

Mayfield Town
Ordinance 2018-19 -2

AN ORDINANCE OF MAYFIELD TOWN, UTAH AMENDING THE MAYFIELD TOWN ZONING ORDINANCE R-2-20,000 RESIDENTIAL ZONE SECTION 18.32.010,18-32-020, 18.32.030, 18,32.040,18.32.80,18.32.90, and R & C RESIDENTIAL AND COMMERCIAL ZONE SECTION 18.40.10,18.40.020, 18.40.030, 18.40.040 18.40.050, 18.40.060, 18.40.070,18.40.080 1818.40.90, AND TO EXTEND OUR RESIDENTIAL AND COMMERCIAL ZONE. ALSO TO AMEND CHAPTER 18.48. .270 H, 18.48.210 NO EARTH SHELTER HOME PROJECTS WILL BE ALLOWED IN MAYFIELD TOWN, AND TO ADD 18.48.290. PARKING REGULATIONS.

WHEREAS, in order to promote the health, safety, prosperity, peace order and comfort of the inhabitants of the Town, the governing body deems it necessary to make certain amendments to the Mayfield Town Zoning Ordinance.

WHEREAS, the Mayor and Town Council of the Town of Mayfield and the Mayfield Town Planning Commission have examined proposed amendments and have determined those proposals to be in the best interest of the town and the best interest of the citizens, inhabitants, owners, occupants or users of property with the Town; now therefore,

BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF MAYFIELD, SANPETE COUNTY, STATE OF UTAH.

Sections:

18.32.010	Legislative intent
18.32.020	Permitted uses
18.32.030	Conditional uses
18.32.040	Area and width requirements
18.32.050	Access requirements
18.32.060	Location requirements
18.32.070	Height of building
18.32.080	Utility requirements
18.32.090	Dwelling requirements

SECTION 1.

18.32.010 Legislative Intent

The R-2-20,000 residential zone covers the portion of the town which is primarily suited for residential development represented by one-family dwellings, limited agricultural activities and parks, playgrounds, schools, churches, and other community facilities designed to serve the residents of the Town. The zone is characterized by spacious lots, uncrowded buildings, and quiet residential conditions favorable to the rearing of children. Owners and developers of

property within this zone should bear in mind that privacy is given to residential development and maintain their properties in recognition thereof.

18:32.020 Permitted uses.

The following buildings, structures and uses of land shall be permitted upon compliance with the applicable requirements of this code:

- A One family conventional construction.
- B. One-family dwellings, manufactured housing, subject to the provisions of **MMC 18.48.230.**
- C. Customary residential accessory structures.
- D. Public agency parks and playgrounds.
- E. Churches.
- F. Household pet, but not including kennels.
- G. Minor utility transmission projects.
- H. Gardens, orchards, and field crops.
- I. Fences, walls, and hedges subject to the requirements of **MMC 18.48.140.**
- J. Temporary signs advertising the sale of the premises not exceeding 12 square feet.
- K. Foster care homes containing not more than three unrelated foster care occupants.

18.32.030 Conditional uses.

The following buildings, structures, and uses of land shall be permitted upon compliance with the applicable requirements of this code and after approval has been given by the designated review agency.

- A. Home occupations subject to the provisions **MMC 18-48-180** and prior approval by the planning commission.
- B. Public schools, buildings and grounds, not including storage yards, subject to the conditions of **MMC 18.48.190**
- C. The raising, care and keeping of limited numbers of animals and fowl for family food or recreation subject to the following:
 - 1. Each lot or parcel upon which livestock or fowl are to be kept shall contain a designated livestock management area as defined in this code.
 - 2. The total number of animals or fowl kept on any lot shall not exceed five(5) animal units. (see section 18-08-020 for the complete definition; briefly, an animal unit equals one horse, one cow, four sheep, four goats, twenty chickens, thirty rabbits.) 29,000 square feet shall be required for the first animal unit and a minimum of 20,000 square feet shall be required for each additional animal unit.
 - 3. On any lot which contains a dwelling, the livestock management area shall not include territory required to meet the area or setback requirements for an appurtenant dwelling (i.e., the first 10,00 square feet for a one-family dwelling).

