' from any dedicated street or highway
- h. *Secondary Structure height:* 18' ; 18' to 35' conditional; over 35' not allowed
- i. *Secondary Structure setback:* Front=25'; side=5'; rear=5'



**R-1-20 Site Restrictions**

## 6.2 MULTIPLE FAMILY

### 6.2.1 Purpose

To permit well designed apartments, town homes, twin homes and Condominiums at medium to high density that are appropriately Buffered from and compatible with surrounding land uses.

### 6.2.2 Permitted Uses

- a. Assisted living facility
- b. Building, accessory
- c. Dwelling, multiple-family
- d. Residential facility for elderly people
- e. Residential facility for persons with a disability
- f. Golf course
- g. Park
- h. Minor utility
- i. Family child daycare
- j. Tilling of the soil, raising crops, horticulture and gardening for family food production
- k. Any other permitted use within the single family residential zone.

### 6.2.3 Conditional Uses

- a. Agricultural
- b. Dwelling, single-family
- c. Manufactured home
- d. Cemetery
- e. Church or place of worship
- f. Club or service organization
- g. Protective service
- h. Utility substation
- i. Personal care service
- j. Personal instruction service
- k. Home occupations

### 6.2.4 Physical Restrictions/RM-1

- |                      |                                  |
|----------------------|----------------------------------|
| a. Minimum lot size  | 1 acre                           |
| b. Minimum lot width | 80 ft. per project/30ft per unit |
| c. Maximum density   | 6 units per acre                 |

- d. Maximum building height-main 35 feet
- e. Maximum building height-accessory 20 feet
- f. Maximum size-accessory 1000 sf.
- g. Maximum building coverage 50% of lot
- h. Front setback 25 ft.
- i. Rear setback 10 ft.
- j. Interior side yard setback 10 ft.
- k. Street side yard setback 20 ft.

**6.2.5 Physical Restrictions/RM-2**

- a. Minimum lot size 1 acre
- b. Minimum lot width 100 feet per project/30ft per unit
- c. Maximum density 10 units per acre
- d. Maximum building height-main 35 ft.
- e. Maximum building height-accessory 20 ft
- f. Maximum size- accessory 1000 sf
- g. Maximum building coverage 50% of lot
- h. Front setback 25 ft.
- i. Rear setback 10 ft
- j. Interior side yard setback 10 ft
- k. Street side yard setback 20 ft

**6.3 AGRICULTURAL DISTRICT (A)**

**6.3.1 Purpose**

To identify and preserve appropriate lands for permanent and agricultural use and such incidental uses normally and necessarily related to the primary agricultural use. The district regulations, are intended to maintain the unique character of Toquerville City agricultural areas and to insure the survival of agricultural uses and attendant open spaces.

**6.3.2 Permitted Uses**

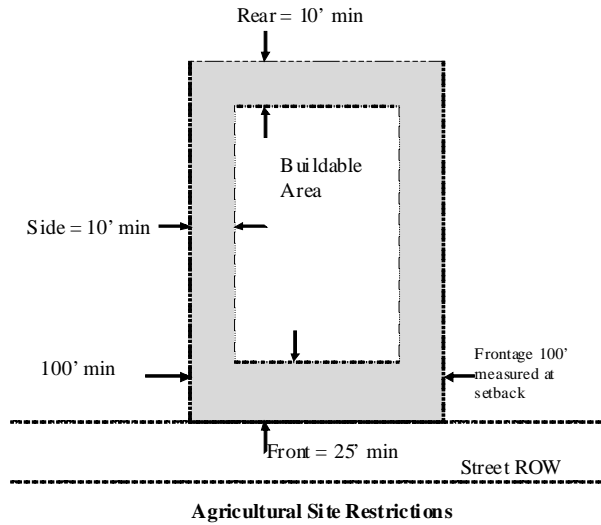
- a. One single family dwelling;
- b. Family food production;
- c. Livestock for personal use only
- d. Crop production;
- e. Household pets as limited by the Toquerville City Animal Control Ordinance, Chapter 13 of the Toquerville City Code;
- f. Agricultural buildings and uses as necessarily ancillary and related to agricultural operations.
- g. Elderly Residential Facility (see Utah Code Ann. § 10-9a-519 *et. seq.*).
- h. Residential Facility for Persons with a Disability (see Utah Code Ann. § 10-9-605 *et. seq.*). This use shall require a permit under §6.8 below.

