

BRYCE CANYON CITY, UTAH
ZONING ORDINANCE

Adopted: August 19, 2021

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CHAPTER 1. GENERAL PURPOSE AND SCOPE

1-1 Short Title

This Ordinance shall be known and cited as the “Bryce Canyon City Zoning Ordinance” and may also be identified within this document as “this Ordinance” or “Zoning Ordinance”.

1-2 Purpose

This Ordinance establishes and enacts regulations for the use and development of land in Bryce Canyon City in order to execute the policies and objectives of the general plan. As such, it is the specific purpose of this Ordinance to guide development within the City in an orderly fashion, and thus protect the prosperity, health, safety and welfare for the City for its present and future inhabitants. To this end, the following specific goals are identified:

1. To protect, preserve, restore and enhance the natural, historical and cultural resources.
2. To guide the growth and development of the City to assure a suitable balance between desirable economic activity and the most satisfactory residential lifestyle.
3. To secure safety from flood, geological hazard and other danger.
4. To manage land use and construction to assure availability and capacity of public utilities and services during periods of growth and change.
5. To promote the most efficient relationship between land uses and buildings and the circulation of vehicular and pedestrian traffic to minimize congestion, accidents and noise.
6. To encourage the preservation of the unique architectural and historic character of the City, the aesthetic quality of the built environment, and the City's identity with Bryce Canyon National Park.

1-3 Authority

Utah Code Annotated (UCA) Title 10, Chapter 9a.

1-4 Interpretation

In all interpretations of this Ordinance, the provisions of this Ordinance shall be held to be minimum requirements. This Ordinance shall not affect the rights of private parties to enforce the more restrictive provisions of private covenants and agreements and shall not nullify the more restrictive provisions of other ordinances or laws, but this Ordinance shall prevail and take precedence whenever such other ordinances or laws are less restrictive. In the event of ambiguity, uncertainty or conflict regarding the terms of this Ordinance, an interpretation of the same shall be made according to the following procedure:

1. **Application:** Application for an interpretation of this Ordinance shall be made in writing to Bryce Canyon City Council and shall include the interpretation sought and such other information and pertinent facts as may be required by Bryce Canyon City Council to facilitate the determination.

Bryce Canyon City Council may approve or deny the interpretation, or agree upon a different interpretation of the section in question.

2. **Standards:** In interpreting this Ordinance, Bryce Canyon City Council shall make an interpretation which is in harmony with State law, this Ordinance and other Town ordinances, as well as with the intent and purpose of the applicable section in question, and with the intent and purpose of the general plan.

1-5 Severability

If any section of this Ordinance should for any reason be found invalid, by a court of competent jurisdiction, the remaining sections nevertheless be carried into effect.

1-6 Fees

Appropriate fees shall be charged for building permits and inspections, land use applications, Appeal Authority hearings or any other service required by this Ordinance. Such fees shall be established by the Bryce Canyon City Council. (See Appendix A)

1-7 Penalties

Any civil offense against this Ordinance shall be a Class C Misdemeanor, which shall be punishable by imprisonment up to 90 days and a maximum fine of \$750.

1-8 Definitions

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this Ordinance. Words used in the present tense include the future: the singular tense shall include the plural and the plural the singular. The word "building" shall include the term "structure"; the words "used" or "occupied" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used or occupied; the word "shall" is mandatory and not discretionary, the word "may" is permissive; the word "person" includes affirm, association, organization, partnership, trust, company, or corporation as well as an individual; the word "lot" includes the word "plot" or "parcel". Words used in this Ordinance but not defined herein shall have the meaning as defined in any other ordinance adopted by Bryce Canyon City.

ACCESSORY BUILDING OR USE. A use or building on the same lot with, and of a nature customarily incidental and subordinate to, the principal building or use.

AGRICULTURAL USE. Land shall be deemed to be in agricultural use when devoted to the raising of plants and animals useful to man, including but not limited to. forages and sod crops; grain and feed crops; dairy animals, poultry, livestock, including beef cattle, sheep, swine, horses, ponies, mules or goats, including the breeding or grazing of any or all such animals; bees, fur animals, trees, fruits of all kinds, including grapes, nuts and berries; vegetables, nursery, floral, and ornamental stock; or when devoted to and meeting requirements and qualifications for payment for other compensation pursuant to a cropland retirement program under an agreement with an agency of the state or federal government.

AGRICULTURAL INDUSTRY OR BUSINESS. An industry or business involving agricultural products in manufacturing, packaging, treatment, sales, intensive feeding or storage, including but not limited to animal feed yards, fur farms, food packaging or processing plants, commercial poultry or egg production and similar uses as determined by the Planning Commission.

AIRPORT. Any area of land designated and set aside for the landing and taking off of aircraft plus maintenance and auxiliary facilities and building maintenance.

ALLEY. A public access way less than twenty-six feet in width but not less than twelve feet, which is designed to give secondary access to lots or abutting properties; an alley shall not be considered a street, for the purposes of this Ordinance.

ALTERATIONS, STRUCTURAL. Any change, addition or modification in the supporting members of a building, such as bearing walls, column, beams or girders.

APARTMENT HOUSE. See Dwelling, Multiple Family.

APARTMENT. Any building or group of buildings which contain dwelling units, and also satisfies the definition of a motel, as defined in the Ordinance.

APPEAL AUTHORITY. The board formally appointed by the Bryce Canyon City Council to hear appeals by any person aggrieved by inability to obtain a building permit, or by the decision of any administrative officer or agency based upon or made in the course administration or enforcement of the provisions of this Ordinance.

ARCHITECTURAL PROJECTION. Any building or structural projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building or structure, but not including signs.

AUTOMOBILE SALES AREA. An open area used for display, sale, or rental of new or used motor vehicles, mobile homes, recreational coaches, or recreation vehicles in operable condition.

AUTOMOBILE SERVICE STATION. A place where gasoline, or any other motor fuel or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, and where services performed may include tube and tire repair, battery changing, storage of merchandise, lubricating of automobiles, replacement of spark plugs, lights, fans, and other small parts, but not including major auto repair.

BASEMENT. A story whose floor is more than twelve below the average level of the adjoining ground, but where no more one-half of its floor-to-ceiling height is above the average contact level of the adjoining ground. A basement shall be counted as a story for purpose of height measurement, and as a half-story for the purpose of yard determination.

BASEMENT HOUSE. A residential structure without a full story structure above grade.

BEGINNING OF CONSTRUCTION. The placing of concrete footings for building or structure.

BENCHMARK. A mark affixed to a permanent or semi-permanent object to furnish a datum level in survey.

BOARDING HOUSE. A dwelling where, for compensation, meals are provided for at least three but not more than fifteen persons.

BODY AND FENDER SHOP. A facility for major automobile, mobile home, recreational coach or recreation vehicle repairs to body, or fenders, and including rebuilding.

BUILDABLE AREA. The portion of a lot remaining after required yards have been provided.

BUILDING. Any structure used or intended to be used for the shelter or enclosure of persons, animals or property.

BUILDING OFFICIAL. The Official designated by the City Council as the Building Inspector for Bryce Canyon City.

BUILDING, MAIN. The principle building housing the principal use upon a lot.

BUILDING, PUBLIC. A building owned and/or operated or owned and intended to be operated by a public agency.

CARPORT. A private garage not completely enclosed by walls or doors. For the purpose of this Ordinance, a carport shall be subject to all the regulations prescribed of a private garage.

CELLAR. A room or rooms wholly under the surface of the ground or having more than fifty percent of its floor to ceiling height under the average level of the adjoining ground.

CHILD NURSERY. An establishment for the instruction of six or more children, for compensation, other than members of the family residing on the premises, but not including a public school.

CHURCH. A building, together with its accessory buildings and uses, maintained and controlled by a duly recognized religious organization where persons regularly assemble for worship.

CLINIC, MEDICAL OR DENTAL. A building in which a group of dentists, physicians, and allied professional assistants are associated for the conduct of their professions. The clinic may include a dental and/or medical laboratory and an apothecary, but it shall not include in-patient care or operating rooms for major surgery.

CLUB, PRIVATE. An organization, group or association supported by the members thereof, the sole purpose of which is to render a service customarily rendered for members and their guests but shall not include any service, the chief activity of which is customarily carried on as a business and does not include labor union organizations or similar labor or business organizations.

CONDITIONAL USE. A use of land for which a Conditional Use Permit is required, pursuant to this Ordinance.

CONDOMINIUM. An ownership structure established in accordance with the Utah Condominium Act.

CONSTRUCTION CAMP. A camp or other residential area of a temporary nature established for a period of five or more days for the housing of one or more persons engaged in activities related to construction, mining and logging. Camps established for hunting, fishing, recreation or agricultural purposes are excluded from the definition of a construction camp.

CORRAL. An enclosure, other than a building less than one acre, used for the confinement of animals and fowl.

COUNCIL. Unless otherwise indicated, the City Council of Bryce Canyon City, Utah.

CITY. Unless otherwise indicated, Bryce Canyon City, Utah.

CITY ATTORNEY. The Attorney officially appointed or designated by Bryce Canyon City.

COURT. An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings, and which is bounded on three or more sides by such building or buildings. The width of a court is its least horizontal dimension, measured between opposite sides in the same direction as the yard or lot line on which the court opens. The length of a court is its least horizontal dimension measured at right angles to its width.

COVERAGE, BUILDING. The percent of the total site area covered by buildings.

CUL-DE-SAC. A minor street having an open end and being terminated at the other end by a vehicle turnaround.

DAIRY. A commercial establishment for the manufacture, processing, or packaging of dairy products, and their sale; for purposes of this definition, the production of milk on a farm for wholesale marketing off the premises shall not classify the farm as a dairy.

DISTRICT. A portion of the area of Bryce Canyon City, Utah shown on a Zoning Map (attached to this Zoning Ordinance and given a Zone classification as set forth in this Ordinance).

DRIVEWAY. A private roadway, the use of which is limited to persons residing, employed or otherwise using or visiting the parcel on which the driveway is located.

DWELLING. A building that contains one or two dwelling units used, intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.

DWELLING, SINGLE FAMILY. A building arranged or designed to be occupied by one family, the structure having only one dwelling unit.

DWELLING, TWO-FAMILY. A building arranged or designed to be occupied by two families, the structure having only two dwelling units.

DWELLING, GROUP. A group of two or more detached buildings used as dwellings, located on a lot or parcel of land.

DWELLING, MULTIPLE-FAMILY. A building arranged or designed to be occupied by more than two families.