4. All corrals and pens for the enclosure of livestock and all barns, stables, coops, sheds, hutches or similar building used for the housing or confinement of livestock or fowl **need to be located behind the frontal plane of the home.** Also, they shall be located not closer than seventy-five(75) feet to an existing dwelling or other occupied structure located on an adjacent lot or forty (4) feet to such dwelling or structure on the same lot. **Manure has to also be removed regularly and strictly managed to control offensive odors.**
5. Where the livestock management area includes a pasture, the fence forming the boundary of the pasture shall be located not less than the minimum side setback distance of the zone from any dwelling or occupied structure located on the same or any adjacent lot. This provision shall apply only as long as the enclosed area no longer functions as a pasture, the setback provisions of subsection (F) (4) of this section shall apply.
6. The parcel or any portion thereof proposed to be used for livestock raising purposes shall be first approved by the zoning administrator as a qualified livestock management area.
7. For animals other than bovine or equine, partial animal units shall be permitted, to be prorated in accordance with the amount of territory within the livestock management area.

G. Residential treatment centers.

18.32.040 Area and width requirements.

Them minimum area and width requirements for zoning lot shall be as follows:

Use	Minimum Area	Minimum Width (in ft.)
One-family dwellings	20,000sq. ft.	100
Churchs	2 acres	200
Schools	5 acres	200

18-32-050 Access requirements

Each lot shall abut upon and have direct access to a town street. The distance of said abutting side shall be not less than the minimum width requirement of the zone except that the length of said abutting side may be reduced to not less than 60 feet when the lot fronts upon a cul-de-sac or curve in a designated town street and the lot lines radiate in such a manner that the width of the lot will meet or exceed the minimum width requirements of the zone at a distance of 40 feet from the front setback line as measured along the side lot line.

18.28.060 Location requirements

A. Main Buildings. All dwellings and other main buildings and structures must be facing the Road and set back in accordance with the following:

1. Front Setback. All dwellings and other main buildings must face the road and shall be set back not less than twenty-five feet from the front lot line, provided that on lots approved in conformance with the provisions of 18.28.050, the front setback shall be the distance from the front lot line at which the minimum width requirements are met, but not less than 25 feet.
2. Side Setback
 - a. Interior lots. All dwellings and other main buildings including any attached carport, garage, or similar structure shall be set back not less than eight feet from either side lot line and the combined total distance of the two side setbacks shall be not less than 20 feet.
 - b. Corner Lots - Side abutting a Street. All dwellings and other main buildings shall be set back not less than 25 feet from the side lot line which abuts on a street
3. Rear Setback.
 - a. Interior Lots, All dwellings or other main buildings shall be set back not less Than 20 feet from the rear lot line.
 - b. Corner Lots. All dwellings and other main buildings shall be set back not less than 25 feet from the rear lot line, except that where a carport or garage is attached to the rear of the dwelling, the required rear setback for said carport or garage may be reduced to not less than 12 feet as measured from the rear lot line to the closest part of the building.

B. Accessory Buildings. All accessory buildings shall be located in accordance with the following:

1. Set back from main building - Front setback. Accessory buildings shall be set back not less than 12 feet to the rear of the closest rear wall of the main building, and not less than 12 feet from the closest side wall on the main building. Accessory buildings which are located 12 feet or closer to a main building shall be considered as part of the main building. Where no main building exists on a lot, a detached accessory building shall be set back not less than 75 feet from the front lot line.
2. Side Setback - Corner Lot, Side abutting a street accessory buildings shall be set back not less than 40 feet from the side lot line which abuts on a street.
3. Side and rear setback - interior lot line Accessory buildings shall be set back not less than five feet from the lot line, except that no minimum side setback shall be required when all the following conditions are met:
 - a. The accessory building is located more than 12 feet from an existing dwelling on the same or an adjacent lot;
 - b. The accessory building contains no openings on the side contiguous to the lot line;
 - c. No drainage from the roof will be discharged onto an adjacent lot;

- d. The accessory building shall be constructed of noncombustible materials or have fire-resistive walls rated at two hours or more; and
- e. The building will not be placed on land designated a utility easement upon which any underground utility system or lines shall have been constructed.