**6.3.3 Conditional Uses**

- a. Commercial livestock operations;
- b. Commercial roadside stands for sale of produce grown and sold on premises;
- c. Riding stables;
- d. Public utilities;
- e. Vertical storage silos
- f. Cemeteries;
- g. Home occupations;
- h. Other uses, similar to the above and judged by the Toquerville City Council to be in harmony with the character and intent of the zone
- i. The construction of any structure more that 5,000 sq. feet in size for the purpose of housing a conditional use

**6.3.4 Physical Restrictions**

- a. Minimum lot area: 1 acre
- b. Minimum frontage: 100'
- c. *Minimum setbacks:* front = 25', side = 10', rear = 10' (two stories or less)
- d. *Setback exceptions:* Driveway, walkway,
- e. *Maximum density:* 1 dwelling unit/agricultural lot/parcel
- f. *Maximum height:* 35' (see Definitions)



**6.4 MULTIPLE USE DISTRICT (MU-20)**

**6.4.1 Purpose**

A multiple use district is established in areas of mountain, hillside, canyon, desert, and other open and generally underdeveloped lands where human habitation should be limited in order to protect the indigenous natural beauty of those areas and protect open space resources and to reduce unreasonable requirements for public utility and service extensions and expenditures through unnecessary disbursement and scattering of population; to encourage the use of land, where appropriate, for grazing, agricultural, wildlife habitat, and recreation; and to minimize water pollution, soil erosion, danger from brushland fires, damage to water sheds, and damage to grazing and livestock habitat and to wildlife habitat and values; and to promote health, convenience, order, prosperity and general welfare of the inhabitants of Toquerville.

**6.4.2 Permitted Uses**

- a. Agricultural uses;
- b. Livestock grazing;
- c. Accessory buildings and uses customarily incidental to agricultural and grazing uses.
- d. Elderly Residential Facility (see Utah Code Ann. § 10-9-519 et. seq.).
- e. Residential Facility for Persons with a Disability (see Utah Code Ann. § 10-9-605 et. seq.). This use shall require a permit under §6.8 below.
- f. One single family dwelling per every twenty (20) acres.

**6.4.3 Conditional Uses**

- a. Agricultural industry and related business uses;
- b. Private park or recreational grounds or facilities, or private camp or resort, including accessory or supporting buildings or dwelling complexes which are owned or managed by the recreational facility and under unified control;
- c. Public or quasi-public building for essential public services;

- d. Radio, television, microwave or cellular phone transmitting and relay stations and towers;
- e. Extraction industry uses as outlined under Chapter 6.8 the extractions industries overlay zone;
- f. Accessory buildings and uses customarily incidental to the above.
- g. *Home Occupations.*
- h. The construction of any structure more than 5,000 sq. feet in size for the purpose of housing a conditional use

6.4.4 Physical Restrictions

- i. *Minimum lot area:* 20 acres
- j. *Minimum frontage:* 100'
- k. *Minimum setbacks:* Established by conditional use permit; Single family dwellings
- l. *Setback exceptions:* Established by conditional use permit; same set back in R-1
- m. *Building separation:* Established by conditional use permit
- n. *Maximum height:* 35' (see Definitions)
- o. *Max. building coverage:* Established by conditional use permit
- p. *Min. Landscaping:* Established by conditional use permit
- q. *Parking:* In accordance with Section 11.12 (Parking) and as modified by conditional use permit.

