

SUPPLEMENTARY PROPERTY DEVELOPMENT STANDARDS**Section 1701—Purpose:**

The purpose of supplementary property development standards is to further the purposes of the General Plan, this Ordinance, the City's other Land Use Ordinances, and insure compliance with the Act and all other Local, State, and Federal statutes. Supplementary property development standards address the use, location, construction, and operation of various uses and activities. Compliance with supplementary property development standards, as applicable, as well as all other requirements of this Ordinance, and all other Land Use Ordinances, and all other requirements is required.

Section 1702—Additional Height Allowed for Public Buildings:

For the following buildings a building height greater than the maximum building height, required by the Zoning District in which the building is located may be allowed, provided the building is set back from required setback lines a distance of one (1) foot for each additional foot of building height above the maximum height allowed in the Zoning District.

1. Public buildings.
2. Churches.

Section 1703—Accessory Buildings:

1. Accessory buildings and accessory uses shall only be authorized concurrently with, or subsequent to, the establishment of a primary building or primary use.
2. An accessory garage may be detached from the primary building.
3. An accessory garage that is attached to a primary building shall meet all requirements for the location of the primary building, including all setback requirements.
4. All garages and other accessory buildings located less than ten (10) feet to the side of a primary building shall be considered attached, and part of, the primary building

and shall meet all requirements for the location of the primary building, including all setback requirements.

5. An accessory garage that is detached from a primary building shall meet all requirements for the location of a detached accessory building, as provided by this Section.
6. All garages and other accessory buildings located six (6) feet or more behind the rear of the primary building may be located no less than three (3) feet from the side or rear property line(s) unless a one (1) hour fire wall is provided in which case the garage or accessory building may be located no less than one (1) foot from the side or rear property line(s).
7. No storm water runoff from any accessory building shall be allowed to run onto adjacent property.
8. Accessory buildings, located on corner lots, shall meet the required corner side yard setbacks, applicable in the Zoning District in which the accessory building is located.
9. Accessory buildings shall comply with the requirements of the adopted Building Codes, as applicable.
10. No mobile home, travel trailer, boat, or similar recreational vehicle shall be used as an accessory building.
11. No shipping container, cargo container, shipping crate, box, trailer, or similar moveable piece of equipment or object shall be used as an accessory building.
12. No utility connections or meters, separate from the primary building, shall be allowed for accessory buildings.
13. No accessory buildings shall be rented, leased, or sold separately from the rental, lease, or sale of the primary building.
14. No accessory building shall be used as a permanent dwelling unit.
15. Accessory buildings used for the housing of domestic livestock or fowl shall comply with the requirements of this Chapter.

Section 1704—Restrictions on the Height, Size, and Location of Garages and other Accessory Buildings Located in Residential Zones:

In an effort to avoid the appearance of commercial style buildings in all Residential Zoning Districts, and to protect the character and stability of all residential neighborhoods, the following requirements for garages and other accessory buildings located in all Residential Zoning Districts shall apply:

1. Maximum Height for Garages, Accessory Buildings and Related Walls.

1.1. The maximum height of all garages and other accessory buildings shall not exceed 22 feet and the maximum eave height of any wall there of shall not exceed 16 feet. For purposes of this provision, eave height shall mean the height of a wall at the point where it intersects with the structural components of the roof. *(Amended by Ordinance 2010-3 adopted November 16, 2010)*

2. Number of Garages.

2.1. A maximum of one (1) attached and one (1) detached garage may be allowed on each lot or parcel in association with an existing primary residential dwelling unit. All other structures, excluding the primary building and attached or detached garage, shall be considered accessory buildings.

3. Setback Requirement.

3.1. Any wall of a garage or accessory building having a height of 10 feet or more, shall be a minimum of 6 feet from the property line (or existing fence if closer). A minimum 3-foot setback from all property lines (or existing fences if closer) shall be required with respect to walls whose eave height is less than 10 feet. *(Amended by Ordinance 2010-3 adopted November 16, 2010)*

4. Size, Location, and Construction of Detached Garages and Other Accessory Buildings in Residential Zoning Districts. *(Amended by Ordinance 2010-3 adopted November 16, 2010)*

4.1. The cumulative total square footage of any detached garage and all other accessory buildings shall not be greater than twenty-five percent (25%) of the area of the rear yard.

