

ORDINANCE No. 2017-03

CACHE COUNTY, UTAH

AMENDMENTS TO TITLE 17

AN ORDINANCE AMENDING AND SUPERSEDING CHAPTERS 7, 9, AND 22 OF TITLE 17 OF THE CACHE COUNTY ORDINANCE REGARDING AGRITOURISM AND ASSOCIATED STANDARDS

WHEREAS, the State of Utah has authorized Cache County to adopt Land Use Ordinances, and;

WHEREAS, the purpose of this ordinance is to provide fair, consistent, and equitable land use regulations for all land owners, and;

WHEREAS, the purpose of this ordinance is to provide clarity and ease of use of the County's Land Use Ordinance for all citizens, and;

WHEREAS, on July 21, 2016 at 5:35 p.m., and on March 2, 2017 at 6:00 p.m. the Planning Commission held a public hearing for the amendments to Title 17, which meeting was preceded by all required legal notice and at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed ordinance amendment, and;

WHEREAS, on March 2, 2017, the Planning Commission recommended the approval of said amendments and forwarded such recommendation to the County Council for final action, and;

WHEREAS, the County Council caused notice of the hearing and the amendments to Title 17 of the Cache County Ordinance to be advertised at least ten (10) days before the date of the public hearing in *The Herald Journal*, a newspaper of general circulation in Cache County, and;

WHEREAS, on August 9, 2016, at 6:20 p.m., and on March 28, 2017 at 5:40 p.m. the County Council held a public hearing to consider any comments regarding the proposed amendments to Title 17 of the Cache County Land Use Ordinance. The County Council accepted all comments, and;

WHEREAS, the Cache County Council has determined that it is both necessary and appropriate for the County to amend and implement these ordinances.

NOW, THEREFORE, BE IT ORDAINED by the County Legislative Body of Cache County that Chapters 7, 9, and 22 of Title 17 of the Cache County Land Use Ordinance are hereby amended and superseded as follows:

1. STATUTORY AUTHORITY

The statutory authority for enacting this ordinance is Utah Code Annotated Sections 17-27a Part 1 and Part 3 (1953, as amended to date).

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2. PURPOSE OF PROVISIONS

The purpose of this ordinance is to amend and supersede Chapters 7, 9, and 22 of Title 17 of the Cache County Ordinance regarding Agritourism, and to insure compatibility with surrounding land uses, conformity with the Cache County Comprehensive Plan, consistency with the characteristics and purposes stated for the zones, and protection, preservation and promotion of the public interest, health, safety, convenience, comfort, prosperity and general welfare.

3. CONCLUSIONS

- A. The amendments to Title 17 of the Cache County Ordinance are in conformity with Utah Code Annotated, §17-27a Part 5 (1953, as amended), which requires compliance with standards set forth in an applicable ordinance.
- B. The amendments to Title 17 of the Cache County Ordinance are necessary to establish accurate standards for Agritourism.
- C. It is in the interest of the public and the citizens of Cache County that the proposed amendments to Title 17 of the Cache County Ordinance be approved.

4. EXHIBITS

- A. Title 17, Chapter 7, 9, and 22 of the Cache County Ordinance is amended as follows: See Exhibit A.

5. PRIOR ORDINANCES, RESOLUTIONS, POLICIES AND ACTIONS SUPERSEDED.

This ordinance amends and supersedes Chapters 7, 9, and 22 of Title 17 of the Cache County Ordinance, and all prior ordinances, resolutions, policies, and actions of the Cache County Council to the extent that the provisions of such prior ordinances, resolutions, policies, or actions are in conflict with this ordinance. In all other respects, such prior ordinances, resolutions, policies, and actions shall remain in full force and effect.

6. EFFECTIVE DATE.

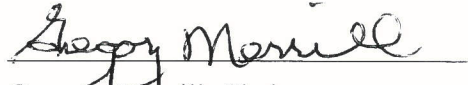
This ordinance takes effect on April 12, 2017. Following its passage but prior to the effective date, a copy of the ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the County as required by law.

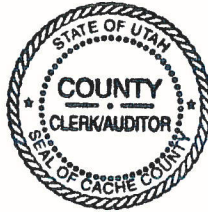
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APPROVED AND ADOPTED this 28th day of March, 2017.


	In Favor	Against	Abstained	Absent
Erickson	X			
Merrill	X			
Tidwell	X			
Ward	X			
White	X			
Worthen	X			
Zilles	X			
Total	7			

CACHE COUNTY COUNCIL:


Gregory Merrill, Chair
Cache County Council



ATTEST:


Jill Zollinger
Cache County Clerk

Publication Date:

April 12, 2017

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Overview

The originating need for this amendment is reflected in a number of agricultural producers that desire to retain agriculture as the primary use, but add additional value through commercial activities and services for the general public. Examples of local farmers that are pursuing this include Mt. Naomi Farms, Johnson Family Farms, Paradise Valley Orchard, and Gibbons Green Gate Farm.

The challenge is that the provision of commercial accessory activity in the Agriculture (A10) Zone is not supported by the code and would require the rezone of a property to the Commercial (C) or Industrial Zone.

Therefore, the approach and intent of the Agritourism ordinance and the associated amendments is to provide farmers an avenue to retain agriculture as the primary use while incorporating value added agriculture to their existing operations without the need for the rezone of the property.

For reference, the existing County Land Use Ordinance allows commercial type businesses in the Agricultural (A10) Zone under the following uses:

- Accessory Apartment – Must be within an existing single family dwelling.
- Home Based Business – No more than one nonresident employee and no significant alteration to the exterior of the property or to the residential character of the location.]
- Agricultural Manufacturing – The processing of agricultural goods where 75% or more of the goods are grown on site.
- Produce Stand – Temporary structure no more than 250 sf. and no more than 180 days per year.
- Bed and Breakfast – Owner occupied with no more than four guest rooms.
- Recreational Facility – Sports and leisure activities; includes uses such as a ski facility, golf course, campground, etc.
- Cemetery – Storage of remains.
- Crematorium – A cremation chamber; no storage of remains.
- Concentrated Animal Feed Operation
- Livestock Auction Facility
- Boarding Facility – Structures used to board livestock for a fee.
- Home Based Kennel – A kennel for up to 12 dogs.
- Topsoil Extraction – Removal and sale of topsoil.
- Site Grading – Minor extraction of material that is directly related to construction of a building.

Special event permits are also commercial activities that may be issued in all zones under Title 8.40 Special Events, of the County Code. These are typically events that occur for a limited time period once a year of more than 100 people such as a fun run or bike race.

Amendments to Title 17.07 Definitions

1. Trade, Wholesale and Retail to be combined with Services, Professional and Personal and renamed as Sales and Services
2. Professional Services to be combined with Professional Office under the new definition, Commercial Business and then revised.
3. Definitions to be moved from Manufacturing Industries to Sales and Services:
 - Storage and Warehousing
 - Self Service Storage Facility
 - Transport Services
4. Definitions to be moved from Resource Production and Extraction to Sales and Services:
 - Home Based Kennel
 - Commercial Kennel/Animal Shelter
5. Definitions to be moved from use related definitions to general definitions:
 - Household Pet
 - Telecommunication Facility
 - Utilities (also amended to refer back to specific use related definitions)
6. Definitions to be moved from Sales and Service to Cultural Entertainment and Recreation:
 - Restaurant
 - Mobile Food Truck
 - Transient Lodging
 - Bed and Breakfast Inn
7. Reference number 6160 identified as Reserved to be deleted.
8. Headings to be deleted:
 - 6100 Public/Institutional Facility (not a use related definition)
9. Use related definitions that to be amended:
 - Agricultural Production
 - Livestock Production (Animal Husbandry)
 - Produce Stand (Farm Stand)
 - Commercial Business
10. New use related definitions:
 - Agritourism
11. New general definitions:
 - Agriculture
 - Livestock
 - Transient
 - Use, Accessory
12. General definitions to be amended:
 - Residence
13. All index numbers to be adjusted to reflect new format.

Amendments to 17.09 Schedule of Zoning Uses

1. All amendments occurring in 17.07 Definitions are reflected in the use schedule.

Amendments to 17.22 Off Street Parking Standards

1. All amendments occurring in 17.07 Definitions are reflected in 17.22.020 Development Standards.

17.07 DEFINITIONS

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17.07.010: Purpose

The purpose of this chapter is to provide the definitions for terms specific to this title and Title 16.

17.07.020: Other Terms Defined

- A. Whenever any words or phrases used in this title are not defined herein, but are defined in related sections of the Utah Code, County Subdivision Ordinance, or the family of international building codes, such definitions are incorporated herein and shall apply as though set forth herein in full, unless the context clearly indicates a contrary intention as determined by the Land Use Authority. For any words or phrases not specifically defined in the codes as noted, the current online Merriam-Webster Dictionary must be used to determine meaning within the context in which they are used as determined by the Land Use Authority.
- B. Unless a contrary intention clearly appears, words used in the present tense include the future, the singular includes the plural, the term "shall" is always mandatory, and the term "may" is permissive. The following terms as used in this title shall have the respective meanings hereinafter set forth.
- C. As determined by the Director, definitions nested for organizational purposes shall be considered as stand-alone for definitional purposes.

17.07.030: Use Related Definitions

- A. Terms used within Title 17.09 to identify specific uses regulated within the Cache County Land Use Ordinance.

RESIDENTIAL USES

- 1100 SINGLE FAMILY DWELLING:** A building containing only one dwelling unit. Accessory kitchens may be approved as long as there is no ability to serve as a second dwelling unit. The building may be a manufactured home, a mobile home, or other permitted structure on a permanent foundation. Only one dwelling unit is allowed per legal lot/parcel.
- 1110 FOSTER HOME:** As licensed by the State of Utah and defined within Utah State Code 62A-2-101.
- 1120 ACCESSORY APARTMENT:** One or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit located within an existing primary dwelling unit. An accessory apartment must comply with the following requirements:

1. Be located within an existing single-family dwelling which has been designated, built, or converted to accommodate an independent housing unit.
2. Must be approved by the Bear River Health Department and County Building Department with respect to sanitation, water, drainage, and all applicable health codes and requirements and must also comply with all applicable land use, building, and safety codes, including the obtaining of a building permit.
3. Only one accessory apartment is allowed per legal lot.
4. The existing primary single-family dwelling unit or the accessory apartment must remain owner occupied.