DWELLING UNIT. One or more rooms in a dwelling or apartment motel, designed for or occupied by one family for living or sleeping purposes and having kitchen and bathroom facilities for the use of not more than one family.

EASEMENT. The acquired private or right-of-use or enjoyment which one or more persons may have in the land of another.

FAMILY. An individual or two or more persons related by blood, marriage, or adoption (excluding servants) who are not related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities.

FENCE. A physical barrier to delineate, contain, or designate an area designed for a specific use, i.e. and an enclosure for a dwelling unit, and area of storage etc.

FLOOD HAZARD. A hazard to land or improvements due to inundation.

FORESTRY. The planting, caring for or cultivating of a dense growth of trees. May include the gathering of wood for domestic fire use.

FRONTAGE. All property fronting on one side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

GARAGE, PRIVATE. A detached accessory building, or portion of a main building, used or intended to be used for the storage of motor vehicles, recreational coaches, boats, or other recreational vehicles, but not including the parking or storage of trucks or vans having a capacity in excess of one and one-half tons, and not including space for more than a total of four such vehicles, unless on a bona fide agricultural tract of land.

GARAGE, PUBLIC. A building or portion thereof other than a private garage, designed or used for servicing, equipping, hiring, selling or storage of motor driven vehicles.

GARAGE, REPAIR. A structure or portion thereof, other than a private garage, used for the repair of self-propelled vehicles, trailers or boats, including general repair, rebuilding or reconstruction of engines, motor vehicles, recreation coaches, and minor collision service, but not including major body, frame or fender repairs or overall automobile or truck painting, except by Conditional Use Permit. A repair garage may also include individualized storage, care, washing, or sale of automobiles.

GEOLOGICAL HAZARD. A hazard inherent in or on the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements due to the movement, failure or shifting of the earth.

GRADE. The vertical location of the ground surface.

For buildings adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street.

For buildings adjoining more than one street, the average of the elevations of the sidewalk at the centers of all walls adjoining the streets.

For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the centers of all exterior walls of the building.

Any wall parallel or nearly parallel to and not more than five feet from a street line is to be considered as adjoining the street.

HEALTH DEPARTMENT. The State of Utah Division of Environmental Quality or local health agency having jurisdiction.

HOME OCCUPATION. Any use conducted entirely within a dwelling and carried on by persons residing in the dwelling unit, occupying no more than twenty-five percent of the dwelling unit, which is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof and in connection with which there is no display nor stock in trade. The home occupation shall not include the sale of commodities except those which are produced on the premises and shall not involve the use of any accessory building or yard space or activity outside the main building not usually associated with residential use. Home occupation may include the use of the home by a physician, surgeon, dentist, lawyer, clergyman, engineer or professional person for consultation or emergency treatment. Home occupation includes the care of not more than five children other than members of the family residing in the dwelling. In all cases where a home occupation is engaged in, there shall be no advertising of said occupation, no window displays, or signs and no employees employed.

HOSPITAL. Institution for the diagnosis, treatment and care of the human illness or infirmity, but not including sanitariums and clinics.

HOTEL. A building designed for or occupied as the more or less temporary abiding place of six or more individuals who are, for compensation, lodged with or without meals.

HOUSEHOLD PETS. Animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats, and canaries, but not including a sufficient number of dogs as to constitute a kennel as defined in this Ordinance. Household pets shall not include the keeping of dangerous animals.

IRRIGATED LAND. Parcels that have surface or underground water diverted continuously or intermittently upon them for the production of crops or pasture, through the utilization of man-made improvements.

JUNK. Any discarded material, including but not limited to scrap metal, one or more abandoned, inoperable and/or unlicensed motor vehicles, machinery, equipment, paper, glass, containers and substructures.

JUNKYARD. Any place, establishment or business maintained, or operated for storage keeping, buying and selling junk, including vehicles and salvage yards.

KENNEL. Any premises where six or more dogs older than four months are kept.

LIVESTOCK FEED YARD. A commercial operation on a parcel where livestock are kept in high density corrals or yards and fed.

LOCAL ENGINEER. The Engineer officially appointed or designated by Bryce Canyon City.

LOCAL HEALTH OFFICER. The health officer or department employed by or officially representing the City of Piute.

LOCAL JURISDICTION. Bryce Canyon City.

LODGING HOUSE. A dwelling with not more than five guest rooms where, for compensation, lodging is provided but does not include motels or hotels.

LOT. A parcel or unit of land described by metes and bounds and held or intended to be held in separate lease or ownership, or shown as a lot or parcel on a recorded subdivision map, or shown on a plat used in the lease or sale or offer of lease or sale of land resulting from the division of a longer tract into two or more smaller units.

LOT COVERAGE. Lot coverage shall be calculated by taking the ground area of the main and accessory buildings and dividing that total by the area of the lot.

LOT CORNER. Lot abutting on two intersecting or intercepting streets where the interior angle of intersection or interception does not exceed one-hundred thirty-five degrees.

LOT INTERIOR. A lot other than a corner lot.

LOT DEPTH. The horizontal distance between the front and rear lot lines measured in the main direction of the side lot line.

LOT LINE. Property lines bounding the lot.

LOT RESTRICTED. Any lot having particular problems in size, slope, contour or space requiring special action of the Appeal Authority.

MOBILE HOME. A detached, single-family dwelling unit not less than forty-five feet long, designed for long-term occupancy, and to be transported on its own wheels or on flatbed or other trailers or detachable wheels, containing a flush toilet, sleeping accommodations, a tub or shower bath, kitchen facilities, and plumbing and electrical connections provided for attachment to appropriate external systems and ready for occupancy except for utility connections and other minor work. Pre-sectionalized modular, or prefabricated homes not placed on a permanent foundation, shall be regarded as mobile homes; if placed upon a permanent foundation such structures which meet all applicable building and housing codes shall not be considered as mobile homes but shall be regarded as conventional housing.

MOBILE HOME LOT. A lot within a mobile home park or subdivision, designed to be used for the accommodation of one mobile home.

MOBILE HOME PARK. A parcel designed and approved by the City for occupancy by mobile homes on a rental basis, meeting all requirements of the Bryce Canyon City plans and ordinances.

MOBILE HOME SPACE. Space within a mobile home park, designed and to be used for the accommodation of one mobile home.

MOBILE HOME SUBDIVISION. A subdivision designed and intended for residential use where the lots are to be individually owned or leased and occupied by mobile homes exclusively.

MODULAR HOME/MANUFACTURED HOME. A permanent dwelling structure which conforms to applicable building codes, built in prefabricated units, which are assembled and erected on the site, or at another location, and brought as a unit to the site.

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

NATURAL WATERWAYS. Areas varying in width along streams, creeks, springs, gullies or washes which are natural drainage channels as determined by the A licensed engineer, in which no buildings should be constructed.

NONCONFORMING BUILDING OR STRUCTURE. Building or structure or portion thereof, lawfully existing at the time this Ordinance became effective, which does not conform to all height, area and yard regulations herein prescribed in the Zone in which it is located.

NONCONFORMING USE. use which lawfully occupied a building or land at the time this Ordinance became effective, and which does not conform with the use regulations of the Zone in which it is located.

NURSING HOME. Institution providing residence and care for the aged or infirm.

OFF-SITE FACILITIES. improvements not on individual lots but which are generally within the boundaries of the subdivision which they serve.

OPEN SPACE. Space reserved in parks, courts, playgrounds, golf courses and other similar open areas, and those areas reserved to meet the density requirements of Planned Unit Developments.

PARKING LOT. An open area, other than a street used for the temporary parking of more than four automobiles and available for public use, whether free, for compensation, or as an accommodation for clients, customers or employees.

PERCENT OF GRADE. The percentage increase in elevation over a one-hundred-foot horizontal distance. For example, a ten percent grade would be a use in elevation of one foot in ten feet or ten feet in one-hundred feet.

PERMANENT MONUMENT. A structure of concrete, masonry and/or metal permanently placed on or in the ground, including those expressly placed for surveying reference, which meets the requirements of the City for permanent monuments.

PLANNED UNIT DEVELOPMENT. An integrated design for development of residential, commercial or industrial uses or limited combinations of such uses, in which the density and location regulations of the District in which the development is situated may be varied or waived to allow flexibility and initiative in site and building design and location, in accordance with a plan approved by the Planning Commission the City Council.

PLANNING COMMISSION. The Bryce Canyon City Planning Commission.

PUBLIC UTILITIES. These include every common carrier, pipeline corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation where the service is performed for the commodity delivered to the public or any portion thereof.

RECREATIONAL COACH. A vehicle, such as a travel trailer, tent camper, camp car or other vehicle with or without motive power, designed and/or constructed to travel on the public thoroughfare in accordance with the provisions of the Utah Vehicle Code, and designed for use as human habitation for a temporary and recreational nature.

RECREATIONAL VEHICLE PARK. An area or tract of land or a designated section within a mobile home park where lots are rented or held for rent to one or more owners or users of recreational vehicles for a temporary time not to exceed one-hundred twenty days.

ROOMER. One who occupies a hired room in another's house.

SANITARY LANDFILL. An area set aside that meets all federal and state laws for the disposal of solid waste.

SIGN. See "Sign" definitions in Chapter 16 "Sign Regulations" of this Ordinance.

SITE PLAN. A plan required by, and providing the information required by Section 6-6 of this Ordinance.

SMALL SHED. One-story detached accessory structure provided that the floor area does not exceed two-hundred sq. ft.

STABLE, PRIVATE. A detached accessory building for the keeping of horses owned by the occupant of the premises and not kept for remuneration, hire or sale.

STREET. A public thoroughfare which affords principal means access to abutting property with a minimum width of twenty-six feet.

SUBDIVISION. The division of any tract, lot or parcel of land into three or more lots, plots, sites, or other divisions of land for the purpose, whether immediate or future, of sale, lease or of building development, provided that the term "subdivision" shall not apply to those divisions accepted or exempted in this Ordinance. The word "subdivide" and any other derivative thereof shall have reference to the word "subdivision" as herein defined.

TRANSIENT. Occupancy of a dwelling unit, sleeping unit, Recreational Coach or any other space for not more than thirty days.

TRANSIENT RENTALS. Also known as Short-Term Rentals. Any building or portion thereof, used for commercial purposes, as the sleeping place of one or more persons or families for not more than thirty days.

USE ACCESSORY. A use subordinate and incident to the main use of a building or land located upon the same lot or parcel.

VETERINARY OR ANIMAL HOSPITAL. A building and runs where large and/or small animals are kept and/or treated by a licensed veterinarian.