4.2. No detached garage or other accessory buildings shall be located in any required front yard.

Section 1705—Small Accessory Buildings:

One (1) Small Accessory Building with a maximum height of eight (8) feet and a maximum size of less than one hundred twenty (120) square feet, and exempt from the requirements of the Building Code, as adopted, shall be permitted, provided such Small Accessory Building is located eight (8) feet or more away from the primary building, no less than three (3) feet from the side or rear property line(s), no portion of such Small Accessory Building is within one (1) foot of any property line, and no storm water runoff from the accessory building is allowed to run onto adjacent property. No storm water runoff from any small accessory building shall be allowed to run onto adjacent property.

Section 1706—Accessory Dwelling Units for an Owner or Employee:

1. An Accessory Dwelling Unit for an Owner or Employee shall not be rented, leased, or sold separately from the rental, lease, or sale of the primary dwelling unit located on the same lot or parcel.
2. A maximum of one (1) Accessory Dwelling Unit for an Owner or Employee may be established on each individual, separate lot or parcel, such lot or parcel meeting all requirements, including minimum lot size, for the Zoning District in which the lot or parcel is located.
3. The lot or parcel proposed for an Accessory Dwelling Unit for an Owner or Employee shall already have an existing primary dwelling unit provided, or approved, prior to the consideration of an application to allow an Accessory Dwelling Unit for an Owner or Employee.
4. The Accessory Dwelling Unit for an Owner or Employee shall meet the required setbacks for attached or detached accessory buildings and uses as required by the Zoning District.
5. An Accessory Dwelling Unit for an Owner or Employee shall be connected to, and served by, the same water, sewer, electrical, and gas meters that serve the primary building. No separate utility lines, connections, or meters shall be allowed for an Accessory Dwelling Unit for an Owner or Employee.
6. An Accessory Dwelling Unit for an Owner or Employee shall provide a minimum of two (2) off-street parking spaces, located as determined necessary and appropriate by the Land Use Authority, as applicable, for the Accessory Dwelling Unit for an Owner or Employee.
7. The construction of an Accessory Dwelling Unit for an Owner or Employee shall meet all requirements of the Building Codes, as adopted and applicable.
8. The architectural style, building materials and building colors of an Accessory Dwelling Unit for an Owner or Employee shall be found to be compatible and consistent with the architectural style, materials, and color of the primary building.
9. Mobile homes, travel trailers, boats, or similar recreational vehicles shall not be used as an Accessory Dwelling Unit for an Owner or Employee.
10. The Land Use Application approval for an Accessory Dwelling Unit for an Owner or Employee shall be received before a Building Permit is issued.
11. As a requirement to establish an Accessory Dwelling Unit for an Owner or Employee, the property owner shall record against the deed of the property, a deed

restriction, in a form approved by the City, running in favor of the City, which shall prohibit the rental, lease or sale of the Accessory Dwelling Unit for an Owner or Employee separately from the rental, lease or sale of the primary use or building. Proof that such deed restriction has been recorded shall be provided to the Zoning Administrator prior to the issuance of the Certificate of Occupancy for the Accessory Dwelling Unit for an Owner or Employee.

Section 1707—Bed and Breakfast Inn:

A Bed and Breakfast Inn shall be conducted only in a single-family dwelling and only by the owner of the dwelling that complies with the following requirements:

1. The single-family dwelling used as a Bed & Breakfast Inn shall meet all applicable requirements of this Ordinance, and all other Land Use Ordinances, Building Codes, and Health Codes, as applicable.
2. The maximum number of guest rooms provided shall not exceed three (3).
3. The City Fire Chief shall inspect the premises and provide a Fire Clearance that the dwelling and premises comply with all applicable Fire Codes, as adopted.
4. One (1) off street parking area for each guest room, in addition to the parking requirements for the single-family dwelling shall be provided.
5. No accessory structure, motor home, travel trailer, boat, or similar vehicle or facility shall be used as guest rooms.
6. Primary access to all guest rooms shall be provided through the main entrance of the dwelling.

Section 1708—Billboards:

1. The City shall only require the termination of a billboard and associated property rights through; (a) gift, (b) purchase, (c) agreement, (d) exchange; or (e) eminent domain.
2. The termination of a billboard under Subsection (1)(a), (b), (c), or (d) requires the voluntary consent of the billboard owner.