18.32.070 Height of building.

A. The maximum height of any building shall be 30 feet or two and one-half stories, whichever is higher. Where the ground is uneven in height, the average elevation thereof shall apply.

Chimneys, flag poles, television antennas, and similar ancillary structures not used for human occupancy shall be excluded in determining height; provided, that no such ancillary structure shall extend to a height in excess of 15 feet above the building except when approved by the planning commission as set forth under **MMC18.48.200**.

B. The minimum height of a building used as a dwelling shall be not less than eight feet.

18.32.080 Utility requirements.

All dwellings and other structures to be used for human occupancy shall be served by the town's water and sewer system in accordance with the provisions of **MMC18.48.260**.

18.32.090 Dwelling requirements.

- A. Area of Dwellings. The ground floor of any one-family dwelling shall contain not less than 850 square feet of living area.
- B. Minimum Dimension. The minimum width or length dimension of any dwelling as measured from the outside wall shall be not less than 24 feet. Non living spaces shall not include Garages, porches, and sheds shall not be included in determining compliance with this requirement.

R & C-1 RESIDENTIAL AND COMMERCIAL (MIXED USE) ZONE - Chapter of 18.40

18.40.010	Legislative intent
18.40.020	Permitted uses
18.40.030	Conditional uses
18.40.040	Area and width requirements
18.40.050	Access requirements
18.40.060	Location requirements
18.40.070	Height of building
18.40.080	Utility requirements
18.40.090	Minimum building size requirements
18.40.100	Special provisions.

18.40.010 Legislative intent.

It is the intent of this zone to provide a location within the Town allowing a mixture of residential and office, retail and service commercial activities under conditions not unfriendly to either residential living or the reasonable conduct of commerce.

The zone is to be applied from 2nd South to highway 137 towards Gunnison, Utah and to highway 137 towards Maint, Utah. Any commercial business must have access directly to the main road.

The zone is characterized by mixture of one family dwellings which can be interspersed with relatively small office buildings and retail and service/commercial structures in pleasant landscaped settings typical of low-density residential areas.

All parking within this zone is subject to minimum parking off street requirements is set according to policy outlined in **MMC 18.48.290**.

No portion of any front setback area shall be devoted to off-street parking for any commercial or mixed use. No off-street parking area which requires backing onto the street right-of-way in order to exit shall be permitted. All ingress and egress shall be by forward motion only.

Garbage services will be provided for the residential home, commercial garbage is the responsibility of the business.

Noise restrictions, delivery restrictions, and light restrictions may be put into effect. Any possible nuisance to the residential nature of the location may be a consideration for approval.

18.40.020 Permitted uses.

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this code:

- A. One-family dwellings, conventional construction.
- B. One family dwellings, manufactured housing, subject to the provisions of **MMC18.48.230**
- C. Customary residential accessory structures.
- D. Public agency parks and playgrounds
- E. Churches.
- F. Household pets not including kennels.
- G. Minor utility transmission projects.
- H. Gardens, orchards, and field crops.
- I. Privacy fences, walls and hedges subject to the requirements of **MMC 18.48.140**
As approved by Planning Commission.
- J. Temporary signs advertising the sale of the premises not exceeding 12 square feet.
- K. Foster care homes containing not more than 4 foster children in a single home with
Only a few exceptions that relate to sibling groups or previous placement according to
Utah Code 62A-2-116-.5.
- L. General retail stores and shops providing goods and services for sale at retail in the
Customary manner. Also, manufacturing and processing activities which are an integral
part of and incidental to a permitted retail establishment.
- M. Office buildings are permitted with a minimum size of 850 square feet.
- N. Commercial recreation enterprises including movie theaters, bowling alleys, recreation
Centers, athletic clubs, etc.
- O. Accessory signs in accordance with the provisions of **MMC 18.48.300**
- P. Preschools and day-care nurseries subject to approval of a site plan in accordance with
The provisions of **MMC 18.48.200.**
- Q. Long-term care center subject to approval of a site plan in accordance with the
Provisions of **MMC 18.48.200**