6.5 **MOBILE HOME DISTRICT (M-H) (RESERVED)**

6.6 **NEIGHBORHOOD COMMERCIAL DISTRICT (N-C)**

6.6.1 Purpose

The N-C district is intended to provide sites with a mixture of business and commercial establishments, catering primarily to the needs of local residents which in character and scale are necessary to meet their day to day needs. N-C district regulations are intended to ensure light, air, open space and other amenities appropriate to the permitted types of buildings and uses. The district regulations, in conjunction with other Toquerville guidelines, prescribe site development standards that are intended to maintain the unique and quaint character of Toquerville City and to ensure an attractive and functional commercial setting.

6.6.2 Permitted Uses

- a. Grocery store
- b. Pharmacy/Retailer (Emphasizing local services, necessities, sundries, groceries and convenience items)
- c. Bakery
- d. Personal Services (Barber/Beauty, Self-service laundry, etc.)
- e. Banks
- f. Beverage Service
- g. Variety Store

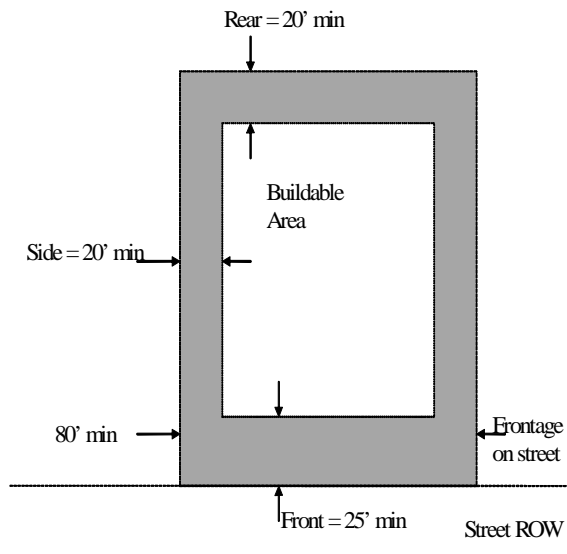
- h. Restaurant/Fast Food Establishment
- i. Professional Offices (Medical, Dental, Real Estate, Finance, Insurance, etc.)
- j. Theaters
- k. Light Hardware (No outside storage or sales of goods)
- l. Public utility buildings
- m. Child care centers
- n. Public and private educational institutions
- o. Municipal buildings or offices
- p. Public and private educational institutions
- q. Other uses customarily incidental and accessory to permitted commercial uses and necessary for the operation thereof
- r. Elderly Residential Facility (see Utah Code Ann. § 10-9-519 *et. seq.*)
- s. Residential Facility for Persons with a Disability (see Utah Code Ann § 10-9-520 *et. seq.*). This use shall require a permit under §6.8 below
- t. The construction of any structure more that 5,000 sq. feet in size for the purpose of housing a conditional use

6.6.3 Conditional Uses

- a. Single family and multi family dwellings located above commercial space.
- b. Other uses similar to the permitted uses above and judged by the Toquerville City Council to be in harmony with the character intent of this zone.

6.6.4 Physical Restrictions

- a. Minimum frontage: 80'
- b. Minimum setbacks: Front = 25'; side and rear = 20'
- c. Maximum height: 35'. (no more than 2 stories)
- d. Minimum finished landscaping: 15% of the total lot/parcel area
- e. Parking and Loading: In accordance with Section 11.12 (Parking).

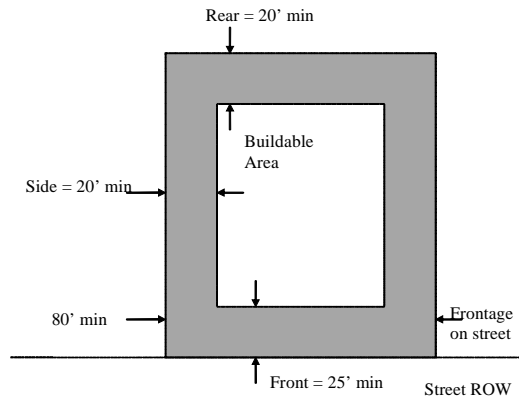


**N-C Site Restrictions  
(two stories or less)**

## 6.7 HIGHWAY COMMERCIAL ZONE (H-C)

### 6.7.1 Purpose

To provide commercial areas on major highways for the location of travel, service and highway oriented commercial uses.