Section 1709—Acquisition of a Billboard by Eminent Domain -- Removal without providing Compensation -- Limit on allowing Nonconforming Billboards to be Rebuilt:

The City shall comply with all requirements of Section 10-9a-513 of the Act when a billboard is acquired by the City by eminent domain, or when the City requires the removal of a billboard without compensation, or when a billboard is determined to be a nonconforming use or noncomplying structure.

Section 1710—Child Care:

1. All Child Care facilities, including a “Child Care – Facility,” “Child Care – Hourly,” “Child Care – Licensed Family,” and “Child Care – Residential Certificate” shall comply with all licensure requirements of the State of Utah Department of Child and Family Services.
2. All Child Care facilities, including a “Child Care – Facility,” “Child Care – Hourly,” “Child Care – Licensed Family,” and “Child Care – Residential Certificate” shall be inspected and provide a “Fire Clearance” issued by the City Fire Marshall.
3. All Child Care facilities, including a “Child Care – Facility,” “Child Care – Hourly,” “Child Care – Licensed Family,” and “Child Care – Residential Certificate” shall maintain a valid business license as required by the business licensing requirements of the City, as applicable.

Section 1711—Church:

The establishment of any “Church” within the City shall comply with all requirements of the “Utah Religious Land Use Act”.

Section 1712—Domestic Livestock and Fowl:

(Amended by Ordinance 2010-7 adopted January 25, 2011)

The keeping of domestic livestock, limited to the domesticated horse (*Equus caballus*), domestic cattle (*Bos taurus* and *Bos indica*), and chickens, but excluding the keeping of sheep, goats, roosters, pigs, peacocks, guinea fowl, pigeons, emus and ostriches, shall be allowed subject to the following:

1. The keeping of domestic livestock and chickens may be allowed in the F-1, RR-5, and RR-1 Zoning Districts, subject to the provisions of this Section.
2. No domestic livestock or chickens shall be kept on any lot smaller than one (1) acre (43,560 square feet), except as may be provided by Subsection (5).

3. The number of chickens allowed in the F-1, RR-5, and RR-1 zones shall be limited to 25 chickens and no roosters.
4. The number of domestic livestock that may be kept on lots of one (1) acre (43,560 square feet) or larger shall be as follows;
 - 4.1. One (1) horse or one (1) cow may be kept with a minimum useable area, as defined herein, of thirty-five thousand (35,000) square feet and each additional animal kept shall require an additional nine thousand (9,000) square feet of useable area.
5. Existing or proposed lots located in the North Meadows Subdivision may keep animals on lots smaller than one (1) acre, as allowed by 4.1 above.
6. Residents who have kept domestic livestock on legal lots smaller than one (1) acre (43,560 square feet) and who have those animals legally on the effective date of this Ordinance shall not be in violation of this Ordinance. However, the number of animals being kept shall not be increased, and the nonconforming use shall be deemed to have ceased when the keeping of domestic animals has been discontinued for a minimum period of one (1) year.
7. No barn, stable, shelter, coop, pen, or other enclosed structure in which domestic livestock or fowl are housed shall be closer than fifty (50) feet to any residential structure located on the same lot or may not extend closer than one hundred (100) feet to any residential structure on adjacent properties.
8. The required minimum side yard and rear yard setbacks for the Zoning District in which a barn, stable, shelter, coop, pen, or other enclosed structure for the housing of animals shall be met, or twenty (20) foot side and rear yard setbacks shall be provided, whichever is greater.
9. All yards, barns, shelters, cages, areas, places, and premises where domestic livestock, animals, or fowl are kept shall be maintained in a clean and sanitary condition so that flies, dust, or odors do not disturb the health of any person or animal or create a nuisance to any adjoining property.
10. All pens, yards, shelters, cages, areas, and premises where animals are held or kept shall be maintained so that no flies, insects, or vermin, rodent harborage, odors, ponded water, the accumulation of manure, garbage or other noxious materials do not disturb health and safety of any person or animal.

Section 1713—Drive Through/Drive Up Facility:

A Drive Through or Drive Up Facility, proposed in association with a use allowed as either a Permitted P-1 Use, Permitted P-2 Use, Condition C-1 Use or Conditional C-2 Use shall comply with the following;

1. The Drive Through or Drive Up Facility shall not be located to be adjacent to any Residential Zoning District.
2. One (1) vehicle space located at the Drive Through or Drive Up Facility, plus a minimum of sixty (60) feet of stacking space to accommodate three (3) vehicles in the Drive Through or Drive Up Facility lane is required.