1130 ACCESSORY/AGRICULTURE STRUCTURES: A use or a structure subordinate to the primary use of a lot, or of a primary building on the same lot, and serving a purpose clearly incidental to a permitted primary use of the lot or of the building and which accessory use or structure is compatible with the primary permitted uses or structures authorized under land use regulations applicable to the property. This includes, but is not limited to, the following:

1. Residential: Structures associated with recreational activities, raising of pets, or parking of occupants' vehicles such as a garage or carport, accessory buildings for home hobbies, storage buildings, fences, patios, decks, and gardens.
2. Commercial/Manufacturing: Includes structures associated with the onsite sale of manufactured goods, offices, parking, storage, and a caretaker's residence.
3. Agriculture Structure: As defined within 15A-I-204(11) of Utah Code Annotated, 1953, as amended.

1200 HOME BASED BUSINESS: A use incidental and secondary to a property's primary residential use which does not significantly alter the exterior of the property or affect the residential character of the site as determined by the Development Services Director. The only employees and/or volunteers working at the home shall be the residents of the home. One non-resident employee may work in the residence if it can be demonstrated that there are not significant impacts due to the increase. A minor variance is required as specified in §17.02.060. Typical uses include:

1. Home Office: A business which is comprised of an office in the home, consulting services, internet based business, or service activities that are managed from the home and occur away from the residential property. This includes sales activities where the business proprietor makes the primary sales transaction at another location such as demonstration sales or sales parties (i.e. cosmetics, cutlery, vacuums, etc.).
2. Home Day Care/Preschool: A program providing care in an occupied dwelling operated by residents of that dwelling in which lessons and/or care are provided for not more than eight (8) children. The state licensed and/or reviewed capacity must include all children less than four (4) years of age of any caregiver when their children are present in the residence. Preschool sessions shall last for not more than four (4) hours and shall not overlap. Individual children may attend only one preschool session in any twenty four (24) hour period. Refer to UCA §26-39 Utah Child Care Licensing Act for state licensing requirements.

3. Minor Service Provision: Typically includes professional services where client meetings may occur at the home.
4. Minor Production: Production of goods that can be completed within the existing home typically including food goods, arts/crafts, or woodworking.

1300 MULTI-FAMILY DWELLING: A building or portion thereof containing two or more dwelling units. Excludes single family dwellings with accessory apartments.

1400 SEASONAL CABIN: A dwelling used for recreational or leisure purposes with the occupancy period for such dwelling limited to a maximum of one hundred eighty (180) days, or less, for each calendar year. A seasonal cabin cannot be utilized as a primary residence. Only one seasonal cabin is allowed per legal lot/parcel.

1500 RESIDENTIAL LIVING FACILITY: A general term for the following types of facilities:

1. Residential Facility for Persons with a Disability: A single-family dwelling unit in which more than one person with a disability resides and which is licensed or certified by the Utah Department of Human Services under Utah Code Annotated 62A et seq., as amended, or the Utah Department of Health under Utah Code Annotated Section 26-21 et seq., as amended. Treatment is not a necessary component of a residential facility for persons with a disability, but may be provided upon request. Any treatment provided shall be clearly ancillary to the use of the facility as a residence.

MANUFACTURING INDUSTRIES:

2100 GENERAL MANUFACTURING: The manufacture, processing, and assembling of products by mechanical or chemical processes. Typically includes the manufacturing rock products (including concrete/asphalt plants); metal products; wood products (including saw mills and pulp factories); plastic components; and the commercial processing of animal products (meat, dairy, eggs, etc.).

2110 AGRICULTURAL MANUFACTURING: The processing of agriculturally based products where 75% or more of the goods are grown directly on the property or on adjacent property that is operated by the owner of the Agricultural Manufacturing business. Includes any value added agricultural processing including but not limited to: honey processing, juice production from orchards or berries, meat or fish processing (smoking, jerky, cured meats, etc.), processing of vegetables, etc.

SALES AND SERVICES:

3100 COMMERCIAL BUSINESS: Any commerce endeavor to engage in the purchase, sale, lease, or exchange of goods, and/or the provision of services. This includes the following specific uses:

1. **Commercial sales and services:** An establishment that provides products or services directly to a consumer, and where such products are available for immediate purchase and removal from the premises by the purchaser.

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2200 STORAGE AND WAREHOUSING: A structure(s) containing storage space(s) of varying sizes that are affiliated with a commercial or industrial uses. Such facilities are to be used for dead storage only. No business activities may be conducted from a storage facility other than those that are clearly ancillary to the primary business. Also includes the following specific uses ¶

¶#--Storage Yard: The storage of large equipment and vehicles (either construction or transport), bulk construction materials (soil and rock products or building materials), and buildings or structures for uses such as offices or repair facilities ¶

¶#--Salvage Yard: A facility or area for storing, keeping, selling, dismantling, shredding, compressing, or salvaging scrap or discarded material or equipment. Scrap or discarded material includes but is not limited to metal, paper, rags, tires, bottles, motor vehicle parts, machinery, structural steel, equipment, and appliances. The term includes facilities for separating trash and debris from recoverable resources, such as paper products, glass, metal cans, and other products which can be returned to a condition in which they may again be used for production. ¶

2210 SELF SERVICE STORAGE FACILITY:

A building or group of buildings divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers, and other residential uses, and may include refrigerated or climate controlled facilities ¶

2300 TRANSPORT SERVICES: An establishment engaged primarily in the loading and unloading of freight onto tractor trucks or the dispatch of tractor trucks which will be used to haul freight. May also include services for the fueling, servicing, repair, or parking of trucks or similar heavy commercial vehicles. Excludes the parking of a single truck by an owner/operator at their place of residence and trucks owned and operated by an agricultural entity engaged in the transport of 75% or more of that owners agricultural products ¶

TRADE, WHOLESALE, AND RETAIL:¶

3100 RETAIL & COMMERCIAL SALES: An establishment that provides goods, wares, or merchandise directly to a consumer, where su ... [1]

Deleted: 3110 PRODUCE STAND: A temporary building or structure, not to exceed a gross floor area of 250 square feet, from which agricultural products are sold. May also involve the accessory sales of other unprocessed foodstuffs, home processed food products such as jams, jellies, pickles, sauces, or baked goods, and home-made handicrafts. No commercially packaged handi ... [2]

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2. Professional services: An administrative, professional, research, laboratory, or personal service, which requires as a condition precedent to the rendering of such service, the obtaining of a license or other legal authorization. These typically include, but are not limited to, services rendered by: certified public accountants, public accountants, engineers, chiropractors, dentists, osteopaths, physicians and surgeons, podiatrists, architects, veterinarians, attorneys at law, physical therapists, and life insurance agents. Merchandise or merchandising services must not be sold on the premises except such as incidental or accessory to the principal use.

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4100 PROFESSIONAL SERVICES:

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3200 HOME BASED KENNEL: Any establishment, accessory to a dwelling unit and/or adjacent to a neighboring parcel under the same ownership, at which seven (7) or more adult dogs are boarded, groomed, bred, raised, and/or otherwise kept. This excludes a single, incidental litter in a 12 month period. A home based kennel must comply with the following requirements:

1. A home based kennel shall consist of no more than 12 adult dogs. More than 12 dogs may be permitted as a home based kennel if it is otherwise shown by the applicant that:

a. Impacts can be mitigated by distance, vegetation, geography, and/or structures.

b. The kennel is secondary to the home and the use of the property is not primarily for commercial purposes.

2. All kennel facilities must be a minimum of 50 feet from the property boundary.

3. Noise levels from the kennel shall not exceed 10 decibels (dBA, Leq) above the existing ambient noise levels at the property line at any time of day or night. A sound level impact and assessment report prepared and signed by a qualified professional must be provided at the time of application to support the same.

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3300 COMMERCIAL KENNEL/ANIMAL SHELTER: Any establishment at which the boarding, grooming, breeding, raising, and/or otherwise keeping of 13 or more adult dogs or cats is the primary use of a legal parcel as determined by the Director or Planning Commission, or the requirements of a home based kennel cannot be met. A commercial kennel/animal shelter must comply with the following requirements:

1. All kennel facilities must be a minimum of 50 feet from the property boundary and a minimum of 20 feet from a Caretaker's Residence.

2. Noise levels from the kennel shall not exceed 10 decibels (dBA, Leq) above the existing ambient noise levels at the property line at any time of day or night. A sound level impact and assessment report prepared and signed by a qualified professional must be provided at the time of application to support the same.

3400 STORAGE AND WAREHOUSING: A structure(s) containing storage space(s) of varying sizes that are affiliated with a commercial or industrial uses. Such facilities are to be used for dead storage only. No business activities may be conducted from a storage facility other than those that are clearly ancillary to the primary business. Also includes the following specific uses:

1. Storage Yard: The storage of large equipment and vehicles (either construction or transport); bulk construction materials (soil and rock products or building materials); and buildings or structures for uses such as offices or repair facilities.

2. Salvage Yard: A facility or area for storing, keeping, selling, dismantling, shredding, compressing, or salvaging scrap or discarded material or equipment. Scrap or discarded material includes but is not limited to metal, paper, rags, tires, bottles, motor vehicle parts, machinery, structural steel, equipment, and appliances. The term includes facilities for separating trash and debris from recoverable resources, such as paper products, glass, metal cans, and other products which can be returned to a condition in which they may again be used for production.

3410 SELF SERVICE STORAGE FACILITY: A building or group of buildings divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers, and other residential uses; and may include refrigerated or climate controlled facilities.

3500 TRANSPORT SERVICES: An establishment engaged primarily in the loading and unloading of freight onto tractor trucks or the dispatch of tractor trucks which will be used to haul freight. May also include services for the fueling, servicing, repair, or parking of trucks or similar heavy commercial vehicles. Excludes the parking of a single truck by an owner/operator at their place of residence and trucks owned and operated by an agricultural entity engaged in the transport of 75% or more of that owners agricultural products.

3600 GENERAL VEHICLE REPAIR: Any building, structure, improvements, or land used for the repair and maintenance of small engines, automobiles, motorcycles, trucks, trailers, tractors, or similar vehicles including but not limited to body, fender, muffler, or upholstery work, oil change and lubrication, painting, tire service and sales, but excludes dismantling or salvage.

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3700 MEDICAL SERVICES/FACILITIES: A general term for the following uses:

1. Secure Treatment: As licensed by the State of Utah and defined within Utah State Code 62A-2-101.
2. Substance Abuse Treatment Program: As licensed by the State of Utah and defined within Utah State Code 62A-2-101.
3. Outpatient Treatment: As licensed by the State of Utah and defined within Utah State Code 62A-2-101.
4. Day Treatment: As licensed by the State of Utah and defined within Utah State Code 62A-2-101.
5. Healthcare Facility: As licensed by the State of Utah and defined within Utah State Code 26-21-2.
6. Hospital: As licensed by the State of Utah and defined within Utah State Code 26-36a-103.
7. Veterinary Clinic: A facility for the diagnosis, treatment, and hospitalization of animals, and which may include boarding and outdoor holding facilities.