YARD. A required open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as permitted elsewhere in this Ordinance.

YARD, FRONT. A space on the same lot with a building, between the front line of building and the front lot line and extending across the full width of the lot. The "depth" of front yard is the minimum distance between the front lot line and the front line of the building.

YARD, REAR. A space on the same lot with a building, between the rear line of the building and the rear lot line and extending the full width of the lot. The "depth" of the rear yard is the minimum distance between the rear lot line and the rear line of the building.

YARD, SIDE. A space on the same lot with a building, between the side line of the building and the side lot line and extending from the front yard to the rear yard. The "width" of the side yard shall be the minimum distance between the side lot line and the side line of the building.

ZONE. See "District".

ZONING ADMINISTRATOR. The Official designated by the City Council as the Zoning Administrator for Bryce Canyon City.

ZONING ORDINANCE. The Bryce Canyon City Zoning Ordinance.

CHAPTER 2. PLANNING COMMISSION

2-1 Establishment

The establishment of the Planning Commission shall be in accordance with the policies and procedures as set forth in **UCA 20-9a-301**. The Planning Commission shall consist of five members. Additionally, one member of the City Council may be permitted as a liaison to the Planning Commission. Such member shall have the right to attend all meetings and take part in all discussions, including executive sessions, but shall not vote on Planning Commission decisions.

2-2 Terms of Members

The terms of office for the members of the Planning Commission shall be four years. Members shall be permitted to be removed for cause upon written charges and after a public hearing before the City Council, if such a hearing is requested.

2-3 Appointment of Members

Members shall be appointed and approved by the City Council. The terms of office for the Planning Commission members shall be staggered at intervals so as to provide continuity in policy and personnel. Members of the Planning Commission shall be residents of Bryce Canyon City. Any vacancy for the unexpired term of any member whose term is not completed shall be filled. A member shall continue to serve until a successor has been appointed and approved by the City Council.

2-4 Compensation

Compensation of members shall be set by the City Council. Members shall be reimbursed for actual expenses incurred upon proper presentation of receipts and vouchers.

2-5 Officers

The Planning Commission shall elect from its membership a chairperson and a vice chairperson. The Planning Commission shall establish and adopt rules and procedures for its organization and transaction of business and shall keep a public record of its proceedings.

A secretary to assist the Planning Commission shall be appointed by the City Council. The secretary shall keep minutes of the Planning Commission meetings for public record and conduct all correspondence, including the notification of decisions. The secretary shall certify records. The secretary shall prepare and submit the minutes of Planning Commission meetings to the Zoning Administrator and the Planning Commission. The City Council may elect to provide compensation to the secretary.

2-6 Quorum and Vote

A quorum shall consist of at least three members. Evidence shall not be presented unless a quorum is present. A majority vote shall be constituted of at least a majority of members present. If a majority vote cannot be obtained among the quorum, the item of business will be deferred until the next regular meeting of the Bryce Canyon City Planning Commission.

2-7 Duties and Powers

1. The Planning Commission shall, with respect to the incorporated areas of Bryce Canyon City, review and make a recommendation to the City Council for:
 - a. any construction of a dwelling, commercial building or any other structure;
 - b. any application for a business license or temporary event permit;
 - c. a general plan and amendments to the general plan;
 - d. land use regulations, including:
 - i. ordinances regarding the use of land within the City; and
 - ii. amendments to existing land use regulations.
2. Before making a recommendation to the City Council on an item described in this Section, the Planning Commission shall hold a public hearing in accordance with **UCA 20-9a-2**.
3. **General Plan.** It shall be the duty of the Planning Commission, after holding public hearings, to create and recommend to the City Council a General Plan for the physical development of the City, which shall be permitted to include areas outside its boundaries that bear consideration to the planning of the City. The General Plan shall include at least the following elements:
 - a. official maps.
 - b. growth and land use.
 - c. commercial/industrial uses.
 - d. transportation and utilities.
 - e. community facilities.
 - f. housing.
 - g. environmental.
 - h. geologic/natural hazards.

The Planning Commission shall be permitted to recommend amendments to the General Plan regarding the administration or maintenance of this Ordinance.

4. **Zoning Ordinance.** It shall be the duty of the Planning Commission to develop and recommend to the City Council a Zoning Ordinance, in accordance with the guidelines of

the General Plan, establishing zones within the City. Such regulations shall be made in regard to the character of each District and the most appropriate use of land within the City. The Planning Commission shall make periodic reports and recommendations to the City Council.

5. **Subdivisions.** It shall be the duty of the Planning Commission to develop and certify regulations governing the division of land. Divisions of land shall be in accordance with the adopted regulations.
6. **Conditional Uses.** It shall be the duty of the Planning Commission to review Conditional Use Permit applications. The application shall be accompanied by maps, drawings or other documentation in support of the request. The granting of a Conditional Use Permit shall not exempt the applicant from compliance with other relevant provisions of related ordinances.
7. **Zoning Map.** The City Council shall adopt an official zoning map for all areas included within the City.

2-8 Appeals and Hearings

Any person with standing aggrieved by any decision of the Planning Commission shall have the right to make such appeals as provided by this Ordinance or State law. Such appeals shall be based on the record.

Appeal of Planning Commission decisions shall be to the City Council. Appeals shall be in writing and shall be filed with the Clerk's Office not more than thirty (30) days after the decision by the Planning Commission. The City Council may affirm, modify or reverse the decision of the Planning Commission. Appeal review by the City Council shall be recorded in an open public meeting. City Council decisions will be final.

CHAPTER 3. CITY COUNCIL

3-1 Duties and Powers

1. The City Council shall, with respect to the incorporated areas of Bryce Canyon City:
 - a. exercise all legislative powers, have all legislative duties and perform all legislative functions of the City.
 - b. consider each land use application that the Planning Commission recommends.
 - c. provide notice as required by **UCA 20-9a-2** and hold a public meeting to consider the Planning Commission's recommendation.
2. The City Council may, with respect to the incorporated areas of Bryce Canyon City:
 - a. take any action required by law and necessary to the full discharge of its duties, even though the action is not expressly authorized by State statute.
 - b. approve a land use application as recommended by the Planning Commission.
 - c. approve a land use application with revisions, and/or conditions, or
 - d. deny the recommended a land use application.
 - e. consider the Planning Commission's failure to make a timely recommendation as a negative recommendation.
 - f. require onsite and offsite improvements, facilities and amenities if they are determined necessary to protect the health, safety and general welfare of the residents of the City, and are found consistent with the intent of this and other related ordinances.

3-2 Appeals

Appeal of City Council decisions shall be to the Bryce Canyon City Appeal Authority. Appeals shall be in writing and shall be filed with the Clerk's Office not more than thirty days after the decision by the City Council. The Appeal Authority may affirm, modify or reverse the decision of the City Council. Appeal review by the Appeal Authority shall be recorded in an open public meeting. Appeal Authority decisions will be final.

CHAPTER 4. APPEAL AUTHORITY

4-1 Establishment

The establishment of the Appeal Authority shall be in accordance with the policies and procedures as set forth in **UCA 20-9a-701**.

4-2 Appointment of Members

Members shall be appointed and approved by the City Council. The terms of office for the Appeal Authority members shall be staggered at intervals so as to provide continuity in policy and personnel. Members of the Appeal Authority shall be residents of Bryce Canyon City. Any vacancy for the unexpired term of any member whose term is not completed shall be filled. A member shall continue to serve until a successor has been appointed and approved by the City Council.

4-3 Compensation

Compensation of members shall be set by the City Council. Members shall be reimbursed for actual expenses incurred upon proper presentation of receipts and vouchers.

4-4 Officers

The Appeal Authority shall elect from its membership a chairperson and a vice chairperson. The Appeal Authority shall establish and adopt rules and procedures for its organization and transaction of business and shall keep a public record of its proceedings.

A secretary to assist the Appeal Authority shall be appointed by the City Council. The secretary shall keep minutes of the Appeal Authority meetings for public record and conduct all correspondence, including the notification of decisions. The secretary shall certify records. The secretary shall prepare and submit the minutes of meetings to the Appeal Authority.

4-5 Quorum and Vote

Evidence shall not be presented unless a quorum is present. A majority vote shall be constituted of at least a majority of members present. If a majority vote cannot be obtained among the quorum, the item of business will be deferred until the next scheduled meeting of the Appeal Authority.

4-6 Duties and Powers

The Bryce Canyon City Appeal Authority shall have the following duties:

1. To hear and decide:
 - a. requests for variances from the terms of a land use ordinance;
 - b. appeals from decisions applying the land use ordinance; and
 - c. appeals from a fee charged in accordance with **UCA 20-9a-509**.
2. **Variance Review Criteria.** The Appeal Authority shall be permitted to approve, approve with conditions or deny a request for a variance. Each request for a variance shall be consistent with the following criteria:
 - a. Limitations on the use of the property due to physical, topographical and geologic features.
 - b. The grant of the variance will not grant any special privilege to the property owner or the owner's authorized agent.
 - c. The applicant can demonstrate that without a variance there can be no reasonable use of the property.
 - d. The grant of the variance is not based solely on economic reasons.
 - e. The necessity for the variance was not created by the property owner or the owner's authorized agent.
 - f. The variance requested is the minimum variance necessary to allow reasonable use of the property.
 - g. The grant of the variance will not be injurious to the public health, safety or welfare.
 - h. The property subject to the variance request possesses one or more unique characteristics generally not applicable to similarly situated properties.

3. Subject to the adopted building codes and other City ordinances, regulations for the enlargement of, addition to, or relocation of a nonconforming structure are as follows:
 - a. For a nonconforming use located in any residential zoning district, the enlargement, addition, or relocation shall either:
 - i. comply with all the height, yard and area requirements for a single-family dwelling in the zone in which the non-conforming building is located, or
 - ii. the proposed enlargement, addition or relocation will either
 - A. improve the area by increasing the off-street parking, or
 - B. improve the general appearance, convenience or safety of the area.
 - b. For a non-conforming use located in any zone other than a residential zoning district, the enlargement, addition, or relocation shall comply with all height, yard, and area requirements for a main building, other than dwellings, in the zone in which it is located.
 - c. Before granting a permit for any enlargement, addition, or relocation as provided above, the Appeal Authority shall find in its public hearing that the proposed changes will not hinder or obstruct the attainment of the objectives listed in Section 1-2 of this Ordinance more than the existing nonconforming use.
4. The Appeal Authority may allow those enlargements of, additions to, or relocation of buildings and structures, nonconforming as to yard, height or area regulations in those cases where an undue hardship will result to the owner of the land involved unless granted, and the attainment of the objectives listed in Section 1-2 of this Ordinance will not be hindered or obstructed, and provided the proposed enlargement, addition to or relocation will either:
 - a. improve the area by increasing needed off-street parking; or
 - b. improve the general appearance, convenience or safety of the area.
5. Where a zone boundary line divides a lot in single ownership at the time of the establishment of said boundary the Board may permit a use authorized on either portion of such lot to extend to the entire lot.
6. Permit a nonconforming use to be changed to another use allowed in the same or in a more restrictive zone than the one in which the non-conforming use would be allowed; provided that the Appeal Authority finds in its public hearing that such change will not hinder or obstruct the attainment of the objectives listed in Section 1-2 hereof more than does the existing nonconforming use.
7. Permit the construction and use of a dwelling upon a lot which does not have frontage on a dedicated right-of-way but does have frontage on a private street.