Section 1714—Home Occupations – Major:

The following regulations are established to provide minimum standards for the establishment and operation of Home Occupations (Major).

1. Home Occupations (Major) may be approved following the receipt of a Home Occupation (Major) Application, subject to the following conditions:
 - 1.1. The Home Occupation (Major) is identified as a use in the Residential Zoning District.
 - 1.2. The Home Occupation (Major) is conducted within an accessory structure that is clearly incidental and subordinate to the dwelling and is carried on by occupants of the dwelling, with a maximum of one (1) employee or assistant who does not reside in the dwelling located on the lot.
 - 1.3. The Home Occupation (Major) does not involve the use of any yard space for storage or activities outside of the accessory structure.
 - 1.4. The Home Occupation (Major) shall contain no facilities for the display of goods. Any sale of goods and services shall constitute a clearly incidental part of the Home Occupation (Major).
 - 1.5. No commercial vehicles are used except one delivery truck that does not exceed one (1) ton rated capacity.
 - 1.6. The Home Occupation (Major) is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the building from that of a dwelling or the character of the surrounding area.
 - 1.7. Signs are limited to one non-flashing, non-illuminated sign not larger in area than two (2) square feet, and shall be located in a window

- 1.8. The Home Occupation (Major) shall obtain, and maintain, a valid business license, as required by the business licensing requirements of the City.
 - 1.9. The Home Occupation (Major) shall not create any nuisance to adjacent properties or the surrounding area and shall not create any risks to the public health or safety.
 - 1.10. The physical appearance, traffic, and other activities in connection with the Home Occupation (Major) are not contrary to the intent of the Zoning District in which the Home Occupation (Major) is located.
2. In order to achieve the purposes of this Ordinance the Land Use Authority may impose reasonable conditions and requirements on the establishment and operation of the Home Occupation (Major).

Section 1715—Home Occupations – Minor:

The following regulations are established to provide minimum standards for the establishment and operation of Home Occupations (Minor).

1. Home Occupations (Minor) may be approved following the receipt of a Home Occupation (Minor) Application, subject to the following conditions:
 - 1.1. The Home Occupation (Minor) is identified as a use in the Residential Zoning District.
 - 1.2. The Home Occupation (Minor) is conducted entirely within a dwelling and is carried on only by occupants of the dwelling.
 - 1.3. Not more than twenty-five percent (25%) of the ground floor area of the dwelling is devoted to the Home Occupation (Minor).
 - 1.4. The Home Occupation (Minor) does not involve the use of any accessory buildings or yard space for storage or activities outside of the dwelling.
 - 1.5. The Home Occupation (Minor) shall contain no facilities for the display of goods. Any sale of goods and services shall constitute a clearly incidental part of the Home Occupation (Minor).
 - 1.6. No commercial vehicles are used.
 - 1.7. The Home Occupation (Minor) is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the building from that of a dwelling.

- 1.8. Signs are limited to one (1) non-flashing sign not larger in area than two (2) square feet, and shall be located in a window.
 - 1.9. The Home Occupation (Minor) shall obtain, and maintain, a valid business license, as required by the business licensing requirements of the City.
 - 1.10. The Home Occupation (Minor) shall not create any nuisance to adjacent properties or the surrounding area and shall not create any risks to the public health or safety.
 - 1.11. The physical appearance, traffic, and other activities in connection with the Home Occupation (Minor) are not contrary to the intent of the Zoning District in which the Home Occupation (Minor) is located.
2. In order to achieve the purposes of this Ordinance the Land Use Authority may impose reasonable conditions and requirements on the establishment and operation of the Home Occupation (Minor).

Section 1716—Household Pets:

The keeping of household pets for the company or pleasure of the owner shall comply with the following:

1. All household pets shall be kept in such a manner that they do not disturb the peace, comfort, or health of any person or animal.
2. Yards, shelters, cages, areas, places, and premises where they are kept shall be maintained so that flies or odors do not disturb the peace, comfort, or health of any person or animal.
3. No animal, fowl, reptiles, exotic animals, or domestic livestock or fowl as defined herein, shall be kept as a household pet.

Section 1717—Prohibited Animals:

No animals that are inherently or potentially dangerous and no animals of the Suidae family shall be kept on any lot or parcel located within the City.