Deleted: 4200 PROFESSIONAL OFFICE: A building for administrative, executive, professional, research, or similar organizations, and laboratories having only limited contact with public, provided that no merchandise or merchandising services are sold on the premises, except such as are incidental or accessory to the principal use ¶

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3800 HUMAN CARE SERVICES: A general term for the following uses:

1. Domestic Violence Treatment Program: As licensed by the State of Utah and defined within Utah State Code 62A-2-101.

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2. Assisted Living Facility: As licensed by the State of Utah and defined within Utah State Code 26-21-2.
3. Day Care, Adult: As licensed by the State of Utah and defined within Utah State Code 62A-2-101.
4. Daycare/Preschool, Commercial: Any facility, at a nonresidential location, operated by a person qualified by the State of Utah, which provides children with daycare and/or preschool instruction as a commercial business and complying with all state standards and licensing.
5. Nursing Care Facility: As licensed by the State of Utah and defined within Utah State Code 26-21-2.
6. Residential Support: As licensed by the State of Utah and defined within Utah State Code 62A-2-101.
7. Residential Treatment Program: As licensed by the State of Utah and defined within Utah State Code 62A-2-101.
8. Youth Program: As licensed by the State of Utah and defined within Utah State Code 62A-2-101.
9. Long Term Care Facility: As licensed by the State of Utah and defined within Utah State Code 62A-3-202.

CULTURAL, ENTERTAINMENT, AND RECREATION:

4100 RECREATIONAL FACILITY: A place, either indoor or outdoor, designed and equipped for the conduct of sports and leisure time activities that are operated as a business and/or open to the general public. These facilities are typically operated for a period of greater than 30 days per year and may also include incidental transient lodging accommodations for up to 15 rooms. This also includes the following specific uses:

1. Ski Facility: A recreational use, with associated facilities and improvements, for downhill or cross country skiing, snowboarding, snowshoeing, snowmobiling, or other snow related activities. Associated facilities and improvements include, but are not limited to: transient lodging; food, retail, and support services; recreational and fitness facilities; parking accommodations; and other uses of a similar nature specifically authorized in conjunction with the operation of the facilities as a resort.
2. Golf Course: A tract of land laid out with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, driving range, and shelters as accessory uses.
3. Campground: Any area with more than three (3) sites that are improved for occupancy by transients using recreational vehicles, motor homes, mobile trailers, or tents for dwelling, lodging, or sleeping purposes with a maximum duration of stay of two (2) weeks.

4200 RESORT: A large scale, master planned facility which serves as a destination point for visitors, and has recreational facilities and may include residential accommodations for guests. Typical uses within a resort include but are not limited to: Ski facilities, Golf Courses, and other recreational facilities, overnight accommodations, meeting rooms, convention and banquet facilities, administrative facilities, maintenance and storage

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4500 GENERAL VEHICLE REPAIR: Any building, structure, improvements, or land used for the repair and maintenance of small engines, automobiles, motorcycles, trucks, trailers, tractors, or similar vehicles including but not limited to body, fender, muffler, or upholstery work, oil change and lubrication, painting, tire service and sales, but excludes dismantling or salvage ¶

4600 RESTAURANT: A commercial establishment where food and beverages are prepared, served, and consumed primarily within the principal building and where food sales constitute more than 80 percent of the gross sales receipts for food and beverages ¶

4610 MOBILE FOOD TRUCK: A temporary food service establishment, which has a duration limited to six (6) months at any single location, that is a vehicle mounted food service establishment designed to be readily movable ¶

4700 TRANSIENT LODGING: A general term for the following uses: ¶

<#>Motel: A building or group of buildings for the accommodation of transient guests, comprising individual sleeping or living units, and designed and located to serve the motoring public ¶

<#>Hotel: An establishment with or without fixed cooking facilities in individual rooms offering transient lodging accommodations to the general public, and which may provide additional services such as restaurants and meeting rooms ¶

4710 BED AND BREAKFAST INN: An owner occupied dwelling offering transient lodging accommodations where meals may be provided. A bed and breakfast inn may have no more than four (4) guestrooms. ¶

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facilities, and restaurant/retail uses which are customarily appurtenant to such uses. See §17.14 Resort Recreation (RR) Zone of this code for specific requirements.

4300 TRANSIENT LODGING: A general term for the following uses:

1. Motel: A building or group of buildings for the accommodation of transient guests, comprising individual sleeping or living units, and designed and located to serve the motoring public.
2. Hotel: An establishment with or without fixed cooking facilities in individual rooms offering transient lodging accommodations to the general public, and which may provide additional services such as restaurants and meeting rooms.

4310 BED AND BREAKFAST INN: An owner occupied dwelling offering transient lodging accommodations where meals may be provided. A bed and breakfast inn may have no more than four (4) guestrooms.

4400 RESTAURANT: A commercial establishment where food and beverages are prepared, served, and consumed primarily within the principal building and where food sales constitute more than 80 percent of the gross sales receipts for food and beverages.

4410 MOBILE FOOD TRUCK: A temporary food service establishment, which has a duration limited to six (6) months at any single location, that is a vehicle mounted food service establishment designed to be readily movable.

4500 SEXUALLY ORIENTED BUSINESSES: Seminude entertainment businesses, sexually oriented outcall services, adult businesses, and seminude dancing agencies, as defined by Title 5, and also addressed by 17.24.

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PUBLIC, INSTITUTIONAL, AND UTILITY USES:

5100 CEMETERY: A location used for interment of human or animal remains, including a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments, or a combination thereof, and meeting all applicable local, state, and federal requirements and regulations.

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5110 CREMATORIUM: A location containing a cremation chamber or retort intended for use in the act of cremation of human or animal remains, and that meets all applicable local, state, and federal requirements and regulations.

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5200 PUBLIC USES: A use operated exclusively by a public entity over which the county has no jurisdiction in compliance with §17-27a-304, Utah Code Annotated, 1953, as amended.

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5300 RELIGIOUS MEETING HOUSE: A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily

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associated with such primary purpose. Includes synagogue, temple, mosque, or other such place for worship and religious activities.

5400 CORRECTIONAL FACILITY: Facilities for the judicially required detention or incarceration of people, where inmates and detainees are under 24-hour supervision by professionals, except when on approved leave. If the use otherwise complies with this definition, a correctional facility may include, by way of illustration, a prison, jail, or probation center.

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5500 EDUCATIONAL FACILITY: Any building or part thereof which is designed, constructed, or used for education or instruction by a public or private organization in any branch of knowledge, but excluding preschool centers. Includes the following uses:

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1. Boarding School: As licensed by the State of Utah and defined within Utah Code Annotated, 1953, as amended, §62A-2-101.
2. Therapeutic School: As licensed by the State of Utah and defined within Utah Code Annotated, 1953, as amended, §62A-2-101.

5600 UTILITY FACILITY, TRANSMISSION: A general term for the following uses. These uses are 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.

Deleted: 6200 UTILITIES: All lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, telecommunication and telephone cables and the generation of power as further defined herein ¶

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1. Electric Transmission Line: A power transmission line, either above or below ground, designed to provide electric transmission at voltages of one hundred and forty thousand (140,000) volts (140 kV), or greater, and that may provide for interstate power transmission, power transmission between substations, or to provide power to customers or areas located outside of the county.
2. Gas Pipeline Right Of Way: A gas transmission pipeline of twelve inches (12") or larger diameter that may provide for interstate gas transmission, or to provide gas to customers or areas located throughout the county.
3. Wind or Water Energy System: A wind or water energy conversion system consisting of one or more turbines and/or towers and associated control and/or conversion electronics and providing generated electrical power to be used for off-site consumption.
4. Petroleum Pipeline: A petroleum or oil transmission pipeline of four inches (4") or larger in diameter and that provides for interstate petroleum or oil transmission, or to provide petroleum or oil to customers or areas located throughout the county.
5. Electric Substation: A power regulating facility designed to regulate power for distribution at voltages of one hundred forty thousand (140,000) volts (140 kV) or greater.
6. Compression/Pumping Station: A gas or petroleum regulating facility designed to regulate the flow along major utility facilities.

5610 UTILITY FACILITY, DISTRIBUTION: A general term for the following uses. These uses are 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.

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1. Electric Transmission Line: A power transmission line, either above or below ground, designed to provide electric transmission at voltages of less than one hundred and forty thousand (140,000) volts (140 kV) but more than thirty thousand (30,000) volts (30kV).
2. Gas Pipeline: A gas transmission pipeline of less than twelve inches (12") in diameter.
3. Water/Waste Water Transmission Line: A transmission line for water (culinary or irrigation water) or wastewater greater than 18" in diameter. Open canals and barrow pits are exempt from this requirement.
4. Electric Substation: A power regulating facility designed to regulate power for distribution to customers at voltages less than one hundred forty thousand (140,000) volts (140 kV).
5. Compression/Pumping Station: A gas or petroleum regulating facility designed to regulate the flow along minor utility facilities.

5620 UTILITY FACILITY, SERVICE: Electric, gas, communication, water, sewer, irrigation, drainage lines, or other utility facilities that provide local delivery or collection services from either Utility Facility Distribution or Transmission services. This includes home based geothermal, wind, solar, or water powered facilities limited to the production capacity required to service a single family dwelling.

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5700 TELECOMMUNICATION FACILITY, MAJOR: See §17.20 Telecommunication Facilities.

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5710 TELECOMMUNICATION FACILITY, MINOR: See §17.20 Telecommunication Facilities.

Deleted: Any manned or unmanned location for the transmission and/or reception of radio frequency signals, or other wireless communications, and usually consisting of an antenna or group of antennas, transmission cables, and equipment cabinets, and may include an antenna support structure. Accessory uses include, but are not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters, foundations, concrete slabs or grade, guy anchors, generators, and transmission cable supports

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5800 PUBLIC AIRPORT: A site licensed by the State for the takeoff or landing of aircraft, including uses that may be appurtenant and accessory to said activity (e.g., runways, hangars, facilities for refueling and repair). The following are required at the time of application:

1. A copy of any and/or all FAA reviews, forms, and analyses regarding the airport location, activity, and design including:
 - a. The current FAA Form 7480-1, and;
 - b. FAA response to Form the 7480-1 submission.
 - c. A copy of the Airport Master Record.
2. A copy of the design criteria as per the current FAA Airport Design Advisory Circular AC 150/5300-13A as applicable to the type of aircraft proposed to operate at the site. Said design criteria must be implemented at the site.
3. A copy of the State of Utah license as issued by the Utah Division of Aeronautics.