4-8 Appeals

4-8.1 General. Appeal of City Council decisions shall be to the Appeal Authority. Appeals shall be in writing and shall be filed with the Clerk's Office not more than thirty days after the decision by the City Council. The Appeal Authority may affirm, modify or reverse the decision of the City Council. Appeal review by the Appeal Authority shall be recorded in an open public meeting. Appeal Authority decisions will be final.

4-8.2 Notice of Hearing of Appeals Right of Appearance. The Appeal Authority shall schedule a reasonable time for the hearing of the appeals, after giving public notice thereof as well as due notice to the parties in interest and shall decide the same within a reasonable time. Any party may appear in person, by agent or by attorney.

4-8.3 Stay of Proceedings Pending Appeal. An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Appeal Authority, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would in his opinion cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by restraining order, which may be granted by the Appeal Authority or by the District court, on application and notice and on due cause shown.

4-8.4 Judicial Review of Board's Decision – Time Limitation. Bryce Canyon City or any person aggrieved by Adjustment may have and maintain a plenary action for relief in any court of competent jurisdiction; provided, a petition for such relief is presented to the court within thirty days after the filing of such decision in the Clerk's Office.

4-8.5 Time Limitation on Variance. In the event the Appeal Authority does grant a variance in accordance with the provisions of this Chapter, alterations in accordance with the variance must be activated within six months after the date such variance is granted, or the variance becomes null and void. The time limit of the variance may be extended an additional six months by the Appeal Authority, only if the petitioner shows adequate cause to the Board that circumstances necessitate a time extension.

4-8.6 Filing Fee. Upon filing of any appeal or application to the Appeal Authority, the appellant or applicant shall pay the City a fee prescribed by the City Council in the appropriate Fee Resolution. The said fee shall be collected by the officer in whose office said appeal is filed and shall be deposited with the City Treasurer and credited to the general fund. No appeal or application shall be considered by the Appeal Authority unless such fee has been paid.

CHAPTER 5. ZONING OFFICIALS

5-1 General

This section establishes the duties and responsibilities for Zoning Officials within the limits of Bryce Canyon City, Utah with respect to the administration of this Ordinance.

5-2 Zoning Administrator

1. The Zoning Administrator shall be authorized to undertake reviews, make recommendations and grant approvals as set forth in this Ordinance.
2. The Zoning Administrator shall assist the Planning Commission in the amending, **preparing and adopting** the General Plan and land use regulations.
3. The Zoning Administrator, along with the Building Official, shall receive all applications for **site plan review** and review for completeness and prepare submittals for review by the Planning Commission and City Council.
4. The Zoning Administrator shall receive all **land use applications** or other plans to be permitted or approved as required by this Ordinance, review for completeness and prepare submittals for review by the Planning Commission and City Council.
5. Requests for **amendments** or changes to land use regulations, the General Plan, this Ordinance or map shall be submitted to the Zoning Administrator for processing.
6. The **interpretation** and application of the provisions of this Ordinance shall be by the Zoning Administrator. An appeal of an interpretation by the Zoning Administrator shall be submitted to the City Council, and such interpretation shall be considered to be final.

5-3 Building Official

Applications for building permits and amendments thereto shall be submitted to the Planning Commission and City Council for review and approval prior to review and permit issuance from the Building Official. Each application shall include a set of building plans and all data necessary to show that the requirements of this Ordinance are met. Unless otherwise designated and approved by the City Council, the Building Official for Bryce Canyon City shall be the Garfield County Building Official. The Building Official is hereby authorized to enforce the provisions of this Ordinance and any adopted building codes, such as International Building or Residential Code, when performing any building inspection within the limits of Bryce Canyon City.

5-4 Liability

The Zoning Administrator, Building Official or designee, charged with the enforcement of this Ordinance, acting in good faith and without malice in the discharge of the duties described in this Ordinance, shall not be personally, civilly or criminally liable for any damage that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties.

CHAPTER 6. GENERAL PROVISIONS

6-1 Parking and Loading Spaces

6-1.1 General. Off-street parking shall be provided in compliance with this Section where any building is erected, altered, enlarged converted or increased in size or capacity.

The off-street parking spaces required for each permitted use in this Ordinance shall not be less than that found in Table 6-1.

**Table 6-1
Off Street Parking Requirements**

Use	Number of Parking Spaces Required
Dwelling Unit	2 per dwelling unit
Hotel/Motel	1 per sleeping unit
Restaurant	1 per 100 gross square feet
Retail	1 per 200 gross square feet
Commercial	1 per 300 gross square feet
Industrial	1 per 500 gross square feet

6-1.2 Dimensions. A minimum width of 9 feet and a minimum length of 20 feet shall be provided for each parking stall. Handicap spaces shall be developed in accordance with the American Disabilities Act (ADA). For uses or occurrences where the parking requirements of this Ordinance are found unreasonable, appropriate parking and loading space requirements shall be determined by the Planning Commission.

6-2 Fencing

6-2.1 General. Unless specifically approved by the Planning Commission and/or Building Official, any wall, fence or hedge shall not exceed those found in Table 6-2.

**Table 6-2
Maximum Wall, Fence or Hedge Heights**

Yard	Height (feet)
Front	3.5
Side	6.0
Rear	6.0

6-2.2 Fence Types. Any wall, fence or hedge that is not primarily transparent (metal bar, chain link, etc.) shall not exceed 3.5 feet in height inside 25 feet from any front property line or side property line which fronts a street or road.

6-3 Accessory Buildings

6-3.1 General. Accessory buildings shall occupy the same lot as the main use or building and shall be located at least 10 feet from the main building or any other building.

6-3.2 Setbacks. Accessory buildings shall meet the same front setback requirements as the main building. However, the side and rear yard setbacks for any accessory building shall be 10 feet. An accessory building may be built on the side or rear property line upon approval from the Building Official as a fire proof structure (metal, block or cement).

6-4 Easements and Rights-of Way

Uses of easements and/or rights-of-way shall be permitted in or through any Zone for the purpose of serving a permitted use in the same or any Zone. Such easements or rights-of-way may be used for uses similar to, but not limited to the following:

1. Roads, streets, highways.
2. Railroads, tramways, cableways and conveyor systems.
3. Pipelines for the transmission of water, waste water, materials, fuels or products.
4. Overhead or underground transmission or distribution lines, including poles, towers and conductors.
5. Uses not requiring continuous routes along the ground such as radio, television or microwave relay stations and towers.
6. Structures and facilities incidental to the above.

6-5 Special Regulations

6-5.1 Home Occupations. *Home Occupations* shall be permitted in General Commercial and Resort Commercial zoning districts and a Conditional Use in Low-Density Residential, High-Density Residential and Agricultural / Open Space zoning districts. Home occupations shall be located wholly within the primary structure on the premises.

Conditions. Home Occupations shall comply with the following conditions:

1. The home Occupation, and all inventory, supplies and equipment shall not exceed or consume more than 50% of the primary structure.
2. Goods relating to the home occupation shall not be stored in the front yard of the lot
3. If necessary, additional parking spaces shall be provided to accommodate the Home Occupation. All parking shall be off-street.
4. A City approved Business License shall be required for all Home Occupations.

6-5.2 Adult Uses. *Adult Uses* shall be permitted in General Commercial and Resort Commercial zoning districts and shall be prohibited in all other zoning districts.

Conditions. Adult Uses shall comply with the following conditions:

1. Adult Use businesses shall not be located within 1,000 feet from any park, school, day care, library or religious institution.
2. Adult Use businesses shall not be located along major highways or main streets and shall not be located adjacent to any residential zone boundary.
3. Adult Use businesses shall only include those deemed legal by the State of Utah such as bars, taverns, pool halls, lounges, etc.

CHAPTER 7. CONDITIONAL USES

7-1 General

A Conditional Use Permit shall be obtained for certain uses, which would become harmonious or compatible with neighboring uses through the application and maintenance of qualifying conditions and located in specific locations within a Zone, but shall not be allowed under the general conditions of the Zone as stated in this Ordinance.

An approved Conditional Use Permit shall be required for each Conditional Use listed in this Ordinance. No building permit, other permit or license shall be issued for a Conditional Use by any officer or employee unless a Conditional Use Permit has been recommended by the Planning Commission and approved by the City Council.

7-2 Application

Application for a Conditional Use Permit shall be available at the office of the City Clerk or on the City's Website. Conditional Use Permit applications shall be submitted to the City as provided in this Ordinance. Applications shall be accompanied by maps, drawings, statements or other documents in accordance with the provisions of this Ordinance. An appropriate fee outlined in the Bryce Canyon City Fee Resolution shall be collected at the time of submittal.

7-3 Public Hearing

A public hearing need not be held; however, hearings may be held when the Planning Commission or City Council deem it necessary or desirable to serve the public interest. Impacted property owners shall be advised through appropriate advertising or direct contact.

7-4 Determination

7-4.1 Planning Commission. The Planning Commission shall recommend approval, approval with modifications or deny the Conditional Use application. In recommending any Conditional Use Permit to the City Council, the Planning Commission shall set conditions based on the standards listed in Section 7 of this Chapter.

7-4.2 City Council Action. The City Council shall approve, approve with modifications or deny recommended Conditional Use applications. In approving a Conditional Use Permit, the City Council shall determine if the proposed use:

1. Has reasonable conditions proposed, or imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the applicable standards listed in Section 7 of this Chapter.
2. Will not be detrimental to the health, safety or general welfare of persons residing or working in the area, or injurious to the property or improvements in the area.
3. Is in harmony with the intent of the City's General Plan, Zoning Ordinance and the Zoning District in which it is located.