Section 1718—Kennels:

All Kennels, including all Class A, Class B, Hobby, and Commercial Kennels shall comply with the following requirements:

1. Meet all State, County, and Local ordinances, as applicable.

2. All yard areas shall be kept so as to not disturb the health and safety of any person or animal.
3. All enclosed pens, shelters, cages, areas, and premises where animals are held or kept shall be soundproofed, so that noise is not discernable from the kennel to a level that would be considered a nuisance to adjoining properties.
4. All pens, yards, shelters, cages, areas, and premises where animals are held or kept shall be maintained so that no flies, insects, vermin, rodent harborage, odors, ponded water, the accumulation of manure, garbage or other noxious materials disturb the health and safety of any person or animal.
5. No pens, yards, shelters, cages, areas, and premises where animals are held or kept shall be closer than one hundred (100) feet from any residential structure located on adjacent lots.
6. The required side yard and rear yard setbacks for the zone in which the kennel is located shall be met or twenty (20) foot side and rear yard setbacks shall be provided, whichever is greater.

Section 1719—Requirements for Residential Facilities for Elderly Persons:

1. As provided by the Act, a “Residential Facility for Elderly Persons” may not operate as a business.
2. A Residential Facility for Elderly Persons shall:
 - 2.1. Be owned by one (1) of the residents or by an immediate family member of one of the residents or be a facility for which the title has been placed in trust for a resident;
 - 2.2. Be consistent with any existing, applicable land use ordinance affecting the desired location; and
 - 2.3. Be occupied on a twenty-four (24) hour-per-day basis by eight (8) or fewer elderly persons in a family-type arrangement.
 - 2.4. Meet all Building, Safety, Land Use, and Health Ordinances applicable to similar dwellings;
 - 2.5. Provide adequate off-street parking spaces;
3. The facility shall be capable of use as a residential facility for elderly persons without structural or landscaping alterations that would change the structure’s residential character;

4. No person being treated for alcoholism or drug abuse shall be placed in a residential facility for elderly persons; and
5. Placement in a residential facility for elderly persons is on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility.
6. A residential facility for elderly persons may not be considered a business because a fee is charged for food or for actual and necessary costs of operation and maintenance of the facility.
7. Reasonable Accommodations. The Land Use Authority, in reviewing an application to establish a Residential facility for Elderly Persons, may to the extent necessary, modify the requirements of this Section, if such modifications are necessary to make a reasonable accommodation to afford persons residing in such facilities equal opportunity in the use and enjoyment of the facility.
8. The City shall grant the requested permit to the facility if the facility is proposed outside of a zone regulated exclusively for single-family homes and shall otherwise comply with the Act and this Section.
9. The use granted by this section is nontransferable and terminates if the structure is devoted to a use other than a residential facility for elderly persons or if the structure fails to comply with the ordinances adopted under this section.

Section 1720—Requirements for Residences for Persons with a Disability:

As provided by the Act, no Residence for Persons with a Disability shall be approved and established unless:

1. It is proposed in a building that complies with all Land Use Ordinances and Building Codes, as adopted and applicable to similar structures in the same Zoning District.
2. The Residence for Persons with a Disability proposes no fundamental change in the character of the residential neighborhood.
3. Maximum Number of Occupants (Consumers and Staff). Any existing building or the plans for a building, proposed to be used as a Residence for Persons with a Disability shall be reviewed by the Building Official, considering the Categorical Standards for physical facilities, as established by the State of Utah Department of Human Services. Following this review the Building Official shall determine the maximum number of persons allowed to reside within the Facility, which shall not exceed six (6) occupants.