5810 PRIVATE AIRPORT: Any area for the takeoff or landing of aircraft and that is not open to the public, including uses that may be appurtenant and accessory to said activity (e.g., runways, hangars, facilities for refueling and repair). The following are required at the time of application:

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1. A copy of any and/or all FAA reviews, forms, and analyses regarding the airport location, activity, and design including:
 - a. The current FAA Form 7480-1, and;
 - b. FAA response to the Form 7480-1 submission.
 - c. A copy of the Airport Master Record.
2. A copy of the design criteria as per the current FAA Airport Design Advisory Circular AC 150/5300-13A as applicable to the type of aircraft proposed to operate at the site. Said design criteria must be implemented at the site.

Permitting is not required for temporary or intermittent airports as defined by the Federal Aviation Administration (FAA) under Title 14 of the Code of Federal Regulations Part 157 Notice of Construction, Alteration, Activation, and Deactivation of Airports.

5900 SOLID WASTE FACILITY: A facility engaged in solid waste management, including:

1. A landfill;
2. A processing system, including:
 - a. A resource recovery facility;
 - b. A facility for reducing solid waste volume;
 - c. A plant or facility for compacting, composting, or pyrolyzation of solid waste;
 - d. A solid waste disposal, reduction, or conversion facility.
3. Composting Facility: 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 exempted from this use.
4. Sewage Treatment Works: A facility designed for the collection, removal, treatment, and disposal of waterborne sewage generated within a given service area. Includes sewage lagoons and sewage treatment plants. Excludes septic systems.

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5910 NUCLEAR WASTE FACILITY: A facility for the disposal or transfer of high-level nuclear waste or greater than class C radioactive nuclear waste, as defined within Utah Code Annotated, 1953, as amended, §19-3-303, as "Waste(s)", that is located wholly or partially within the county.

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Deleted: production, keeping, or maintenance, for sale, lease, or personal use of plants useful to man, including crops and products such as vegetables, fruit trees, harvestable and ornamental trees, hay, sod, grain, honey, milk, cheese, and any other agricultural or horticultural products and their storage, wholesale fruits of all kinds, including grapes, nuts, and berries, wholesale vegetables, wholesale nursery, floral, ornamental, and greenhouse products, or lands devoted to a soil conservation or forestry management program

RESOURCE PRODUCTION AND EXTRACTION:

6100 AGRICULTURAL PRODUCTION: The derivation of a product from agriculture. Also includes the following specific uses:

1. Horticultural Production: The use of land for the growing or production for income of fruits, vegetables, flowers, nursery stock, including ornamental plants and trees, and cultured sod.
2. Aquiculture: The commercial cultivation of aquatic life, such as fish, shellfish, and seaweed.
3. Agricultural Products Storage: The storage of raw agricultural products. This use does not include the commercial slaughtering, the processing and packaging of meat and poultry, or the processing of foodstuffs.
4. Animal Husbandry: An agricultural operation or establishment which keeps, feeds, or raises livestock for commercial purposes and as a primary land use.

Deleted: <#>Agricultural Building: A structure used solely in conjunction with agriculture use, not for human occupancy, and complying with the requirements of §15A-1-202, Utah Code Annotated, 1953, as amended. To qualify as an agricultural building, the structure must be located outside of a residential area, as defined by §15A-1-204, Utah Code Annotated, 1953, as amended ¶

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Deleted: Livestock Production

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Deleted: These include piggeries, dairies, dairy and beef cattle ranching, feedlots, chicken, turkey and other poultry farms, rabbit and mink farms, apiaries, and aviaries

5. Grazing: The feeding of livestock where more than fifty percent (50%) of the feed is produced on the immediate parcel and available to the animals as in-place vegetation to sustain life.

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- 6110 CONCENTRATED ANIMAL FEEDING OPERATION (CAFO):** A lot or facility as defined by the EPA as meeting or exceeding the standards of a Large CAFO.

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- 6120 LIVESTOCK AUCTION FACILITY:** A structure or structures with associated pens, yards, corrals, and loading and unloading facilities used for the sale of livestock.

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6130 FARM STAND: A structure from which fruits, vegetables, flowers, herbs, plants, or other agriculture products are sold. This use may also include accessory sales of other unprocessed or home-processed foodstuffs such as canned goods, baked goods, and may also include homemade handicrafts. Additionally:

1. The structure must be located on a property that qualifies as land under agricultural use as defined by the Farmland Assessment Act, UCA 59-2-5.
2. The area of the structure devoted to the sales of accessory items shall not exceed 50 percent of the structures total sales area.
3. The sale of commercially packaged handicrafts or commercially processed or packaged foodstuffs not originating from land qualifying as land under agricultural use as defined by the Farmland Assessment Act, UCA 59-2-5, is not permitted.
4. Only one such structure is allowed per legal lot or parcel.
5. The following are additional distinctions and requirements for the specific structure types:
 - a. A single, temporary structure that:
 - i. Is in place for no more than 180 calendar days, and;
 - ii. Consists of a 200 square-foot area or less, and;
 - iii. Must be located on the same property where the primary ingredients for all raw and home-processed food products were grown.
 - b. A single, permanent structure that:
 - i. Is used for the sales of product, as identified above, for no more than 180 calendar days, and;
 - ii. Is used for the sales of agriculture product, from any adjacent property as determined by the Land Use Authority, which also qualifies as land under agricultural use as defined by the Farmland Assessment Act, UCA 59-2-5, is also permitted in said structure.

6140 AGRITOURISM: A use or activity for the on-site recreation, retail purchase, education, or participation of the general public. Any such use/activity may include, but is not limited to a: Farm tour; farm stay; educational class; corn maze; group event or competition; U-pick operation; farmers market; farm museum; cider mill; petting farm/zoo; retail sales facility (e.g., meat shop; dairy or creamery; nursery; gift shop; flower, herb, or spice store; bakery; restaurant; or café); small-scale food processing (e.g., process pumpkins grown on premise into pumpkin pies), and other similar uses/activities as determined by the Land Use Authority. Any such use or activity must meet the minimum requirements as follows:

1. Any such use/activity must be accessory to a primary Agricultural Production use. The primary and accessory uses must:
 - a. Be located on land that qualifies as land under agricultural use that is actively devoted to agriculture as defined by the Farmland Assessment Act, UCA 59-2-5, and;
 - b. Be located on a legal parcel, five (5) acres or larger in size; or on contiguous legal parcels that are a total of five (5) acres or larger in size.
 - c. Consist of 51% or more of products produced on site.
2. The use/activity occurs for more than twenty-one (21) consecutive or non-consecutive days per year, and provides agriculturally related, and in some instances, non-agriculturally related products and events to the general public.
3. Must obtain Land Use Authority review and approval prior to operation.
4. Overnight accommodation is permitted as follows:
 - a. Guest rooms must be located within an owner occupied dwelling or seasonal cabin that meets the minimum Building and Fire Code standards;
 - b. No more than a total of four (4) guest rooms with a maximum occupancy of two per room; not counting children 15 years of age and under.

6200 BOARDING FACILITY: A series of stables, barns, paddocks, and/or other shelters and exercise facilities in which livestock, including cattle, sheep, goats, swine, horses, mules, poultry, etc., are fed, exercised, and/or cared for on a short or long term basis for a fee.

6300 FORESTRY ACTIVITIES: The felling and transportation of commercially harvested trees. Forestry activities do not include the harvesting of firewood or trees for private use. Excludes sawmills or the production/finishing of lumber.

6400 MINERAL EXTRACTION: The extraction of metallic and nonmetallic minerals or materials; including the accessory uses of rock crushing, screening, and the storage of explosives; except where such excavation is for purposes of grading for a building lot or roadway, where grass sod is removed to be used for landscaping, or where materials are excavated from a lot for use on that same lot or an adjoining parcel by the owner of the property. Includes stone quarries and sand/gravel pits.

6410 TOPSOIL EXTRACTION: Extraction activities limited to the removal and sale of topsoil, except where such excavation is for purposes of grading for a building lot or roadway, where grass sod is removed to be used for landscaping, or where materials are excavated from a lot for use on that same lot or an adjoining parcel by the owner of the property.

6420 SITE GRADING: The act of excavation or filling or combination thereof or any leveling to a smooth horizontal or sloping surface on a property in preparation for the construction of a building, but not including normal cultivation associated with an agricultural operation. Excavation shall be less than 1,500 cubic yards per parcel. Additional excavation may only be permitted with a variance.

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7210 HOUSEHOLD PET: Animals ordinarily kept in a dwelling for personal use and not for commercial purposes. This includes up to six (6) adult dogs ¶

7220 HOME BASED KENNEL: Any establishment, accessory to a dwelling unit and/or adjacent to a neighboring parcel under the same ownership, at which seven (7) or more adult dogs are boarded, groomed, bred, raised, and/or otherwise kept. This excludes a single, incidental litter in a 12 month period. A home based kennel must comply with the following requirements: ¶

<#>A home based kennel shall consist of no more than 12 adult dogs. More than 12 dogs may be permitted as a home based kennel if it is otherwise shown by the applicant that: ¶

<#>Impacts can be mitigated by distance, vegetation, geography, and/or structures. ¶

<#>The kennel is secondary to the home and the use of the property is not primarily for commercial purposes. ¶

<#>All kennel facilities must be a minimum of 50 feet from the property boundary. ¶

<#>Noise levels from the kennel shall not exceed 10 decibels (dBA, 1 eq) above the existing ambient noise levels at the property line at any time of day or night. A sound level impact and assessment report prepared and signed by a qualified professional must be provided at the time of application to support the same. ¶

7230 COMMERCIAL KENNEL/ANIMAL SHELTER: Any establishment at which the boarding, grooming, breeding, raising, and/or otherwise keeping of 13 or more adult dogs or cats is the primary use of a legal parcel as determined by the Director or Planning Commission, or the requirements of a home based kennel cannot be met. A commercial kennel/animal shelter must comply with the following requirements ¶

<#>All kennel facilities must be a minimum of 50 feet from the property boundary and a minimum of 20 feet from a Caretaker's Residence. ¶

<#>Noise levels from the kennel shall not exceed 10 decibels (dBA, 1 eq) above the existing ambient noise levels at the property line at any time of day or night. A sound level impact and assessment report prepared and signed by a qualified professional must be provided at the time of application to support the same. ¶

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17.07.040: General Definitions

ACCESS: The provision of vehicular and/or pedestrian ingress and egress to buildings, structures, facilities, or property.