**C-1 Site Restrictions**

### 6.7.2 Permitted Uses

The following uses in buildings under 5,000 square feet shall be permitted uses.

- a. Restaurant or Fast Food Establishments
- b. Motels;
- c. Overnight camping facilities;
- d. Automobile service, repair, gas stations, auto accessory outlets;
- e. Commercial nursery;
- f. Roadside stand for sale of agricultural produce and related items;
- g. Grocery store;
- h. Drug store;
- i. Other retail stores;
- j. Accessory uses and buildings customarily incidental to these permitted uses;
- k. Other uses similar to the above and judged by the Toquerville City Planning Commission to be in harmony with the character and intent of this zone.
- l. *Recreational Vehicle Parks.*

### 6.7.3 Conditional Uses

- a. All uses listed as permitted uses within the NC zone in buildings greater than 5,000 square feet;
- b. Multiple separate commercial uses located on a single parcel;
- c. The Extraction industries uses as defined in Chapter 6.9;
- d. Other uses similar to uses set forth under Permitted and Conditional uses above judged by the Toquerville City Council to be in harmony with the character and intent of this zone.

- e. The construction of any structure more than 5,000 sq. feet in size for the purpose of housing a conditional use

**6.7.4 Physical Restrictions**

The restrictions below shall be considered minimum, and more restrictive standards may be prescribed as conditions of a Conditional Use permit for any use.

- a. **Minimum frontage:** 80 ft.
- b. **Minimum setbacks:** Front = 25'; side and rear = 20'
- c. **Maximum height:** 35'. (no more than 2 stories)
- d. **Minimum finished landscaping:** 15% of the total lot/parcel area
- e. **Parking and Loading:** In accordance with Section 11.12 (Parking).
- f. **Screening:** All outdoor storage, vehicles, machinery and equipment shall be screened and/or out of public view as seen from State highways or Interstate Freeways and any roadway fronting or driveway providing access to the property on which it is stored.
- g. **Gasoline and oil storage:** All fuel storage tanks shall be completely buried beneath the surface of the ground or bermed and shall comply with all applicable state and federal regulations. All gasoline pumps, lubrication or similar devices, and other service facilities shall not be located within minimum setbacks. All servicing of vehicles, except for the sale of gas and oil services customarily provided in connection therewith shall be conducted completely within a structure.

**6.8 RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY**

**6.8.1 Permit Required**

The City Building Department shall grant a Building and Occupancy Permit for the establishment of a Residential Facility for Persons with a Disability in a zone in which residential uses are permitted if the applicant certifies as follows:

- a. The proposed facility is consistent with the statutory provisions referred to in Utah Code Ann. § 10-9a-519 *et seq.*
- b. The proposed residential facility will be “reasonably disbursed” in the municipality given the location and operation of currently existing facilities of a similar nature within the city.
- c. That any such facility that are for the treatment of substance abuse, which may be located within 500 feet of a school, have provided proof of licensure of programs and facilities in accordance with the rules established by the Department of Human Services under Title 62A, Chapter 2 of the Utah Code including, without limitation, 24-hour supervision for residence, and other 24-hour security measures.
- d. That the operators of the facility have shown proof of current permits that verify compliance with the same building, safety, health regulations as are applicable in the

same zoning area to similar uses that are not residential facilities for Persons with a Disability.

## **6.9 HISTORICAL COMMERCIAL DISTRICT (RESERVED)**

## **6.10 PLANNED COMMERCIAL ZONE (PC)**

### **6.10.1 Purpose**

The purpose of the PC zone is to provide areas where a combination of destination-oriented businesses, retail commercial, entertainment and related uses may be established, maintained and protected to serve both residents and non-residents of the City. Typical uses include large-scale, master-planned commercial centers with outlying commercial pads, big-box stores and offices.