18.40.030 Conditional uses.

The following buildings, structures, and uses of land shall be permitted upon compliance with the applicable requirements of this code and after approval has been given by the designated review agency:

- A. Home occupations subject to the applicable provisions of **MMC 18.48.180** and prior
Approval by the planning commission.
- B. The raising, care and keeping of limited numbers of animals and fowl for family food or
Recreation subject to the following:

1. Each lot or parcel upon which livestock or fowl are to be kept shall obtain a designated livestock management area as defined in this code.
 2. The total number of animals or fowl kept on any lot shall not exceed five(5) animal units (See section 18.08.020 for the complete definition; briefly, an animal unit equals one horse, one cow, four sheep, four goats, twenty chickens, thirty rabbits.) 29,000 square feet shall be required for the first animal unity and a minimum of 20,000 square feet shall be required for each additional animal unit.
 3. On any lot which contains a dwelling, the livestock management areas shall not include territory required to meet the area or setback requirements for an appurtenant dwelling (the first 10,000 square feet for a one-family dwelling).
 4. All corrals and pens for the enclosure of livestock and all barns stables, coops, sheds hutches or similar buildings used for the housing or confinement of livestock or fowl need to be located behind the frontal plane of the home. Also they shall be located not closer than seventy-five (75) feet to an existing dwelling or other occupied structure located on an adjacent lot or forty (40) feet to such dwelling or structure on the same lot. Manure has to also be removed regularly and strictly managed to control offensive odors.
 5. Where the livestock management area includes it pasture, the fence forming the boundary of the pasture shall be located not less than the minimum side setback distance of the zone from any dwelling or occupied structure located on the same or any adjacent lot. This provision shall apply only as long as the enclosed area qualifies as a pasture. If at any time the enclosed area no longer functions as pasture, the set back provisions of subsection (C) (4) of this section shall apply.
 6. The parcel or any portion thereof proposed to be used for livestock raising purposes shall be first approved by the zoning administrator as a qualified livestock management area.
 7. For animals other than bovine or equine, partial animal units shall be permitted, to be prorated in accordance with the amount of territory within the livestock management area
- C. Combined residential and commercial projects (separate commercial and residential Structures located on the same parcel), subject to the approval of a site plan in accordance with the provisions of **MMC 18.48.200**.
1. Minimum lot requirement for a combined residential and commercial project will Set as $\frac{3}{4}$ acre.
- D. Recreation vehicle courts subject to the provisions of **MMC18.48.240**. And the approval of a site plan in accordance with the provisions of **MMC18.48.200**
- E. Residential facility for handicapped persons subject to the provisions of **MMC 18.48.270**
- G. Public schools, buildings, and grounds not including storage yards, subject in the conditions of **MMC18.48.190**.

18.40.040 Area and width requirements

- A. For churches, schools, general retail, office and commercial uses, there shall be

minimum lot area or width requirement that will be the same as the R-2-20,000 zone. The parcel shall have a width sufficient to provide reasonable and safe vehicular ingress and egress to the use and an area sufficient to accommodate the structure, landscape areas, minimum setback, required off street parking, lot requirements, loading and unloading, all as provided on the site plan provided in accordance with the provisions of MMC 18.48.200

Use	Minimum Area	Minimum width (in ft.)
One-family dwellings	20,000 sq. ft.	100
Churches	2 acres	200
Schools	5 acres	200

18.40.050 Access requirements.

- A. All dwellings and mixed uses structures shall conform to the access requirements of the R-2-20,000
- B. Each lot occupied by a retail business, office, or similar commercial use or a combined residential and commercial project shall abut upon and have direct access to a town street width of the abutting side shall be as shown on the approved site map.