7-5 Expiration and Revocation

7-5.1 Expiration. A Conditional Use Permit shall be considered to be exercised when the application has been approved by the City Council. When such permit is abandoned or discontinued for a period of 1 year, it shall not be reestablished, unless authorized by the Planning Commission, City Council or Appeal Authority on appeal.

7-5.2 Revocation. A Conditional Use Permit shall be revoked where the applicant fails to comply with conditions imposed by the City. Conditional Use Permits shall be suspended upon failure to renew any associated business licenses. Upon suspension, the Planning Commission shall determine if the Conditional Use Permit is to be reissued or revoked. The Planning Commission may initiate revocation proceedings when evidence indicates the Conditional Use Permit is no longer in the public interest, or when directed by the Bryce Canyon City Council. Conditional Use Permit holders and impacted land owners shall be granted the opportunity of a public hearing prior to any revocation.

7-6 Amendments

An amendment to an approved Conditional Use Permit shall be submitted to the Zoning Administrator accompanied by supporting information. The Planning Commission or City Council shall review the amendment and shall be permitted to approve, deny or amend such amendment and impose conditions deemed necessary.

7-7 Conditional Use Review Criteria

A request for a Conditional Use shall be approved, approved with modifications or denied. Each request for a Conditional Use approval shall be consistent with the criteria listed as follows:

The request:

1. is consistent with all applicable provisions of the General Plan.
2. shall not adversely affect adjacent properties.
3. is compatible with the existing or allowable uses of adjacent properties.
4. can demonstrate that adequate public facilities, including roads, drainage, potable water, sanitary sewer and police and fire protection exist or will exist to serve the requested use at the time such facilities are needed.
5. can demonstrate adequate provision for maintenance of the use and associated structures.
6. has minimized, to the degree possible, adverse effects on the natural environment.
7. will not create undue traffic congestion.
8. will not adversely affect the public health, safety or welfare.
9. conforms to all provisions of this Ordinance and other applicable City Ordinances.

CHAPTER 8. NONCONFORMING USES

8-1 General

Except as otherwise required by State law, a structure or use legally established prior to the adoption date of this Ordinance be maintained unchanged. In other than criminal proceedings, the owner, occupant or user shall have the burden to show that the structure, lot or use was lawfully established.

8-2 Discontinuance

8-2.1 Vacancy. Any lot or structure, or portion thereof, occupied by a nonconforming use, that is or hereafter becomes vacant and remains unoccupied by a nonconforming use for a period of 1 year shall not thereafter be occupied, except by a use that conforms to this Ordinance.

8-2.2 Damage. If any nonconforming structure or use is, by any cause, damaged to the extent of 50 percent of its value as determined by the Building Official, it shall not thereafter be reconstructed as such.

8-3 Enlargements and Modifications

8-3.1 Maintenance and Repair. Maintenance, repairs and structural alterations shall be permitted to be made to nonconforming structures or to a building housing a nonconforming use with valid permits.

8-3.2 Changes of Nonconforming Use. A change of use of a nonconforming use of a structure or parcel of land shall not be made except to that of a conforming use. Where such change is made, the use shall not thereafter be changed back to a nonconforming use.

8-3.3 Additions. Additions to nonconforming structures and parking areas shall conform to the requirements of this Ordinance. Additions to structures housing nonconforming uses that increase the area of a nonconforming use shall not be made.

8-3.4 Certificate of Occupancy Required. No building hereafter structurally altered or erected shall be used or changed in use for a nonconforming use until a Certificate of Occupancy has been issued by the Building Official, stating that the building or proposed use thereof or the use of the land, complies with the provisions of this Ordinance for the renewing, changing or extending thereof.

CHAPTER 9. SUBDIVISIONS

9-1 Purpose

The purpose of this chapter is to promote the health, safety and general welfare of the community by:

1. managing efficient and orderly growth in Bryce Canyon City;
2. establishing requirements and procedures which encourage growth to preserve the high quality of community environment and protect property values; and
3. providing policies, procedures, requirements and standards for the physical development of subdivisions of land, construction of buildings and improvements within Bryce Canyon City, including, but not limited to, the construction and installation of roads, streets, curbs, gutters, drainage systems, water and sewer systems, dedication of land and streets, granting easements or rights of way and to establish fees and other charges for the authorizing of a subdivision.

9-2 Scope

1. **Applicability:** No person shall subdivide any parcel of land which is located wholly or in part in Bryce Canyon City except in compliance with this Chapter.
2. **Approval To Subdivide Required:** The boundaries of any lot shall not be altered in any manner so as to create more lots than initially recorded, or any nonconforming lot, without first obtaining the approval of Bryce Canyon City Council as provided in this Chapter.
3. **Compliance Prior To Occupancy:** There shall be no human occupancy of any building until the improvements have been accepted by Bryce Canyon City and the building and lot fully comply with the provisions of this Ordinance.

9-3 Approval Required

It shall be unlawful for any person to subdivide any tract of land within the municipal limits of Bryce Canyon City, where the said transaction would result in the "subdivision" of land, as herein defined, nor shall any person offer for recording any deed conveying a parcel of land or any interest therein which would amount to a "subdivision", as herein defined, unless he shall first make or cause to have made a plat thereof, which plat must receive final approval by Bryce Canyon City Council and recorded in the office of the County Recorder before such sale or exchange or purchase is affected. The approval of the final plat shall be obtained by complying with all applicable requirements of this Ordinance and all other applicable laws and regulations.

9-4 Exemptions from the Plat Requirement

This section applies to the subdivision of lands within the incorporated areas of Bryce Canyon City, that are not required to complete a formal preliminary or final plat process, but follow a simplified process as outlined herein. **UCA 20-9a-605**

9-4.1 Minor-Lot Subdivisions UCA 20-9a-605(1). A lot or parcel resulting from a division of incorporated land is exempt from the subdivision plat requirements of this Section, if:

1. the proposed subdivision:
 - a. is not traversed by the mapped lines of a proposed street as shown in the general plan unless the municipality has approved the location and dedication of any public street, municipal utility easement, any other easement, or any other land for public purposes as the municipality's ordinance requires;
 - b. has been approved by the culinary water authority and the sanitary sewer authority;
 - c. is located in a zoned area; and
 - d. conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.
2. The Sketch Plan or Record of Survey has been reviewed by the Zoning Administrator, Building Official and/or Recorder and they have given recommendation to the Planning Commission that the proposed development qualifies as a Minor-Lot Subdivision as set forth herein.
3. The property is being subdivided into five or less building lots that all front a dedicated City street or road.
4. Each new lot created meets, or will meet with an appropriate zone change in conjunction with the proposed subdivision, the requirements of the Bryce Canyon City Zoning Ordinance.
5. An application for a Minor-Lot Subdivision of a lot created from a previously approved Minor-Lot Subdivision shall not be eligible for the exemption and shall meet the requirements of the Full Plat Process.
6. The Planning Commission has reviewed the development plan and Record of Survey in a public meeting and has given its recommendations to the City Council for final approval.
7. Before the Minor-Lot Subdivision is to be considered by the City Council in a public meeting, the developer shall furnish evidence of recordable deeds for each proposed lot in the subdivision. The Minor-Lot Subdivision shall not be presented to the City Council for final approval until evidence of recordable deeds have been provided.
8. Upon final approval from the City Council, the developer shall file the Record of Survey with the City Surveyor's Office and record the deeds with the City Recorder's Office.
9. Submitting a Minor-Lot Subdivision Record of Survey otherwise shall be null and void.

9-4.2 Agricultural Land Exemptions UCA 20-9a-605(2).

1. A lot or parcel resulting from a division of agricultural land is exempt from the subdivision plat requirements of this Section, if the lot(s):
 - a. Qualifies as land in agricultural use under **UCA 59-2-5 Farmland Assessment Act**;
 - b. Is not used and will not be used for nonagricultural purposes; and
 - c. Meets the minimum size of six acres.
2. The boundaries of each lot or parcel that is exempted shall be graphically illustrated on a Record of Survey map that has received the approval of the Zoning Administrator, Building Official and Planning Commission.
3. If a lot or parcel exempted as agricultural land is used for nonagricultural purposes as defined by the Farmland Assessment Act, the City shall require the lot or parcel to comply with the related plat requirements of this Section.
4. When the above requirements have been met, the property owner shall file the Record of Survey with the County Surveyor within 14 days of approval.
5. A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel, nor the parcel remaining from the division or partition violates this Section or other ordinances of Bryce Canyon City.

9-4.3 Other Exceptions.

A property owner may:

1. To make a property boundary adjustment (i.e., parcel or lot line adjustment), a property owner shall meet the requirements of **UCA 10-9a-523**.
2. To execute a boundary line agreement, a property owner shall meet the requirements of **UCA 10-9a-524**.

9-5 Preliminary Plat

A preliminary plat shall be finished for all proposed land divisions. Subdivision applications shall include all the items below.

1. **Completed Application:** Completed preliminary plat (Subdivision) application.
2. **Feasibility Study:** The subdivider shall be required to show the feasibility of the proposed water and sewage systems necessary to meet the requirements of this chapter, the local health officer and the state division of environmental health as indicated by letters of feasibility from such health officers.
3. **Summary Statement:** Summary statement containing the following:
 - a. Total area within the subdivision showing all phases.
 - b. Total area of each lot.
 - c. Total number of proposed dwelling units.
 - d. Estimated maximum drainage flow (100-year storm) through any natural courses lying within the area to be subdivided expressed in cubic feet per minute.
4. **Scaled Drawing:** A plan showing the proposed subdivision layout drawn at a scale of one-inch equals fifty feet, which shall meet the requirements of the County Surveyor (UCA 17-23) County Recorder (UCA 17-21) and UCA 10-9a-6.
5. **Preliminary Engineer Drawings:** Preliminary engineering drawings, including typical cross sections, and plans and/or written statements regarding width and type of proposed off-site and on-site water mains, sanitary sewers, drainage facilities and other proposed improvements such as sidewalks, curbs and gutters, parks and fire hydrants. The proposed location of all of the aforementioned improvements, if such improvements are required, must be shown on the preliminary plat.
6. **Drainage Study:** A drainage study and report shall be prepared by a licensed professional civil engineer and shall be submitted with each application.
7. **Proof of Interest, Permission:** Sufficient documentation to show the subdivider has a vested interest in the subject property or has the owner's permission to subdivide must be presented with preliminary application.
8. **Irrigation Clearance:** For all subdivisions proposed through which an irrigation ditch, canal or other such waterway passes, the subdivider will need to obtain a letter of agreement from the owner of said ditch, canal or other waterway specifying any required improvements or possible relocation.
9. **Traffic Study:** If deemed necessary by the Planning Commission, the developer shall submit a traffic study prepared by a licensed engineer qualified in the area of traffic and circulation. Such study will incorporate safety issues for pedestrian, bicycle and vehicular traffic, as applicable.