### **6.10.2 Permitted Uses:**

- a. Residential facility for elderly people
- b. Residential facility for people with disability
- c. Church or place of worship
- d. Club or service organization
- e. Convalescent care facility
- f. Cultural service
- g. Golf course
- h. Government service
- i. Hospital
- j. Park
- k. Post Office
- l. Reception center
- m. Utility, minor
- n. Agricultural sales and service
- o. Animal hospital
- p. Bank
- q. Bed and breakfast
- r. Business equipment rental, sales, service
- s. Car wash
- t. Convenience store
- u. Child day care
- v. Hotel
- w. Resturant/Fast Food Establishment
- x. Shopping center
- y. Vehicle, sales and service
- z. Laundromat

6.10.3 Conditional Uses:

- a. Rehabilitation treatment facility
- b. Auditorium
- c. Bus terminal
- d. Cemetery
- e. Utility substation
- f. Kennel
- g. Liquor store
- h. Motel
- i. Pawn shop
- j. Recreational vehicle park
- k. Tattoo parlor
- l. Tavern
- m. Wholesale and warehousing
- n. The construction of any structure more than 5,000 sq. feet in size for the purpose of housing a conditional use

6.10.4 Physical Restrictions:

- a. Minimum lot area 5 acres
- b. Maximum height-main building 35 feet (up to 50 with conditional use)
- c. Maximum height-accessory 20 feet
- d. Front yard setback 25 feet
- e. Rear yard setback 10 feet
- f. Interior side yard setback 10 feet
- g. Street side yard setback 20 feet

**6.11 BUSINESS AND MANUFACTURING ZONE (BMP)**

6.11.1 Purpose:

The purpose of the BMP zone is to provide aesthetically attractive planned developments having a mix of office, research and development, light manufacturing, and limited retail uses. Typical uses in this zone include offices, clean indoor manufacturing facilities, service retail, restaurants, athletic clubs, medical offices, and research facilities.

6.11.2 Permitted Uses:

- a. Residential care facility for the elderly
- b. Residential care for persons with disabilities
- c. Club or service organization

- d. Church
- e. Cultural services
- f. General manufacturing (light and clean manufacturing)
- g. Golf course
- h. Hospital
- i. Operations center
- j. Park
- k. Post Office
- l. Utility, minor
- m. Animal hospital
- n. Bank
- o. Bed and breakfast
- p. Business equipment, sales, rental, supplies
- q. Car wash
- r. Construction sales and service
- s. Convenience store
- t. Daycare center
- u. Funeral home
- v. Garden center
- w. Gasoline service station
- x. Hostel
- y. Hotel
- z. Laundry and dry cleaning

**6.11.3 Conditional Uses:**

- a. Agricultural industry
- b. Rehabilitation facility
- c. Residential facility for troubled youth
- d. Transitional housing facility
- e. Bus terminal
- f. Cemetery
- g. Convalescent care facility
- h. Government service
- i. Reception center
- j. Utility, major
- k. Utility, substation
- l. Kennel
- m. Liquor store
- n. Pawn shop
- o. Recreation, outdoor
- p. The construction of any structure more than 5,000 sq. feet in size for the purpose of housing a conditional use

**6.11.4 Physical Restrictions:**

- |    |                               |         |
|----|-------------------------------|---------|
| a. | Minimum lot area              | 5 acres |
| b. | Maximum height, main building | 35 feet |
| c. | Maximum height, accessory     | 20 feet |
| d. | Front yard setback            | 25 feet |
| e. | Rear yard setback             | 10 feet |
| f. | Interior side yard setback    | 10 feet |
| g. | Street side yard setback      | 20 feet |

## 6.12 LIGHT INDUSTRIAL ZONE (M-1)

### 6.12.1 Purpose:

The purpose of the M-1 zone is to provide areas for uses involving processing and assembly of manufactured goods, warehousing, and material storage. Uses which generate excessive noise, vibration, odor, dust, and fumes are not allowed in this zone.