AGENT: The person with written authorization to represent an owner or owners.

AGRICULTURE: The primary use of land for the science, art, or practice of cultivating the soil, producing crops, or raising livestock.

AGRICULTURAL REMAINDER

- 1) The minimum size of any remainder must be in conformance with §59-2-5 of Utah Code Annotated, 1953, as amended.
- 2) Any remainder shall require a deed restriction to be recorded stating that the remainder is non-buildable except for agricultural structures. This restriction can only be removed by the appropriate land use authority.
- 3) Does not count as a "lot" for development density as described in §17.10.030 of this code.
- 4) Must be reviewed and approved by the land use authority to ensure the promotion and/or preservation of agriculture in terms of the layout and design of the agricultural remainders.

ANTENNA: Any apparatus designed for the transmitting and/or receiving of electromagnetic waves including, but not limited to, telephonic, radio or television communications. Types of antennas include, but are not limited to: omni-directional (whip) antennas, sectorized (panel) antennas, multi or single bay (FM & TV), yagi, or parabolic (dish) antennas.

APPEAL: A review by the identified appellate body of a final decision of the approving body.

APPEAL AUTHORITY: A person, board, commission, agency, or other body designated by ordinance to decide an appeal of a decision of a land use application or variance.

APPLICANT: The owner of title or agent for property that is the subject of an application.

APPLICATION: The necessary form and all accompanying documents and other materials required by the Land Use Authority for development review purposes.

APPROVAL: A decision signed and issued by the Land Use Authority stating that a proposed use complies with the current County Code.

AVERAGE DAILY TRAFFIC (ADT): The average of one-way vehicular trips that use a road during a twenty-four (24) hour period.

BOARD OF ADJUSTMENTS (BOA): The officially constituted and appointed body of Cache County, as authorized by the laws of the State of Utah, to perform those duties, as allowed by state law and this title.

BOARD OF TRUSTEES: As provided for in Title 8.20.040, "Board of Trustees".

BOUNDARY LINE ADJUSTMENT: The relocation of the property line between two (2) or more adjoining lots or parcels.

BUILDABLE AREA: The portion of a parcel of land which is within the envelope formed by the required setbacks of the zoning district in which the parcel is located and as limited by any sensitive areas as defined in this title.

BUILDING: A structure having a roof supported by columns or walls for housing, shelter or enclosure of persons, animals, processing, equipment, goods, materials, or property of any kind.

BUILDING CODE: The most recently adopted family of International Building Code used to regulate the construction of buildings and structures located within Cache County.

BUILDING HEIGHT, MAXIMUM: The vertical measure from the average elevation of that portion of a lot or parcel covered by the building to the roof beams in a flat roof; to the highest point on the deck of a mansard roof; to a level midway between the level of the eaves and highest point of pitched, hip, or gambrel roofs.

BUILDING PERMIT: Legal authorization, as required by the adopted building code(s) of Cache County, authorizing the erection, alteration, or extension of a structure.

BUILDING, PUBLIC: For purposes of this title only, a public building is a building owned and operated, or owned and intended to be operated by the county, a public agency of the United States of America, the State of Utah, or any of its political subdivisions. The use of a public building, with immunity, is nontransferable and terminates if the structure is devoted to a use other than as a public building with immunity. A public building referred to as with immunity under the provisions of this title includes:

1. Properties owned by the State of Utah or the United States government which are outside of the jurisdiction of the County Land Use Authority as provided under §17-27a-304, Utah Code Annotated, 1953, as amended, and;
2. The ownership or use of a building which is immune from the County Land Use Authority under the supremacy clause of the United States constitution.

CACHE COUNTY, UNINCORPORATED: All unincorporated areas, lying within the boundaries of the county, and outside any corporate boundary of a municipality.

CACHE COUNTYWIDE COMPREHENSIVE PLAN: The general plan as authorized by the laws of the State of Utah for the unincorporated areas of the county, as may be adopted and amended from time to time by the Cache County Council.

CARETAKER'S RESIDENCE: A single family dwelling unit accessory to a commercial or industrial use for occupancy by the person who oversees the nonresidential operation, and his or her family.

CARRIER ON WHEELS OR CELL ON WHEELS (COW): A portable self-contained cell site that can be moved to a location and set up to provide personal wireless services on a temporary

or emergency basis. A COW is normally vehicle-mounted and contains a telescoping boom as the Antenna support structure.

CAT, ADULT: A cat is considered an adult when it is six (6) months of age or older.

CERTIFICATE OF OCCUPANCY: A certificate issued by the County Building Official after final inspection and upon a finding that the building, structure, or development complies with all provisions of the applicable county codes, permits, requirements, and approved plans.

CLUSTERING: A development or subdivision design that concentrates buildings or lots on a part of the site to allow the remaining land to be used for agriculture, recreation, common open space, and/or preservation of environmentally sensitive areas.

CO-LOCATION: The practice of siting multiple wireless carriers, service providers, and/or radio common carrier licensees on the same antenna support structure or attached wireless communication facility using different and separate antenna, feed lines, and radio frequency generating equipment.

CONDITIONAL USE: A land use that, because of its unique characteristics or potential impact on the county, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

CODES, COVENANTS, AND RESTRICTIONS (CC&Rs): An agreement that binds and restricts the land in the hands of present owners and subsequent purchasers. They are enforced only by the land owners involved and not by the city or other public agency.

DENSITY: The number of net acres required per dwelling unit as specified in Table 17.10.040. Net acreage shall be calculated by taking the total gross acreage and subtracting non-developable sensitive areas (wetlands, open water, steep slopes) and the area in rights-of-way for roads.

DEVELOPABLE ACREAGE: The land area within a subdivision excluding: Areas defined as undevelopable under Chapter 17.18, "Sensitive Areas", of this title, and areas dedicated to the public, such as parks and public rights-of-way.

DEVELOPMENT: The act, process, or result of erecting, placing, constructing, remodeling, converting, altering, relocating, or demolishing any structure or improvement to property, including grading, clearing, grubbing, mining, excavating, or filling of such property. Also includes the improvement or subdivision of land for the purpose of building.

DISABILITY: As defined within §57-21-2 (10) of the Utah Code Annotated, 1953, as amended.

DISPOSAL: The discharge, deposit, injection, dumping, spilling, leaking or placing of any solid or hazardous waste into or on any land or water so that such waste or any constituent thereof may enter the environment, be emitted into the air or be discharged into any waters, including groundwater.

DOG, ADULT: A dog is considered an adult when it is six (6) months of age or older.

DRY LOT: A lot approved through a subdivision process that does not have a state approved domestic water right associated with it.

DWELLING UNIT: One or more rooms in a dwelling designed for or occupied as separate living quarters which provide sleeping, sanitary facilities, kitchen or set of fixed cooking facilities, all for exclusive use by a single family maintaining a household.

EASEMENT: One or more of the property rights granted by the property owner to and/or for the use by another person or entity for a specified use or purpose.

FAMILY: One individual, or two (2) or more persons related by blood, marriage, or adoption, living together in a single dwelling unit and maintaining a common household, or no more than four (4) nonrelated persons living together. The term "family" shall not be construed to mean a group of nonrelated individuals, a fraternity, club or institutional group.

FENCE: An artificially constructed barrier of wood, masonry, stone, wire, metal, or other manufactured materials or combination of materials erected to enclose, screen, or separate areas.

IMPROVEMENT SURETY: A form of security that is posted in favor of Cache County that may include a letter of credit and/or a bond in an amount and form satisfactory to the county. Letters of Credit must be issued by a federally insured financial institution. Bonds must be issued by a financial institution, insurance company, or surety company with an A.M. Best rating of not less than A-:IX.

FINDINGS: Statements of the Land Use Authority identifying the reasons and basis for the action taken. Also referred to as findings of fact.

FLOODPLAIN: An area adjoining a river, stream, watercourse, or body of standing water in which a potential flood hazard exists when the area experiences a 100-year storm, including any area designated as a floodplain by the Federal Emergency Management Agency (FEMA) of the United States government. These areas have additional regulations located within Title 15.28 of the Cache County Code.

GEOLOGIC HAZARD: A hazard inherent in the crust of the earth or artificially created, which is dangerous or potentially dangerous to life, property, or improvements due to the movement, subsidence, or shifting of the earth. The term includes, but is not limited to, unstable slopes, faults, landslides, and rock fall.

GRADE: The ground surface elevation(s) of a parcel of land.

GRADE, EXISTING: The grade of a property prior to any proposed development or construction activity.

GRADE, FINAL: The finished or resulting grade after completion of the proposed development activity.

GRADING: Any change of existing surface conditions by excavating, placing of any soils or rocks, or stripping of vegetation.

GUEST HOUSE: An attached or detached building that provides living quarters for guests and (a) contains no kitchen or cooking facility; (b) is clearly subordinate and incidental to the principal residence on the same building site; and (c) is not rented or leased, whether compensation be direct or indirect.

HOUSEHOLD PET: Animals ordinarily kept in a dwelling for personal use and not for commercial purposes. As relates to kennels, this includes up to six (6) adult dogs.

IMPROVEMENTS: Buildings, structures, facilities, and site work including, but not limited to, grading, surfacing, paving, water mains and lines, water meters, fire hydrants, sanitary sewers, storm drainage facilities, culverts, bridges, public utilities, or other such installations.

IMPROVEMENT AGREEMENT: An agreement between a developer and the county, reviewed and issued by the Director of Development Services that clearly establishes the developer's responsibility(ies) regarding project phasing, the provision of public and private facilities, improvements and/or conditions as imposed by ordinance and/or by a Land Use Authority, and any other mutually agreed to terms and requirements.

INTENSITY: The concentration of activity, such as a combination of the number of people, cars, visitors, customers, hours of operation, outdoor advertising, numbers of buildings, numbers of livestock, etc.

JUNK: Any scrap copper, brass, rope, rags, batteries, paper, trash, wood, rubber debris, waste, or junked, dismantled, or wrecked automobiles or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

KITCHEN: An area for the preparation of food and containing a sink and stove.

LAND USE AUTHORITY: A person, board, commission, agency, or body, designated by the local legislative body to act upon a land use application; or, if the local legislative body has not designated a person, board, commission, agency, or body, the local legislative body.