10. **Disposal of Floodwater, Surface Water:** Disposal of surface water and disposition of flood hazards so as to protect lands located outside the boundaries of the subdivision due to impacts of the development of the subdivision.
11. **Other:** Any additional reports which are required by the associated Zoning District.

9-6 Final Plat

The subdivider shall prepare and submit a final plat, together with a completed application, the required fees and either a policy of title insurance or a preliminary title report showing proof of ownership or right to title, and to allow effective dedication of streets and easements within the subdivision without boundary exceptions. Fees shall be paid to Bryce Canyon City Clerk. Subdivision plats shall be filed with the Garfield County Recorder's Office in accordance with applicable Garfield County ordinances and standards.

1. **Preparation of Plat:** A final plat shall be prepared for all subdivisions. Said plat shall be drawn on a sheet of vellum or mylar having outside or trim line dimensions of twenty-four inches by thirty-six inches. The border line of the plat shall be drawn in heavy lines, leaving a margin of at least one and one-half inches on the left-hand side of the sheet for binding, and at least one-half inch on the other three sides of the sheet. The plat shall be so drawn that the top of the sheet faces either north or east, whichever accommodates the drawing better. All lines, dimensions and markings shall be made on the tracing linen with waterproof black ink. The actual map shall be made with a minimum scale of one-inch equals fifty feet. Details and the workmanship on finished drawings shall be clear and readable. A poorly drawn, incomplete or illegible plat is sufficient cause for rejection.
2. **Final Plat Application:** A final plat shall be furnished for all proposed land divisions and shall meet the requirements of the County Surveyor, County Recorder and Bryce Canyon City.
3. **Final Decision; Signatures Required:** The chairman of the Planning Commission and the Mayor shall both sign the final plat, noting the final decision of Bryce Canyon City Council.
4. **Filing and Recording:** After the map or plat has been duly certified and approved by Bryce Canyon City Council, the developer shall file and record the approved final plat in the Office of the County Recorder. Such recording shall be completed within 30 days from the date of the final approval.
5. **Phasing of Plats:** The final platting of subdivisions may be done in phases. Each phase shall consist of the number of lots which can be completely developed with off-site improvements within period approved by the Planning Commission and City Council. If the roads and utilities are not established within the approved time period, the plat shall be considered null and void and subject to reapplication by the subdivider unless an extension has been approved by the Planning Commission and City Council.

9-7 General Standards

1. **Preservation In Design, Development:** The design and development of subdivisions shall preserve, insofar as it is possible, the natural terrain, natural drainage, existing topsoil, trees and vegetation. Land which is subject to hazardous conditions such as landslides, mud flows, rock falls, ground subsidence, shallow water table, open quarries, floods and polluted water supply shall be identified and evaluated by a certified engineer.
2. **Control Of Water, Storm Runoff:** During grading or construction on any property, including off site construction, the developer shall control both waters used for construction and storm runoff in such a manner as to not affect any adjoining properties, nor add silt or debris to any existing storm drain, wash, channel or roadway.

9-8 Lot Standards

1. **Building Sites:** The lot arrangement, design and shape shall be such that lots will provide a compact body of land for buildings and be properly related to topography and conform to requirements set forth herein.
2. **Lot Sizes:**
 - a. All lots shown on the subdivision shall conform to the minimum requirements of this Ordinance, for the zone in which the subdivision is located, unless otherwise approved as either a planned development provided for under the Planned Development under Chapter 19 of this Ordinance.
 - b. Sewage disposal systems shall meet the requirements of the applicable State or local health department.
3. **Frontage On Public Streets:** Each lot shall abut on a street dedicated by the subdivision plat or an existing publicly dedicated street which is at least twenty-two feet (22') wide, except when approved by the Planning Commission as either a private lane, private street, private road or flag lot.
4. **Corner Lots:** Corner lots shall have dimensions sufficient for the maintenance of required building setback lines on both streets, along with sufficient area to comply with area requirements of this Ordinance.
5. **Parts Of Lots:** All remnants for lots below minimum size, leftover after subdividing a larger tract, must be attached to adjacent lots or permanently dedicated for public or common use, and evidence of such attachment or dedication submitted prior to the approval of the final plat. All lots designated within a subdivision must meet the minimum standards of the zone within which they are located, unless approved as a Planned Unit Development.

9-9 Compliance with Final Plat

Every approved subdivision shall be constructed, developed or otherwise completed according to the provisions of this Ordinance, in conformance to the approved final plat and supplementary documents pertaining to such subdivision. It shall be the responsibility of the subdivider to ensure that such provisions are correctly constructed, installed or otherwise completed. Failure to comply with this provision shall constitute grounds for immediate termination of all work activity associated with such subdivision. Before resumption of work activity, the subdivider shall agree, in writing, to reconstruct, at their cost, those items not in conformance with the provisions of the title before the release of the security guaranteeing improvements.

9-10 Penalties

Any plat of a subdivision filed or recorded without the approvals required by this chapter shall be null and void. Any owner or agent of the owner of any land located in a "subdivision", as defined in this chapter, who offers for sale or who transfers or sells any land in that subdivision or any possessory interest therein before a final plat of the subdivision has been approved and recorded as required in this chapter, shall be guilty of a class C misdemeanor and subject to penalty as provided in 1-7 of this Ordinance. A description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring does not exempt the transaction from a violation or from the penalties or remedies provided in this Ordinance.

9-11 Fees

The Subdivider shall be required to pay all application and subdivision related fees as determined by the Bryce Canyon City Fee Resolution. In addition, the subdivider shall reimburse Bryce Canyon City for any attorney and engineer costs related to the subdivision platting, recording and inspection of subdivision improvements. The application fee shall not be refundable, whether the subdivision proposal is approved or denied.

9-12 Planning Commission Approval.

The Bryce Canyon City Planning Commission shall:

1. provide notice as required by **UCA 20-9a-2**.
2. hold a public meeting on a proposed Subdivision application.
3. approve recommendations for only those Preliminary Plats which it finds have been developed in accordance with the standards and criteria specified in this Ordinance and all other ordinances of Bryce Canyon City including, but not limited to, this Ordinance, major road plans, the Bryce Canyon City General Plan, building codes and other applicable rules and regulations.
4. consider the application and all materials submitted, as well as any input or comments received.

The Bryce Canyon City Planning Commission may:

1. recommend onsite and offsite improvements, facilities and amenities if they are determined necessary and accompanied by a finding of the Planning Commission that such onsite and offsite improvements, facilities and amenities are required to protect the public health, safety and welfare of the residents of the subdivision, or the residents of Bryce Canyon City.
2. recommend approval of the preliminary subdivision application as presented, recommend approval with revisions and/or conditions or recommend denial of the preliminary subdivision application.

The determination of the Bryce Canyon City Planning Commission shall be accomplished by findings of fact. The recommendations of the Planning Commission shall be made in writing to the City Council.

9-13 City Council Approval.

The City Council shall:

1. consider each Subdivision application that the Planning Commission recommends.
2. provide notice as required by **UCA 20-9a-2** and hold a public meeting.

The City Council may:

1. approve the preliminary subdivision application as recommended by the Planning Commission.
2. approve the preliminary subdivision application with revisions, and/or conditions, or
3. deny the preliminary subdivision application.
4. consider the Planning Commission's failure to make a timely recommendation as a negative recommendation.
5. require onsite and offsite improvements, facilities and amenities if they are determined necessary to protect the health, safety and general welfare of the residents of the City, and are found consistent with the intent of this and other related ordinances.

Approval of the preliminary subdivision application by the City Council shall:

1. **not** constitute final approval of the subdivision by the City but allows the applicant to proceed with the preparation of the final subdivision application and all required documents.
2. **not** authorize the development of land or the issuance of any building permit for the subdivision site or any proposed lots.
3. be effective for a period of one year from the date the preliminary subdivision application is approved by the City Council. If a final subdivision application is not submitted for approval within the one-year period, the preliminary subdivision approval shall be void, and the applicant shall be required to submit a new preliminary subdivision application for review and approval, subject to the related City and State rules and regulations in effect at that time.

CHAPTER 10. PLANNED UNIT DEVELOPMENTS

10-1 General

10-1.1 Approval. Planned Unit Developments (PUDs) shall be allowed by Planning Commission approval in any Zoning District. Such Planned Unit Development permit shall not be granted unless such development will meet the use limitations of the Zoning District in which it is located and meet the density and other limitations of such Districts, except as such requirements may be lawfully modified as provided by this Ordinance. Compliance with the regulations of this Ordinance in no way excuses the developer from the applicable requirements of the Subdivision requirements, except as modifications thereof are specifically authorized in the approval of the application for the Planned Unit Development.

10-1.2 Intent. These regulations are to encourage and provide means for effecting desirable and quality development by permitting greater flexibility and design freedom than that permitted under the basic Zoning District regulations, and to accomplish a well-balanced, aesthetically satisfying City and economically desirable development of building sites within a PUD. These regulations are established to permit latitude in the development of the building site if such development is found to be in accordance with the purpose, spirit and intent of this Ordinance and is found not to be hazardous, harmful, offensive or otherwise adverse to the environment, property values or the character of the neighborhood or the health, safety and welfare of the community. It is intended to permit and encourage diversification, variation and imagination in the relationship of uses, structures, open spaces and heights of structures for developments conceived and implemented as comprehensive and cohesive unified projects. It is further intended to encourage more rational and economic development with relationship to public services, and to encourage and facilitate the preservation of open lands.

10-2 Conditions

10-2.1 Area. A Planned Unit Development shall not have an area less than that approved by the Planning Commission as adequate for the proposed development.

10-2.2 Uses. A Planned Unit Development that will contain uses not permitted in the Zoning District in which it is to be located may require a change of Zoning District and shall be accompanied by an application for a Zoning amendment, except that any residential use shall be considered to be a permitted use in a Planned Unit Development, which allows residential uses and shall be governed by density, design and other requirements of the Planned Unit Development permit. Where a site is situated in more than one use District, the permitted uses applicable to such property in one District may be extended into the adjacent use District.

10-2.3 Ownership. The development shall be in single or corporate ownership at the time of application, or the subject of an application filed jointly by all owners of the property.