### 6.12.2 Permitted Uses:

- a. Club or service organization
- b. Convalescent facility
- c. Correctional facility
- d. Golf course
- e. Operations center
- f. Park
- g. Post Office
- h. Protective service
- i. Utility, minor
- j. Utility, substation
- k. Agricultural sales and service
- l. Construction sales and service
- m. Convenience store
- n. Funeral home
- o. Garden center
- p. Gas and fuel, storage and sales
- q. Hostel
- r. Hotel
- s. Kennel
- t. Media service
- u. Medical or dental laboratory
- v. Parking lot, public
- w. Printing, general

- x. Restaurant
- y. Vehicle, repair and service
- z. Freight terminal

**6.12.3 Conditional Uses:**

- a. Agriculture
- b. Agricultural processing
- c. Transitional housing facility
- d. Auditorium
- e. Bus terminal
- f. Cemetery
- g. Utility, major
- h. Liquor store
- i. Office, general
- j. Parking garage, public
- k. The construction of any structure more than 5,000 sq. feet in size for the purpose of housing a conditional use

**6.12.4 Physical restrictions:**

- |    |                               |                |
|----|-------------------------------|----------------|
| a. | Minimum lot area              | no requirement |
| b. | Maximum height, main building | 50 feet        |
| c. | Front yard setback            | 30 feet        |
| d. | Interior side yard setback    | 10 feet        |
| e. | Street side yard setback      | 30 feet        |
| f. | Rear yard setback             | 20 feet        |

### **6.13 HISTORIC DISTRICT OVERLAY ZONE (HDO)**

#### **6.13.1 Purpose:**

The historic district encompasses a portion of the originally settled townsite of the City. Lot sizes in this area are characteristic of the late nineteenth century and do not conform to current standards. The HDO zone is intended to preserve buildings and related structures of historic and architectural significance and to allow improvements to existing structures or new construction without eroding the scale and historic character of the district. The uses and physical restrictions of the HDO Zone are set forth in detail in Chapter 15 of this Code.

### **6.14 PLANNED DEVELOPMENT OVERLAY ZONE (PDO)**

#### **6.14.1 Purpose:**

The Planned Development Overlay zone is a floating zone that is unmapped until applied to specific property. It is intended to allow development design flexibility, integration of mutually compatible uses, consolidation of open spaces, clustering of dwelling units, and optimum land planning with greater efficiency convenience and amenity than is possible under conventional zone regulations. To achieve these purposes, a planned development should be planned as one complex land use with a common architectural design theme that provides variety with architectural compatibility, rather than as an aggregation of individual, unrelated buildings, located on separate, unrelated lots. The uses and physical restrictions of the PDO Zone are set forth in detail in Chapter 16 of this Code.

### **6.15 Extraction Industries Overlay Zone (EI)**

#### **6.15.1 Purpose:**

- a. The general purpose of the Extraction Industries Overlay Zone is to provide for the operation of extraction industries in Toquerville City, while being careful to regulate the operation of such industries in such a way as to minimize the adverse impacts created by the operation of such industrial uses particularly on properties in close proximity to residential zoning districts and to provide regulatory standards and procedures to insure the reclamation of the extraction industry sites upon completion of the extraction processes.

- b. Standards for development contained herein are intended specifically to accomplish the following purposes:
  - (1) To minimize the adverse effects of development and operation of extraction industries on neighboring properties.
  - (2) To preserve and/or reclaim visual and aesthetic qualities of properties in which the extraction industries will operate which are vital to the aesthetic quality of the City and quality of life of its residents.
  - (3) To insure adequate security is posted to ensure the successful and timely reclamation of properties in which extraction industries operate at the conclusion of such development and operation.
  
- c. The uses and physical restrictions of the EI Overlay Zone are set forth in detail in Chapter 19 of this Code.

#### **6.16 NON-PERMITTED USES (ALL ZONES)**

Throughout this Chapter and Chapters 15, 16 and 18, any use which is neither a permitted use or a conditional use shall be considered a “Non-Permitted Use”.