LIVESTOCK: Farm animals kept or raised for use, pleasure, or profit. This includes but is not limited to uses such as piggeries, dairies, dairy and beef cattle ranching, feedlots, chicken, turkey and other poultry farms, rabbit and mink farms, apiaries, aquaculture, and aviaries. This does not include cats or dogs.

LOT/PARCEL COVERAGE: The percentage of the area of a lot/parcel which is occupied by all buildings, other impervious surfaces, or other covered structures.

LOT/PARCEL FRONTAGE: That portion of a development site that abuts a public or private roadway. For the purposes of determining setback requirements on corner lots, all sides of a lot adjacent to a roadway shall be considered frontage.

LOT/PARCEL, LEGAL: A lot, or parcel of ground, that is eligible to be developed in conformance with the requirements of Titles 16 and 17. See the adopted policy of the Development Service Department dated August 29, 2013 for legal requirements.

LOT/PARCEL, RESTRICTED: A lot, parcel or tract of land, the deed of which has been recorded in the office of the Cache County Recorder, but has not received the necessary approvals as required by the Cache County Subdivision Ordinance existing at the time of recordation (see Lot/Parcel, Legal). Restricted lots/parcels are not eligible to receive building permits, zoning clearances, or conditional use permits, but they may be issued a zoning clearance for an agricultural structure as reviewed and approved by the Director of Development Services.

LOT/PARCEL SIZE: The total area of a lot, parcel, or tract of land.

MANUFACTURED HOME: A transportable, factory built housing unit constructed on or after June 15, 1976. According to the federal home construction and safety standards act of 1974 (HUD code), in one or more sections, and when erected on site, the home must be at least twenty feet (20') in width at the narrowest dimension, have exterior and roofing materials in conformance with adopted building codes, have a minimum roof pitch of two to twelve (2:12), and be located on a permanent foundation and connected to the required utilities, including plumbing, heating, air conditioning and electrical systems. A manufactured home shall be identified as real property on the property assessment rolls of Cache County. All manufactured homes constructed on or after June 15, 1976, shall be identified by the manufacturer's data plate bearing the date the unit was manufactured and a HUD label attached to the exterior of the home certifying the home was manufactured to HUD standards.

MOBILE HOME: A transportable, factory built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to the federal manufactured housing and safety standards act (HUD code). Said unit must be placed on a permanent foundation and meet adopted building codes. The following are excluded from this definition: travel trailers, motor homes, camping trailers, or other recreational vehicles.

NUISANCE: Any use or activity which emits noise, smoke, dust, odor, or vibration in amounts sufficient to substantially depreciate values of surrounding buildings or lands, or a use or activity which substantially deprives the owners of adjoining property of a property right.

OFF PREMISE: Located outside the lot or parcel lines of the principal use.

OFFICIAL ZONING MAP: The map adopted by the County Council showing the geographical distribution of the zoning districts of the county.

ON PREMISE: Located within the lot or parcel lines of the principal use.

OPEN SPACE: Any area of a lot that is completely free and unobstructed from any manmade structures or parking areas.

OWNER: Any person, group of persons, or entity, having record title to the property.

PARKING ANALYSIS: An analysis that demonstrates sufficient accommodation for the safe and efficient flow of vehicles and pedestrians, and that minimizes the impact to public streets and environmental resources due to the proposed use. This analysis must include:

1. A site plan at a useable scale;
2. All calculations used to demonstrate that the performance standards for access, design, parking supply, and landscape and lighting have been met and/or exceeded.

PARKING, OFF STREET: An area adjoining a building providing for the parking of automobiles which does not include a public street but has access to it.

PERMIT: Written permission issued by the Land Use Authority, empowering the holder thereof to proceed with some act not forbidden by law.

PLANNING COMMISSION: An official body of Cache County as authorized by the laws of the State of Utah, to perform those duties, as allowed by State Law and this title.

PROPERTY FRONTAGE: The length of the property line abutting the road, street, or highway right-of-way or a line drawn parallel to the road, street, or highway right of way line and located at the front yard setback.

PROPERTY LINE: The boundary line of a lot, parcel, or tract of land.

PUBLIC HEARING: As defined by §17-27a-103, of Utah Code Annotated, 1953, as amended..

PUBLIC IMPROVEMENT: Any publicly owned and maintained drainage ditch, roadway, street, parkway, sidewalk, pedestrian way, landscaping, off street parking area or other facility or amenity.

PUBLIC MEETING: As defined by §17-27a-103, of Utah Code Annotated, 1953, as amended.

REASONABLE ACCOMMODATION: A change in a rule, policy, practice, or service necessary to afford a person with a disability equal opportunity to use and enjoy a dwelling. As used in this definition:

1. "Reasonable" means a requested accommodation will not undermine the legitimate purposes of existing land use regulations, notwithstanding the benefit that the accommodation would provide to a person with a disability.
2. "Necessary" means the applicant must show that, but for the accommodation, one or more persons with a disability likely will be denied an equal opportunity to enjoy housing of their choice.
3. "Equal opportunity" means achieving equal results as between a person with a disability and a nondisabled person.

RECLAMATION: Actions performed during and after excavation operations to shape, stabilize, revegetate or otherwise treat the land affected in order to achieve a safe, stable, ecological condition. The excavated lands will be rehabilitated to a usable condition which is readily adaptable to alternate land uses and creates no danger to public safety. The rehabilitation process may extend to affected lands surrounding the excavated lands and may require backfilling, grading, recoiling, revegetation, soil compaction, stabilization and other measures.

RESIDENCE: Also referred to as a home or domicile; a dwelling unit where an individual is living at a given point in time and intends to remain for more than half of the calendar year, and is not a place of temporary sojourn or transient visit.

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RIGHT-OF-WAY: Land occupied or intended to be occupied by a public or private trail, street, road, highway, railroad, other public transportation use or other utility uses.

ROAD, PRIVATE: As defined within the Cache County Manual of Roadway Design and Construction Standards.

ROAD, PUBLIC: Any highway, road, street, alley, lane, court, place, viaduct, tunnel, culvert or bridge laid out or erected as such by the public, or dedicated or abandoned to the public, or made such in an action for the partition of real property, and includes the entire areas within the public right of way.

SENSITIVE AREA:

- A. **Non-Developable:** The following sensitive areas shall not be considered developable. Any acreage encumbered by said areas shall not be considered when calculating development density and no development shall occur therein except for required public utilities and/or facilities.
 - 1. Wetlands: As defined by the U.S. Army Corps of Engineers.
 - 2. Steep slopes: The rise or fall of the land is equal to or exceeds thirty (30) percent over a horizontal distance of twenty (20) feet or greater.
 - 3. Natural waterways: As defined by this title.
- B. **Potentially Developable:** The following areas are determined to be sensitive areas of Cache County and are subject to the requirements of this Chapter. Development may occur in these areas in compliance with this section and any other applicable County, State, and/or Federal requirements.
 - 1. Moderate Slopes: The rise or fall of the land is equal to or exceeds twenty (20) percent over a horizontal distance of twenty (20) feet or greater and is less than thirty (30) percent.
 - 2. Ridgelines: 100 vertical feet on either side of the crest of a significant ridge line or hill top.
 - 3. Floodplain and/or Floodway: As identified and defined by Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM), and areas of shallow ground water susceptibility as identified by the Utah Geological Survey (UGS).
 - 4. Important Habitat Areas: As identified in the Important Habitat Areas map.
 - 5. Geologic Hazards: Major geographic and geologic features, the depth of bedrock.

structural features, folds, fractures, etc., and potential slide and other high hazard areas such as mine shafts and avalanche paths.

6. Wildfire Hazards: Areas of the county designated as Wildland-Urban Interface.
7. Historic, Prehistoric, and Cultural Resources: Any sites and/or structures determined to have historical or archaeological significance to the community, the region, or the State of Utah. This includes properties eligible for the National Register of Historic Places.

SETBACK: The minimum required distance between any structure and the property lines of the lot in which it is located. The front, rear, and side setbacks are illustrated in §17.10 of this title and defined as follows:

Front: The area of a lot or parcel of land extending across the frontage and being the minimum horizontal distance between a street or road right-of-way/easement line and the principal building or any projection thereof other than steps, unenclosed balconies and unenclosed porches. The front setback of a corner lot is the area adjacent to the designated front lot line.

Rear: The area of a lot or parcel of land extending across the rear width and being the minimum horizontal distance between the primary building, or any projection thereof other than steps, unenclosed balconies and unenclosed porches, and the rear lot line.

Side: An area of a lot or parcel of land extending between the side lot line and the principal building or any projection thereof other than steps, unenclosed balconies and unenclosed porches.

Other: Any distance required between a structure or site improvement and a set feature (i.e. floodplain, geologic hazard, etc.)

SIGN: Any device for visual communication, including any structure or natural object or part thereof that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge, or insignia of any government or governmental agency, or any civic, charitable, religious, patriotic, fraternal or similar organization.

SITE PLAN: An accurately scaled plan that illustrates the existing conditions on a land parcel and the details of a proposed development including, but not limited to: topography; vegetation; drainage; floodplains; wetlands; waterways; landscaping and open space; walkways; means of ingress and egress; circulation; rights-of-way or easements; utility services; structures and buildings; lighting; berms, buffers, and screening devices; development on adjacent property; and any other information that may be required to make an informed decision.

SITE SUITABILITY ANALYSIS: A comprehensive site analysis for a public infrastructure utility. This analysis shall consider data and provide findings, conclusions, and recommendations including but not limited to: public involvement including key concerns, issues, and comments, geologic hazard areas as defined by this title, archeological, ecological, and culturally important areas, jurisdictional wetlands as defined by the U.S. Army Corps of Engineers, crucial wildlife habitat as identified by the State Division of Wildlife Resources and species of special concern, drinking water source protection areas, groundwater depth and recharge areas, structures and developed areas including existing dwellings, residential and commercial zones, schools, and churches, wildfire hazard areas, floodplains, national, state, or county parks, monuments, or recreation areas, prime, unique, and statewide importance

farmlands, State and National Historic Register sites, airports, national forests, visual analysis, cost comparisons, and site alternatives.

SLOPE: The level of inclination of land from the horizontal plane determined by dividing the horizontal run or distance, of the land into the vertical rise, or distance, of the same land and converting the resulting figure in a percentage value.

SOLID WASTE: All putrescible and non-putrescible solid and semi-solid wastes, such as refuse, garbage, rubbish, paper, ashes, industrial wastes, demolition and construction wastes abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid wastes and shall include other discarded material classified as solid waste by state and federal law or regulation. This does not include sewage or another highly diluted water carried material or substance and those in gaseous form.