10-2.4 Design. The Planning Commission shall require such arrangements of structures and open spaces within the site development plan as necessary to ensure that adjacent properties will not be adversely affected.

10-2.5 Density. Density of land use shall in no case be more than 15 percent higher than allowed in the Zoning District.

10-2.6 Arrangement. Where feasible, the least height and density of buildings and uses shall be arranged around the boundaries of the development.

10-2.7 Specific regulations. Lot area, width, yard, height, density and coverage regulations shall be determined by approval of the site development plan.

10-2.8 Open spaces. Preservation, maintenance and ownership of required open spaces within the development shall be accomplished by either:

1. dedication of the land as a public park or parkway system; or
2. creating a permanent, open space easement on and over the said private open spaces to guarantee that the open space remains perpetually in recreational use, with ownership and maintenance being the responsibility of an owners' association established with articles of association and bylaws, which are satisfactory to the legislative body.

10-2.9 Landscaping. Landscaping, fencing and screening related to the uses within the site and as a means of integrating the proposed development into its surroundings shall be planned and presented to the Planning Commission for approval, together with other required plans for the proposed development.

10-2.10 Signs. The size, location, design and nature of signs, if any, and the intensity and direction of area or floodlighting shall be detailed in the application.

10-2.11 Desirability. The proposed use of the particular location shall be shown as necessary or desirable, to provide a service or facility that will contribute to the general wellbeing of the surrounding area. It shall also be shown that under the circumstances of the particular case, the proposed use will not be detrimental to the health, safety or general welfare of persons residing in the vicinity of the Planned Unit Development.

10-3 Planning Commission Determination

In carrying out the intent of this section, the Planning Commission shall consider the following principles:

1. It is the intent of this section that site and building plans for a PUD shall be prepared by a designer or team of designers having professional competence in urban planning as proposed in the application. The Planning Commission shall be permitted to require the applicant to engage such professional expertise as a qualified designer or design team.
2. It is not the intent of this section that control of the design of a PUD by the Planning Commission be so rigidly exercised that individual initiative be stifled and substantial additional expense incurred; rather, it is the intent of this section that the control exercised be the minimum necessary to achieve the purpose of this section.
3. The Planning Commission shall be authorized to approve or disapprove an application for a PUD. In an approval, the Planning Commission shall be permitted to attach such conditions as it deems necessary to secure compliance with the purposes set forth in this Chapter. The denial of an application for a PUD by the Planning Commission shall be permitted to be appealed to the legislative body of the jurisdiction.

10-4 Required Contributions

The legislative body, as part of the approval of a PUD, shall be permitted to require an applicant to make reasonable contributions to include, but not limited to any combination of the following:

1. Dedication of land for public park purposes.
2. Dedication of land for public school purposes.
3. Dedication of land for public road right-of-way purposes.
4. Construction of, or addition to, roads serving the proposed project where such construction or addition is reasonably related to the traffic to be generated.
5. Installation of required traffic safety devices.
6. Preservation of areas containing significant natural, environmental, historic, archeological or similar resources.

10-5 Planning Commission Action

10-5.1 Approval. The Planning Commission shall have the authority to require that the following conditions for a Planned Unit Development (among others it deems appropriate) be met by the applicant:

1. That the proponents intend to start construction within 1 year of either the approval of the project or of any necessary Zoning District change, and intend to complete said construction, or approved stages thereof, within 4 years from the date construction begins.
2. That the development is planned as one complex land use rather than as an aggregation of individual and unrelated buildings and uses.

10-5.2 Limitations on application.

1. Upon approval of a PUD, construction shall proceed only in accordance with the plans and specifications approved by the Planning Commission and in compliance with any conditions attached by the jurisdiction as to its approval.
2. Amendment to approved plans and specifications for a PUD shall be obtained only by following the procedures here outlined for first approval.
3. The City Council and/or Building Official shall not issue any permit for any proposed building, structure or use within the project unless such building, structure or use is in accordance with the approved development plan and with any conditions imposed in conjunction with its approval.

CHAPTER 11. MOBILE HOMES AND RECREATIONAL VEHICLES

11-1 Purpose

To protect the public, among other purposes, such provisions are intended to provide for permanently wholesome community environments, adequate facilities, adequate services and safety of its citizens.

11-2 Interpretation

The interpretation, application and provisions of this Ordinance shall be held to be the minimum regulations required for the protection or preservation of public health, safety and welfare.

11-3 Intent.

1. To permit variety and flexibility in land development for residential purposes by allowing the use of Mobile Homes and Recreational Vehicles in certain districts within Bryce Canyon City.
2. To require that Mobile Home and Recreational Vehicle developments will be of such character as to promote the objectives and purposes of the Bryce Canyon City Zoning Ordinance; to protect the integrity and characteristics of the districts contiguous to those in which Mobile Home Parks and Recreational Vehicle Parks are located; and to protect other land use values contiguous to or near mobile home or Recreational Vehicle developments.

11-4 Definitions.

Unless context requires otherwise, the following definitions shall be used in the interpretation and construction of this Ordinance. Words used in present tense include the future; singular number shall include the plural, and the plural the singular; the word "building" shall include the word "structure"; the words "used" or "occupied" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used or occupied; the word "shall" is mandatory and not directory, and the word "may" is permissive; the word "person" includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual; the word "lot" includes the words plot or parcel. Words used in this Ordinance but not defined herein shall have the meaning as defined in any other ordinance adopted by the Bryce Canyon City Council.

MOBILE HOME. A structure, transportable in one or more sections, the in the traveling mode is eight (8) body feet or more in width or forty (40) body feet or more in length, or, where erected on site, is 320 square feet or more, and that is built on a permanent chassis and designed to be used as a *dwelling* with or without a permanent foundation where connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein; except that such term shall include any structure that meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary (HUD) and complies with the standards established under this Ordinance. For mobile homes built prior to June 15, 1976, a label certifying compliance to the standard for mobile homes, NFPA 501, in effect at the time of the manufacture is required. ***If placed upon a permanent foundation, such structures which meet all applicable building and housing codes shall not be considered as mobile homes, but shall be regulated as conventional housing.***

PERMANENT LIVING. The condition of 1 or more persons occupying a recreational vehicle for longer than 30 days in any 60-day period.

RECREATIONAL VEHICLE. A vehicular portable unit mounted on wheels, of such a size or weight as not to require special highway movement permits when drawn by a motorized vehicle. Vehicles such as travel trailers, tent camper trailers, truck campers, camp cars, motor homes or other vehicles with or without motive power designed and/or constructed to travel on public thoroughfares in accordance with provisions of the Utah Vehicle Code and designed for human habitation. May also be referred to as Recreational Coach, or Travel Trailer.

TEMPORARY LIVING. The condition of 1 or more persons occupying a recreational vehicle for less than 30 days at a time.

TRAVEL TRAILER. See Recreational Vehicle.

UNIMPROVED PROPERTY. A vacant lot without a dwelling or structure.

11-5 Location

11-5.1 Mobile Homes. No occupied Mobile Home shall be located anywhere within the incorporated areas of Bryce Canyon City without approval of the Planning Commission, City Council and Building Official.

11-5.2 Recreational Vehicles. Except in a licensed Recreational Vehicle Park or zoning district approved for such use, no Recreational Vehicle shall be occupied for permanent living within the incorporated areas of Bryce Canyon City. The Planning Commission and City Council may grant a Conditional Use Permit to allow occupancy of a Recreational Vehicle longer than 30 days for uses such as construction of a permanent dwelling.

11-5.3 Storage. Private owned Recreational Vehicles which are unoccupied for living purposes may be stored on a private parcel of land, provided they do not violate any required setbacks for front, rear or side yards.

11-5.4 Infrastructure and Utility Connections. On a parcel of land not approved for such use, Recreational Vehicles shall not be permanently connected to infrastructure or utilities, (i.e. wastewater, culinary drinking water, natural gas, propane gas, power, etc.).

Self-contained infrastructure or utilities, (i.e. wastewater septic tanks, potable water storage tanks, propane tanks, portable generators, etc.) that are affixed to, or part of the Recreational Vehicle do not apply to this section.

Infrastructure or utilities may be extended to private owned Recreational Vehicles upon approval of a Building Permit from the Planning Commission, City Council and Building Official and a Conditional Use Permit by the Planning Commission and City Council for a Construction Camp.

CHAPTER 12. ZONING DISTRICTS

12-1 Establishment of Zones

For the purpose of this Ordinance, the following Zones are created as necessary to regulate the development of the land in Bryce Canyon City, Utah:

- 1. Agricultural / Open Space (AOS)**
- 2. Recreation / Open Space (ROS)**
- 3. Light-Density Residential (LDR)**
- 4. High-Density Residential (HDR)**
- 5. Civic (CV)**
- 6. General Commercial (GC)**
- 7. Resort Commercial (RC)**
- 8. Light Industrial (I)**

12-2 Boundaries of Zones

The boundaries of each of the Zones are established as described herein, and as shown on the map entitled “Zoning Map of Bryce Canyon City Utah”.

12-3 Filing of Ordinance and Map

The Bryce Canyon City Ordinance and Zoning Map shall be filed in the Office of the Bryce Canyon City and may be examined by the public, subject to any reasonable regulations established by the City.

12-4 Rules for Locating

Where uncertainty exists as to the boundary of any Zone, the following rules shall apply:

1. Whenever a boundary line of a Zone overlays any street, river, irrigation canal, other water way, private/public land boundary or any section line, the center of the street, river, irrigation canal, other water way, private/public land boundary or any section line shall be deemed to be the boundary of such Zone.
2. When the application of the above rules does not clarify the Zone boundary location, the Zoning Administrator shall interpret the map.
3. This section applies to locating boundary lines for zoning purposes and shall not determine the legal boundary line between adjoining properties.

CHAPTER 13. AGRICULTURAL / OPEN SPACE ZONES

13-1 Purpose

The purpose of AOS is to identify and preserve land for agricultural activity or that is, by virtue of ownership or easement, precluded from development, and to preserve the historic and natural beauty of those areas. Qualifying land also includes property owned by a governmental entity, or parcels for which a scenic or conservation easement has been granted to a governmental entity, land trust or conservation organization.

13-2 Permitted Uses

1. Single-family dwellings, one per parcel.
2. Accessory buildings and uses.
3. Accessory dwelling units, one per parcel.
4. Livestock keeping and grazing.
5. Crop production.
6. Stands for the sale of produce grown on the premises.

13-3 Conditional Uses

1. Home occupations.
2. Gravel pits.
3. Short-term rentals.
4. Temporary commercial activities for special events.
5. Transmitting stations and towers.
6. Utility easements.