18.40.060 Location requirements

All dwellings, retail, office and similar commercial structures shall conform to the side and front setback requirements of 30 feet and frontage requirement of 125 feet.

18.40.070 Height of building.

- A. The maximum height of any building shall be 35 feet or two and one-half stories, whichever is higher. Where the ground is uneven in height, the average elevation thereof shall apply. Chimneys, flag poles, television antennas, and similar ancillary structures not used for human occupancy shall be excluded in determining height; provided, that no such ancillary structure shall extend to a height in excess of 15 feet above the building except when approved by the Planning Commission as set forth under **MMC 18.48.200**.
- B. The minimum height of a building used as a dwelling shall be not less than twelve feet. see **MMC 18.48.210**.

18.40.080 Utility requirements.

All dwellings and other structures to be used for human occupancy shall be served by the town's water and sewer system in accordance with the provisions of **MMC 18.48.260**, except that in the instance of a commercial building not requiring water for non-culinary purposes. In the instance of combined residential and commercial projects the town will require separate connections and impact fees for the commercial and residential component.

18.40.090 Minimum building size requirements.

- A. Area of Dwellings The ground floor of any one-family dwelling shall contain not less than 850 feet square feet of living area.
- B. Minimum Dimension. The minimum width or length dimension of any dwelling as measured from the outside wall shall be not less than 24 feet. Non living spaces such as garages, porches, and sheds shall not be included in determining compliance with this requirement.
- C. Commercial Buildings restricted according to policy listed above.

18.40.100 Special provisions.

- A. Site Plan required for commercial structures to include proposed landscaping. All commercial, combined residential and commercial projects and mixed uses shall require the submission of an approval of a site plan as set forth under **MMC 18.48.200**. In addition to all other required elements, said site plan shall show the intended landscape and parking treatment of the front and side setback area and all other portions of the site proposed to be devoted to landscaping. Privacy fencing as mentioned above could apply.
- B. Conversion of Residential Structures to Commercial Use. Any proposal to convert an existing residential structure or portion thereof to commercial purposes shall require the submission and approval of a site plan by the planning commission in accordance with the provisions of **MMC 18.48.200**. Existing residential structures or portions thereof proposed to be occupied for commercial purposes shall first be made to conform to the applicable provisions of the building, mechanical, electrical, and plumbing codes for Commercial structures.
- C. Conversion of Commercial structures to Residential Use. No commercial structure shall be occupied as a residence without first having a site plan approved by the planning commission. Before granting approval of a site plan, the commission shall make a determination that the proposed structure conforms to all the provisions of the R-2-20,000 zone relating to residential structures, including but not limited to the setback,

landscaping and off-street parking provisions.

- D. Trash Storage. No trash, used materials, or wrecked or abandoned vehicles or equipment shall be stored. Containers for trash storage of size, type, and quantity needed for a particular business will be left up to the business owner to fulfill and make arrangements for with the approved sanitization company.

Chapter 18.48 - SUPPLEMENTARY REGULATIONS WITHIN ZONES

18.48.210 Earth shelter home project will not be allowed in Mayfield Town.

18.48.270 H - No person who is being treated for alcoholism, drug abuse, sex offenders, or is violent shall be housed in the structure. Placement in the structure shall not be part of or in lieu of confinement, rehabilitation, or treatment in a custodial or correctional institution.