STEALTH COMMUNICATIONS FACILITY: A communications facility, accessory structure, or equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed building(s) and uses on a site. There are two types of stealth facilities:

- A. Attached – Examples include, but are not limited to: Painted antenna and feed lines to match the color of a building or structure, faux windows, dormers or other architectural features that blend with an existing or proposed building or structure.
- B. Freestanding – Examples usually have a secondary, obvious function which may be, but is not limited to the following: Church steeple, windmill, bell tower, clock tower, cupola, light standard, flagpole with or without a flag, or tree.

STREAM OR CANAL BANK, TOP OF: The land area immediately above and regularly confining a river, stream, canal, or wetland. The bank has a notably steeper slope than the surrounding landscape. The first major break in the slope between the top of the bank and the surrounding landscape shall be the top of the bank.

SUBDIVISION: Any land that is divided, re-subdivided, or proposed to be divided into two (2) or more lots, plots, parcels, sites, units, or other division of land after August 21, 1970, for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. Subdivision includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument.

SUBDIVISION ORDINANCE: Title 16 of the Cache County Code, as adopted.

SUPPORT STRUCTURE: A vertical projection composed of metal or other material with or without a foundation that is designed for the express purpose of accommodating antennas at a desired height. Support structures do not include any device used to attach antennas to an existing building, unless the device extends above the highest point of the building by more than ten (10) feet and not to exceed maximum structure height as identified in 17.10.040 of this title. Types of support structures include, but are not limited to: Guyed, lattice, and monopole structures, utility poles, and other freestanding, self-supporting structures.

TELECOMMUNICATION FACILITY: Any manned or unmanned location for the transmission and/or reception of radio frequency signals, or other wireless communications, and usually consisting of an antenna or group of antennas, transmission cables, and equipment cabinets, and may include an antenna support structure. Accessory uses include, but are not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters, foundations, concrete slabs or grade, guy anchors, generators, and transmission cable supports.

TELECOMMUNICATION FACILITY, TYPICAL MAINTENANCE: – Ensuring that Telecommunication Facilities and Support Structures are kept in good operating condition. Typical Maintenance includes inspections, testing and modifications that maintain functional capacity and aesthetic and structural integrity. For example, the strengthening of a Support Structure's foundation or of the Support Structure itself. Typical Maintenance includes replacing antennas and accessory equipment on a like-for-like basis within an existing Telecommunication Facility and relocating the antennas of approved Telecommunication Facilities to different height levels on an existing monopole, lattice, guyed or similar structure upon which they are currently located. Typical Maintenance does not include Minor and Major Modifications.

TRANSIENT: Relating to overnight accommodation; a brief stay of less than 30 consecutive days.

USE, ACCESSORY: A subordinate use incidental to and located upon the same parcel occupied by a primary use.

USE, PERMITTED: A use allowed in the district involved, without review by the Land Use Authority, and complying with the provisions of this title, County Code, and other applicable ordinances and regulations.

USE, PRIMARY: An individual use, located on a parcel or lot, that is subject to the requirements of the regulations of this title, the Cache County Code, and any other applicable state and federal requirements, and to which all other uses are accessory, conditional, or nonconforming. Only one primary use per legal lot/parcel is allowed.

USE, PROHIBITED: Any use, whether accessory or primary, not identified as either a permitted use, zoning clearance, conditional use, or nonconforming use, as provided by this title.

UTILITIES: All lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, telecommunication and telephone cables and the generation of power. Specific uses are identified and defined under §17.07.030 Use Related Definitions of this Title.

VARIANCE: As defined by §17-27a-702, of Utah Code Annotated, 1953, as amended.

WATERWAY, MANMADE: All manmade drainage systems including, but not limited to, all canals, culverts, reservoirs, and other constructed drainages.

WATERWAY, NATURAL: Those areas varying in width along and including, but not limited to, rivers, lakes, ponds, streams, creeks, gullies, springs, faults or washes which are natural drainage channels as determined by the Director of Development Services.

WETLANDS: Any area of Cache County under the regulatory authority of the United States Army Corps of Engineers.

WILDLIFE HABITAT: Areas identified by the Utah Division of Wildlife Resources and/or the United States Fish and Wildlife Service occupied and necessary for the support of fish and fauna.

ZONING CLEARANCE: A land use review to insure compliance with the County Code, provided, reviewed, and acted upon by the Director of Development Services, or designee, identifying that the proposed use, building, structure, or facility complies with the requirements of this title.

ZONING DISTRICT, BASE: The classification of all land as reflected in the Cache County Zoning Map wherein development regulations are in place to uniformly govern the use, placement, and size of land and structures. In the instance of conflicting or multiple base zoning districts on a single parcel, the more restrictive zone shall be applied across the entire parcel. base zoning districts may be combined with an overlay zoning district on all or a portion of a parcel to alter, restrict, or allow specific development regulations.

ZONING DISTRICT, OVERLAY: The classification of land as reflected in the Cache County Zoning Map wherein additional development regulations are applied to the regulations of the base zoning district.

2200 STORAGE AND WAREHOUSING: A structure(s) containing storage space(s) of varying sizes that are affiliated with a commercial or industrial uses. Such facilities are to be used for dead storage only. No business activities may be conducted from a storage facility other than those that are clearly ancillary to the primary business. Also includes the following specific uses:

Storage Yard: The storage of large equipment and vehicles (either construction or transport); bulk construction materials (soil and rock products or building materials); and buildings or structures for uses such as offices or repair facilities.

Salvage Yard: A facility or area for storing, keeping, selling, dismantling, shredding, compressing, or salvaging scrap or discarded material or equipment.

Scrap or discarded material includes but is not limited to metal, paper, rags, tires, bottles, motor vehicle parts, machinery, structural steel, equipment, and appliances. The term includes facilities for separating trash and debris from recoverable resources, such as paper products, glass, metal cans, and other products which can be returned to a condition in which they may again be used for production.

2210 SELF SERVICE STORAGE FACILITY: A building or group of buildings divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers, and other residential uses; and may include refrigerated or climate controlled facilities.

2300 TRANSPORT SERVICES: An establishment engaged primarily in the loading and unloading of freight onto tractor trucks or the dispatch of tractor trucks which will be used to haul freight. May also include services for the fueling, servicing, repair, or parking of trucks or similar heavy commercial vehicles. Excludes the parking of a single truck by an owner/operator at their place of residence and trucks owned and operated by an agricultural entity engaged in the transport of 75% or more of that owners agricultural products.

TRADE, WHOLESALE, AND RETAIL:

3100 RETAIL & COMMERCIAL SALES: An establishment that provides goods, wares, or merchandise directly to a consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser.

3110 PRODUCE STAND: A temporary building or structure, not to exceed a gross floor area of 250 square feet, from which agricultural products are sold. May also involve the accessory sales of other unprocessed foodstuffs, home processed food products such as jams, jellies, pickles, sauces, or baked goods, and home-made handicrafts. No commercially packaged handicrafts or commercially processed or packaged foodstuffs shall be sold.

17.09 SCHEDULE OF ZONING USES

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17.09.020 Permitted Uses and Land Use Applications by Zoning District.....	1
17.09.030 Schedule of Uses by Zoning District.....	1

17.09.010: Purpose:

The purpose of this chapter is to define the types of uses permitted by right, requiring a land use application, and prohibited within all zoning districts.

17.09.020: Permitted and Land Use Applications by Zone:

Table 17.09.030 of this chapter lists the primary uses within all Cache County zoning districts. All of the use categories listed in the table are defined in Chapter 17.07 of this title.

A. Uses Permitted by Right:

1. A "P" indicates that a use type is allowed without Land Use Authority review/permitting in the respective zoning district.

B. Land Use Applications:

1. A "ZC" indicates that a use type is allowed as a Zoning Clearance, and that the Land Use Authority must approve, impose reasonable conditions, and/or may deny said use in accordance with this Code and State Code.
2. A "C" indicates that a use type is allowed as a Conditional Use Permit and that the Land Use Authority must approve, impose reasonable conditions, and/or may deny said use in accordance with this Code and State Code.

C. Uses Prohibited:

1. An "N" indicates that a use type is prohibited in the respective zoning district.
2. Any uses not specifically permitted or conditionally permitted are prohibited.

D. Overlay Zone Uses:

1. A " - " indicates that any applicable overlay zone does not impose any additional requirements on the use beyond the base zone requirements.

E. Additional Compliance: All uses must comply with all applicable local, state, and federal requirements and licensing and must provide evidence or documentation compliance to the appropriate Land Use Authority.**17.09.030: Schedule of Uses by Zoning District**

Base Zoning Districts	
RU2	Rural 2 Zone
RU5	Rural 5 Zone
A10	Agricultural Zone
FR40	Forest Recreation Zone
RR	Resort Recreation Zone
C	Commercial Zone
I	Industrial Zone

Overlay Zoning Districts	
ME	Mineral Extraction and Excavation
PI	Public Infrastructure

Index	Description	Base Zone							Overlay Zone	
1000	Residential	RU2	RU5	A10	FR40	RR	C	I	ME	PI
1100	Single Family Dwelling	ZC	ZC	ZC	N	ZC	N	N	N	-
1110	Foster Home	P	P	P	N	P	N	N	N	-
1120	Accessory Apartment	ZC	ZC	ZC	N	ZC	N	N	N	-
1130	Accessory/Agriculture Structures	ZC	ZC	ZC	ZC	ZC	ZC	ZC	-	-
1200	Home Based Business	ZC	ZC	ZC	N	ZC	N	N	N	-
1300	Multi-Family Dwelling	N	N	N	N	C	N	N	N	-
1400	Seasonal Cabin	ZC	ZC	ZC	ZC	ZC	N	N	N	-
1500	Residential Living Facilities	ZC	ZC	ZC	N	ZC	N	N	N	-
2000	Manufacturing Industries	RU2	RU5	A10	FR40	RR	C	I	ME	PI
2100	General Manufacturing	N	N	N	N	N	N	C	N	-
2110	Agricultural Manufacturing	N	N	C	N	N	C	C	N	-
3000	Sales and Services	RU2	RU5	A10	FR40	RR	C	I	ME	PI
3100	Commercial Business	N	N	N	N	C	C	N	N	-
3200	Home Based Kennel	C	C	C	N	C	C	N	-	-
3300	Comm. Kennel/Animal Shelter	N	N	N	N	N	C	C	-	-
3400	Storage and Warehousing	N	N	N	N	N	N	C	N	-
3410	Self Service Storage Facility	N	N	N	N	N	C	C	N	-
3500	Transport Services	N	N	N	N	N	N	C	N	-
3600	General Vehicle Repair	N	N	N	N	C	C	C	N	-
3700	Medical Services/Facilities	N	N	N	N	C	C	N	N	-
3800	Human Care Services	N	N	N	N	C	C	N	N	-
4000	Cultural, Entertainment, and Recreation	RU2	RU5	A10	FR40	RR	C	I	ME	PI
4100	Recreation Facility	N	N	C	C	C	C	N	N	-
4200	Resort	N	N	N	N	C	N	N	N	-
4300	Transient Lodging	N	N	N	N	C	C	N	N	-
4310	Bed and Breakfast Inn	C	C	C	C	C	C	N	N	-
4400	Restaurant	N	N	N	N	C	C	N	N	-
4410	Mobile Food Truck	N	N	N	N	ZC	ZC	ZC	N	-
4500	Sexually Oriented Businesses	N	N	N	N	N	N	C	N	-