13-4 Building Regulations

13-4.1 Height. No dwelling or accessory building shall be erected to a height greater than 3 stories above grade or 35 feet, unless specifically approved by the Building Official.

13-4.2 Area, Width and Yard Regulations. See Table 13-4.

**Table 13-4
Agricultural / Open Space Minimum Area, Width and Yard Regulations.**

Zone	Area	Width	Front Setback	Side Setback	Rear Setback
AOS	6 Acres	200 feet	30 feet	20 feet	20 feet

13-4.3 Other Provisions. No building, structure or enclosure housing any animals shall be located or constructed closer than 100 feet from any dwelling on the same or adjacent lot.

CHAPTER 14. RECREATION / OPEN SPACE ZONES

14-1 Purpose

To preserve appropriate areas for land uses requiring substantial open land and substantially free from structures, roads and parking lots, while permitting recreational pursuits such as parks, reservoirs, golf courses and trails. Public or private recreational facilities are suitable uses in this district provided that such uses maintain the open, undeveloped character of the land.

14-2 Permitted Uses

1. Parks, playgrounds, sport courts.
2. Trails (i.e., hiking, biking, ice skating, equestrian, etc.).
3. Lakes and reservoirs.
4. Livestock keeping and grazing.
5. Crop production.
6. Stands for the sale of produce grown on the premises.

14-3 Conditional Uses

1. Temporary commercial activities for special events.
2. Transmitting stations and towers.
3. Utility easements.

14-4 Building Regulations

14-4.1 Height. No dwelling or accessory building shall be erected to a height greater than 3 stories above grade or 35 feet, unless specifically approved by the Building Official.

14-4.2 Area, Width and Yard Regulations. See Table 14-4.

**Table 14-4
Recreational / Open Space Minimum Area, Width and Yard Regulations.**

Zone	Area	Width	Front Setback	Side Setback	Rear Setback
ROS	None	50 feet	10 feet	10 feet	10 feet

14-4.3 Other Provisions. No building, structure or enclosure housing any animals shall be located or constructed closer than 100 feet from any dwelling on the same or adjacent lot.

CHAPTER 15. LIGHT-DENSITY RESIDENTIAL ZONES

15-1 Purpose

To preserve appropriate areas for primarily single-family detached residential lots and/or estate type lots with restricted agricultural and ranching uses. Large animals such as horses may be permitted, but the number and types are limited. Higher density developments may be adjacent to these areas with appropriate buffering. A higher level of suburban type improvements such as sidewalks, street improvements and drainage facilities may be required. Civic uses such as churches, schools, parks and trails may be in or adjacent to these areas.

15-2 Permitted Uses

1. Single-family dwellings, one per parcel.
2. Accessory buildings and uses.
3. Accessory dwelling units, one per parcel.

15-3 Conditional Uses

1. Home occupations.
2. Short-term rentals.
3. Utility easements.

15-4 Building Regulations

15-4.1 Height. No dwelling or accessory building shall be erected to a height greater than 3 stories above grade or 35 feet, unless specifically approved by the Building Official.

15-4.2 Area, Width and Yard Regulations. See Table 15-4.

**Table 15-4
Light-Density Residential Minimum Area, Width and Yard Regulations.**

Zone	Area	Width	Front Setback	Side Setback	Rear Setback
LDR	12,500 sq. ft.	80 feet	30 feet	10 feet	20 feet

15-4.3 Other Provisions. Residential lots with onsite wastewater (septic) and potable drinking water (well) shall have a minimum lot size of 1 acre per Local Health Department standards.

CHAPTER 16. HIGH-DENSITY RESIDENTIAL ZONES

16-1 Purpose

To preserve appropriate areas for duplexes, townhomes, condominiums and apartment complexes, primarily for employee and attainable housing. Attractive, well designed and maintained projects are permitted in these areas. All projects in these areas shall provide the required landscaping and amenities consistent with the zone granted.

16-2 Permitted Uses

1. Single-family dwellings.
2. Accessory buildings and uses.
3. Accessory dwelling units, one per parcel.
4. Multiple-family dwellings.

16-3 Conditional Uses

1. Home occupations.
2. Public and quasi-public buildings and uses.
3. Short-term rentals.
4. Utility easements.

16-4 Building Regulations

16-4.1 Height. No dwelling or accessory building shall be erected to a height greater than 3 stories above grade or 35 feet, unless specifically approved by the Building Official.

16-4.2 Area, Width and Yard Regulations. See Table 16-4.

Table 16-4
High-Density Residential Minimum Area, Width and Yard Regulations.

Zone	Area	Width	Front Setback	Side Setback	Rear Setback
HDR	12,500 sq. ft.	80 feet	30 feet	10 feet	20 feet

16-4.3 Other Provisions. Residential lots with onsite wastewater (septic) and potable drinking water (well) shall have a minimum lot size of 1 acre per Local Health Department standards.

CHAPTER 17. CIVIC ZONES

17-1 Purpose

To provide appropriate locations for community centers, schools, churches, libraries, fire stations or similar public facilities.

17-2 Permitted Uses

1. Public buildings (i.e., schools, churches, libraries, etc.).
2. Emergency services (i.e., fire stations, ambulance, police, etc.).
3. Community centers and facilities.
4. Public infrastructure facilities (i.e., sewer lagoons, water storage tanks, well houses, internet and phone structures, etc.).

17-3 Conditional Uses

1. Temporary commercial activities for special events.
2. Transmitting stations and towers.
3. Utility easements.

17-4 Building Regulations

17-4.1 Height. No building shall be erected to a height greater than 4 stories above grade or 48 feet, unless specifically approved by the Building Official.

17-4.2 Area, Width and Yard Regulations. See Table 17-4.

**Table 17-4
Civic Minimum Area, Width and Yard Regulations.**

Zone	Area	Width	Front Setback	Side Setback	Rear Setback
CV	None	30 feet	10 feet	10 feet	10 feet

17-4.3 Other Provisions. Any building or structure may be built on the side or rear property line upon approval from the Building Official as a fire proof structure (metal, block or cement).

CHAPTER 18. GENERAL COMMERCIAL ZONES

18-1 Purpose

To provide for a large range of commercial uses. A mix of uses is encouraged including shops, restaurants, offices, banking and hotels. Attractive and well-designed recreational vehicle parks may be allowed if they do not exceed the densities allowed by the general plan for these areas.

18-2 Permitted Uses

1. Single-family dwellings.
2. Accessory buildings and uses.
3. Accessory dwelling units.
4. Mixed-use buildings.
5. Accommodation & food services.
6. Finance & insurance.
7. Health care & social assistance.
8. Information.
9. Management companies & enterprises.
10. Professional, scientific & technical services.
11. Public administration.
12. Real estate, rental & leasing.
13. Retail trade.
14. Wholesale trade.

18-3 Conditional Uses

1. Any Commercial use abutting a Residential Zoning District.
2. Temporary commercial activities for special events.

18-4 Building Regulations

18-4.1 Height. No Commercial building shall be erected to a height greater than 4 stories above grade or 48 feet, unless specifically approved by the Building Official.

18-4.2 Area, Width and Yard Regulations. See Table 18-4.

Table 18-4
General Commercial Minimum Area, Width and Yard Regulations.

Zone	Area	Width	Front Setback	Side Setback	Rear Setback
GC	None	30 feet	10 feet	10 feet	10 feet

18-4.3 Other Provisions. Any Commercial building may be built on the side or rear property line upon approval from the Building Official as a fire proof structure (metal, block or cement).

CHAPTER 19. RESORT COMMERCIAL ZONES

19-1 Purpose

To provide for resort commercial development which could include a mixture of lodges, restaurants, retail businesses, bars and other commercial establishments in a predominantly pedestrian oriented setting.

19-2 Permitted Uses

1. Single-family dwellings.
2. Accessory buildings and uses.
3. Accessory dwelling units.
4. Mixed-use buildings.
5. Accommodation & food services.
6. Retail trade.

19-3 Conditional Uses

1. Any Commercial use abutting a Residential Zoning District.
2. Temporary commercial activities for special events.

19-4 Building Regulations

19-4.1 Height. No Commercial building shall be erected to a height greater than 4 stories above grade or 48 feet, unless specifically approved by the Building Official.

19-4.2 Area, Width and Yard Regulations. See Table 19-4.

**Table 19-4
Resort Commercial Minimum Area, Width and Yard Regulations.**

Zone	Area	Width	Front Setback	Side Setback	Rear Setback
RC	None	30 feet	10 feet	10 feet	10 feet

19-4.3 Other Provisions. Any Commercial building may be built on the side or rear property line upon approval from the Building Official as a fire proof structure (metal, block or cement).

CHAPTER 20. LIGHT INDUSTRIAL ZONES

20-1 Purpose

To provide space for indoor warehousing, indoor light manufacturing and fabrication. Major utility infrastructure should try to locate in industrial areas. Service and building trade industries which utilize heavy equipment are typical of these areas. Sites are to have attractive buildings, landscaping and parking. No outdoor storage or materials will be permitted without appropriate screening.

20-2 Permitted Uses

1. Manufacturing.
2. Mining, gravel pits.
3. Transportation & warehousing.
4. Utilities.

20-3 Conditional Uses

1. Any Industrial use abutting a Residential Zoning District.
2. Temporary commercial activities for special events.

20-4 Building Regulations

20-4.1 Height. No Industrial building shall be erected to a height greater than 4 stories above grade or 48 feet, unless specifically approved by the Building Official.

20-4.2 Area, Width and Yard Regulations. See Table 20-4.

**Table 20-4
Industrial Minimum Area, Width and Yard Regulations.**

Zone	Area	Width	Front Setback	Side Setback	Rear Setback
I	None	50 feet	10 feet	10 feet	10 feet

20-4.3 Other Provisions. Any Industrial building may be built on the side or rear property line upon approval from the Building Official as a fire proof structure (metal, block or cement).

CHAPTER 21. ADOPTION

Passed and adopted by the City Council of Bryce Canyon City, Utah, this 19th day of August, 2021.

Mayor, Bryce Canyon City

Shiloh Syrett

ATTEST:

Bryce Canyon City Clerk

Sydney Syrett-Lamas

APPENDICIES

APPENDIX A Bryce Canyon City Planning and Zoning Fee Schedule

APPENDIX B Bryce Canyon City Land Use Applications

APPENDIX A

Bryce Canyon City Planning and Zoning Fee Schedule

APPENDIX B

Bryce Canyon City Land Use Applications