18.48.290 - Table of Required Minimum Off- Street Parking

Use	Minimum off-street Parking Requirements
Single-Family Dwelling	2 Parking spaces
Automotive Self-Service Station	One (1) parking space for each three hundred (300) square feet of gross floor area plus two (2) spaces per each gasoline pump provided.
Bowling Alleys, skating rinks and similar recreational uses	2 spaces for every 1,000 square feet of floor area
Bank, Credit Union or other Financial Institution	One (1) space for each four hundred (400) Square feet of gross floor area.
Car Wash	One-half (0.5) spaces plus two (2) stacking spaces per each wash bay facility, excluding any spaces located in the wash bay/wah facility.
Church, auditoriums, assembly halls	One (1) space for each four(4) seats of maximum seating capacity.
Commercial Recreation (Outdoor) Commercial Recreation (indoor)	One (1) parking space for each three (3) persons, based on the maximum anticipated capacity of all facilities capable of simultaneous use as determined by the Land Use Authority,

Convenience Store	One(1) space for each three hundred fifty (350) square feet of gross floor area plus two (2) spaces per each gasoline pump provided.
Day Care Center/Assisted Care Center	One(1) space for each staff member plus one (1) space for each attendees/patients
Educational Facility	As required for application approval by the Land Use Authority, dependent on the type and nature of the educational facility.
Emergency Care Facility, Medical and Dental Clinic	Five (5) spaces per 1000 square feet of office space, plus 1 space for each employee per shift.
Golf Course, tennis courts and similar recreation areas	Determined by specific review by Planning Commission
Hospital	Three and one-half (3.5) spaces per 1000 square feet.
Hotel/Motel	One (1) space for each sleeping unit plus one (1) space for each employee on the regular shift.
Industrial and wholesale establishments. Planned commercial development (Industrial Park)	2 spaces for each 1,000 square feet of gross floor area. This shall not apply to buildings to be used exclusively for storage
Manufacturing, Major and Minor	One (1) space for each person employed during regular working hours, plus one (1) space for each company owned vehicle
Mortuary, Funeral Home	One (1) parking space for each four (4) fixed seats in the assembly area, plus one (1) per each commercial funeral vehicle.
Movie Theater	One (1) space for each four (4) seats of maximum seating capacity.
Nursing Home, Convalescent Care Center	One and one-half (1.5) spaces per 1000 square feet.
Personal Services	One (1) space for each person employed during regular working hours plus one (1) space for each four hundred (400) square feet of gross floor area.

Professional Offices, Contractor's Office	One (1) space for each four hundred (400) Square feet of gross floor area.
Public Uses and Utilities	As approved for Application approval by the Land Use Authority, dependent on the type and nature of the facility.
Seasonal Use	As approved by the Zoning Administrator with Seasonal Use Application approval, dependent on the type and nature of the use
Reception Hall, Reception Center	One (1) parking space for each four (4) fixed seats in the assembly area, or one (1) space for each two hundred (200) square feet of gross floor area, whichever is less.
Residential Facility for Elderly Persons	Two (2) spaces plus one (1) for each 2 employees during regular hours.
Residential Facility for Persons with Disability	One (1) for each four (4) residents plus one (1) each two (2) employees during regular hours.
Restaurant, bars, fast food or drive-inn	One (1) space for each four (4) seats or one (1) space for each one hundred (100) square feet of gross floor area, whichever is less.
Retail Sales and Services,	One (1) space for each two hundred (200) square feet of gross floor area
Intensive retail commercial shops selling directly to the public	3 spaces for each 1,000 square feet of floor area
Less intensive commercial businesses, such as furniture, appliance and lumber sales	1.5 spaces for each 1,000 square feet of floor area
Vehicle Sales (such as automobile dealerships, used car sales, recreational vehicle sales, etc.)	An ara equal to 10% of the display area
Temporary Use	As approved by the Zoning Administrator with Temporary Use Application approval, dependent on type and nature of the use.
Warehousing, major and minor	One (1) space for each one thousand (1000) square feet of gross warehousing floor area.
Wholesale Business	Employee parking, plus 10% of total employee stalls for visitor parking.

SECTION 2.

EFFECTIVE DATE: This ordinance shall become effective immediately upon publication or posting as set forth by State law

Dated this _____ day of _____, 2019

John Christensen,
Mayfield Town Mayor

ATTEST:

Catherine Bartholomew
Mayfield Town Mayor

CERTIFICATE OF POSTING