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Deleted: Trade, Wholesale

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Deleted: Retail and Commercial Sales

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Deleted: Produce Stand

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Deleted: Services, Professional

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Deleted: Human Care Services

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Deleted: General Vehicle Repair

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Deleted: Mobile Food Truck

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Index	Description	Base Zone							Overlay Zone	
		RU2	RU5	A10	FR40	RR	C	I	ME	PI
5000	Public, Institutional, and Utility Uses									
5100	Cemetery	N	N	C	N	N	N	N	N	-
5110	Crematorium	N	N	C	N	N	N	C	-	-
5200	Public Uses	P	P	P	P	P	P	P	N	-
5300	Religious Meeting House	C	C	C	N	C	C	N	N	-
5400	Correctional Facility	N	N	N	N	N	N	N	N	-
5500	Educational Facility	N	N	N	N	N	C	N	N	-
5600	Utility Facility, Transmission	N	N	N	N	N	N	N	N	C
5610	Utility Facility, Distribution	C	C	C	C	C	C	C	C	C
5620	Utility Facility, Service	P	P	P	P	P	P	P	P	P
5700	Telecom. Facility, Major	N	N	N	N	N	C	C	N	C
5710	Telecom. Facility, Minor	N	N	N	N	N	ZC	ZC	N	ZC
5800	Public Airport	N	N	N	N	N	N	N	N	C
5810	Private Airport	N	N	C	C	C	C	C	-	-
5900	Solid Waste Facilities	N	N	N	N	N	N	N	N	C
5910	Nuclear Waste Facility	N	N	N	N	N	N	N	N	N
6000	Resource Production and Extraction									
6100	Agricultural Production	P	P	P	P	P	P	P	P	-
6110	Concentrated Animal Feed Op.	N	N	C	N	N	N	N	N	-
6120	Livestock Auction Facility	N	N	C	N	N	C	C	N	-
6130	Farm Stand	ZC	ZC	ZC	N	ZC	ZC	N	-	-
6140	Agritourism	N	N	C	C	N	N	N	-	-
6200	Boarding Facility	C	C	C	N	C	C	N	-	-
6300	Forestry Activities	N	N	N	C	C	N	N	N	-
6400	Mineral Extraction	N	N	N	N	N	N	N	C	-
6410	Topsoil Extraction	N	N	C	N	N	N	N	C	-
6420	Site Grading	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	-

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Exhibit A

Page 2: [1] Deleted **Chris Harrild** **1/30/2017 11:06:00 AM**

2200	Storage and Warehousing	N	N	N	N	N
2210	Self-service Storage Facility	N	N	N	N	N
2300	Transport Services	N	N	N	N	N

Page 2: [2] Deleted **Chris Harrild** **1/30/2017 9:10:00 AM**

4700	Transient Lodging	N	N	N	N	C
4710	Bed and Breakfast	C	C	C	C	C

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6100	Public/Institutional Uses					
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Page 3: [4] Deleted **Chris Harrild** **1/30/2017 8:28:00 AM**

6160	Reserved					
6515070	Educational Facility	N	N	N	N	N

Page 3: [5] Deleted **Chris Harrild** **1/30/2017 8:33:00 AM**

6200	Utilities					
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Page 3: [6] Deleted **Chris Harrild** **1/30/2017 9:02:00 AM**

7210	Household Pet	P	P	P	P	P
7220	Home Based Kennel	C	C	C	N	C
7230	Comm. Kennel/Animal Shelter	N	N	N	N	N

17.22 OFF STREET PARKING STANDARDS

17.22.010 Purpose.....	I
17.22.020 Development Standards.....	I

17.22.010: Purpose

The purpose of these standards is to provide for the safe and efficient flow of vehicles and pedestrians while minimizing the impacts on public streets and environmental resources.

17.22.020: Development Standards

A. Table for Computation of Off-Street Parking Spaces:

The following are minimum standards to be used when computing the number of required parking spaces for a specific use:

Use Index	Use Description	Parking Space Requirement
1000	Residential	2 spaces/dwelling unit or PA ¹
2000	Manufacturing Industries	1 space/1000 sf or PA ¹
3000	Sales and Services	1 space/250 sf or PA ¹
4000	Cultural, Entertainment, Recreation	PA ¹
5000	Public, Institutional, and Utility Uses	PA ¹
6000	Resource Production and Extraction	PA ¹

¹ Parking Analysis (see §17.07.040 General Definitions)

1. If a fractional number is obtained when calculating the number of required parking stalls, one parking stall or loading space shall be required for that fraction.
2. If more than one use is located on a site, the number of off-street parking and loading spaces to be provided shall be equal to the sum of the requirements of each use.
3. The number of off-street parking stalls required by the above table may be reduced or increased as a condition of development review by the land use authority if a parking analysis demonstrates that the proposed use(s) would have an impact less than or in excess of the requirements of this chapter.
4. All off-street parking stalls must be located outside of any public or private road rights-of-way and outside of any identified setbacks as defined in §17.07.
5. Where necessary, an off-street area adequate for the loading and unloading of service trucks shall be provided and maintained. This area must be identified on a parking analysis and all loading areas and/or docks shall be located entirely on the site so that no vehicle shall be parked or require maneuvering room within a public or private road right-of-way, or within any identified setback as defined in §17.07.

B. Parking Analysis:

1. Applicants shall submit a Parking Analysis, as defined by §17.07 Definitions of this code, or provide parking sufficient to meet the base requirement in Table 17.20.020 where applicable, for any and all development in order to demonstrate that sufficient accommodation has been made for the volume of traffic expected to be generated by the size and type of the proposed use. For uses that require more than 5 parking stalls, a Parking Analysis shall be completed by a licensed professional. Calculations used to determine minimum levels of access, design, parking supply, and landscape and lighting must follow all requirements of:

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Deleted: Trade, Wholesale and Retail
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Deleted: Services, Professional and Personal
Deleted: 1 space/400 sf or PA*
Deleted: Cultural, Entertainment, Recreation
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- a. The Cache County Ordinance, and;
 - b. The Cache County Manual of Roadway Design and Construction Standards, and;
 - c. The current ADA Accessibility Guidelines.
2. The standards of the most current edition of the Institute of Transportation Engineers (ITE) Parking Generation report shall serve as a reference point for any standards or calculations not addressed by the ordinance, standards, and guidelines noted in this Chapter.
 3. Any change of occupancy requires the land use authority approval of a revised parking analysis.

C. Exemptions:

The following shall be exempt from the parking analysis requirement:

1. Residential uses as follows:

- 1100 – Single Family Dwelling,
- 1110 – Foster Home,
- 1120 – Accessory Apartment,
- 1200 – Home Based Business, and
- 1400 – Seasonal Cabin

2. Utility Uses as follows:

- 5600 – Utility Facility, Transmission
- 5610 – Utility Facility, Distribution
- 5620 – Utility Facility, Service
- 5700 – Telecommunication Facility, Major
- 5710 – Telecommunication Facility, Minor

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D. Performance Standards:

The land use authority may authorize alternative designs or construction techniques based upon a parking analysis that demonstrates that the parking plan will equal or exceed the performance standards. These performance standards are:

1. Street and Site Access:

The development must accommodate the number and size of vehicles expected to be generated without an undue impact on mobility or safety on public streets.

2. Parking Site Design:

The site shall be designed to facilitate the safe and free flow of pedestrians and vehicles while minimizing physical impacts on the land. Provision must be made for employee and customer access to the development through the design and installation of adequate parking facilities.

3. Parking Provision:

The development must provide vehicle parking for employees and customers sufficient to avoid congestion of public streets or parking facilities.

4. Landscaping and Lighting:

The development must be designed and constructed in such a way as to minimize the negative impacts of vehicle activity on neighboring property and public streets.

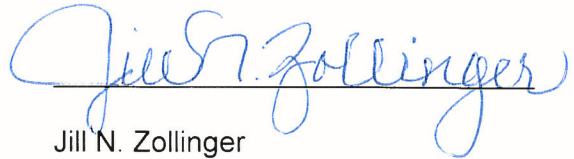
Page 1: [1] Deleted		Chris Harrild	2/2/2017 2:46:00 PM
7000	Resource Production and Extraction	PA*	

ORDINANCE ACTION = ORDINANCE NUMBER 2017-03

PRESENTATION TO THE COUNTY EXECUTIVE:

Ordinance number 2017-03 adopted by the Cache County Council on the 28th day of March, 2017, is herewith presented to the Cache County Executive for approval or disapproval. The County Executive shall notify the County Clerk of his approval or disapproval on or before the 12th day of April, 2017. If the County Executive disapproves, he shall submit a written statement of his objections with the notice of disapproval.

Submitted this 29th day of March, 2017.



Jill N. Zollinger
Cache County Clerk/Auditor

Action of County Executive:

Ordinance Number 2017-03 is hereby:

☒ Approved
☐ Disapproved (Written statement of objection attached)

Dated this 31 Day of MARCH 2017.



Craig "W" Butters
Cache County Executive

Notice of Non-action:

Ordinance Number 2017-03 was presented to the Cache County Executive on the ____ Day of ____ 2017 and was neither approved nor disapproved by him within 15 days after presentation to him. Therefore, the ordinance has been recorded, published, and is in full force and effect as of this ____ Day of ____ 2017.

Jill N. Zollinger
Cache County Clerk/Auditor

Ordinance History:

Date adopted by the County Council
Date presented to the County Executive
Date approved/disapproved by County Executive

03/28/2017

03/29/2017

Action by Council upon return:

Disapproval overridden

Disapproval sustained

Date 15 day period ended
Date of publication or notice
Effective date of ordinance
Date filed in County Clerk's office

04/12/2017

04/12/2017

04/12/2017

03/29/2017