4. The responsibility to license programs or entities that operate facilities for persons with a disability, as well as to require and monitor the provision of adequate services to persons residing in those facilities, shall rest with:
 - 4.1. for programs or entities licensed or certified by the Department of Human Services, the Department of Human Services as provided in Title 62A, Chapter 5, Services to People with Disabilities; and
 - 4.2. for programs or entities licensed or certified by the Department of Health, the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act.
5. State of Utah License Required. At the time the Application to establish a Residence for Persons with a Disability is considered by the Land Use Authority, as applicable, or within forty-five (45) calendar days following approval by the Land Use Authority, the owner or provider shall provide to the Zoning Administrator evidence that the residence is licensed by the State of Utah Department of Human Services or the Utah Department of Health, as applicable for the type of facility being considered, or approved, by the City. Any approval of a Residence for Persons with a Disability shall be conditioned on the presentation of evidence that the facility is licensed, as required by this Section. Failure to provide such evidence shall automatically invalidate and terminate any existing or pending approvals.
6. Continued Compliance with the Licensure Requirements. The responsibility to license programs, or owners or providers that operate a Residence for Persons with a Disability, as well as require and monitor the provision of services to consumers residing in such facilities, rests with the State of Utah Department of Human Services or Utah Department of Health, as applicable. Failure to maintain continued compliance with the licensure requirements of the State of Utah shall automatically invalidate and terminate any existing or pending approvals.
7. Approval to Operate a Residence for Persons with a Disability is Non-transferable. An approval for a Residence for Persons with a Disability, as authorized by this Section, is nontransferable and shall only be valid to the owner or provider identified on the application authorizing the operation of the Facility, and as identified as the owner or provider as licensed by the State of Utah.
8. Reasonable Dispersion. No Residence for Persons with a Disability shall be approved that would be located closer than one-half ($\frac{1}{2}$) mile to an existing Residence for Persons with a Disability.
9. Reasonable Accommodations. The Land Use Authority, in reviewing an application to establish a Residence for Persons with a Disability, may to the extent necessary, modify the requirements of this Section, if such modifications are necessary to make a reasonable accommodation to afford persons residing in such facilities equal opportunity in the use and enjoyment of the facility.

Section 1721—Requirements for Residences for Persons with a Disability that are Substance Abuse Facilities and are Located within Five Hundred (500) Feet of a School:

1. All requirements applicable to a Residence for Persons with a Disability, as provided by Section 1720 shall apply.
2. In addition to the requirements for a Residence for Persons with a Disability, the following requirements shall apply to all Residences for Persons with a Disability that are substance abuse facilities and proposed within five hundred (500) feet of a school:
 - 2.1. In accordance with the rules established by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities, shall provide;
 - 2.2. A security plan satisfactory to the Richfield City Police Department.
 - 2.3. Twenty-four (24) hour supervision for residents; and
 - 2.4. Other twenty-four (24) hour security measures, as required by the Richfield City Police Department or the Utah Department of Human Services.

Section 1722—Metal Buildings Located in Nonresidential Zoning Districts:

All metal buildings located in the Commercial-Shopping (C-S), Commercial-General (C-G), Manufacturing and Distributing (M-D), or Industrial (M-G) Zoning Districts shall comply with the following requirements.

1. One hundred percent (100%) of all exterior street-facing walls shall be finished with brick, stone, block, stucco, glass, or a combination thereof. **Exception:** The front street-facing wall for buildings located in the M-D and M-G zones shall be finished at fifty percent (50%) and the second street-facing wall at twenty-five percent (25%). *(Amended by Ordinance 2012-5 adopted August 14, 2012.)*
2. All side walls shall have at least twenty-five percent (5%) of the same materials as street-facing walls. *(Amended by Ordinance 2012-5 adopted August 14, 2012.)*
3. The exterior treatment of all rear-facing walls shall be determined by the Land Use Authority, as applicable, taking into account the visibility of the building from adjacent uses and streets.
4. Metal or vinyl soffits and trims are permitted but do not count in the exterior wall treatment percentages required above.

Section 1723—Storage of Recreational Vehicles (Limited):

The location or storage of mobile homes, travel trailers, boats, camping trailers and truck campers, and other recreational vehicles and equipment owned by the property owner, may be parked subject to the following:

1. Recreational vehicles, including boats, travel trailers, motor homes, horse trailers, and similar vehicles kept in reasonable repair and operable condition, may be located in a detached or attached garage, or other accessory building, or parked in the rear yard or side yard and shall comply with the following: *(Amended by Ordinance 2012-1 adopted March 13, 2012)*
2. 1.1. Recreational vehicles shall meet all setbacks required for fences, walls or hedges as set forth in Section 1620. *(Amended by Ordinance 2012-1 adopted March 13, 2012)*
3. 1.2. Recreational vehicles shall be prohibited in the clear view area as defined in Section 1620, subsection 4. *(Amended by Ordinance 2012-1 adopted March 13, 2012)*
4. Recreational vehicles, including boats, travel trailers, motor homes, truck camper, and similar vehicles may be located in the front yard for the purposes of loading and unloading for a period not to exceed seventy two (72) hours.
5. A recreational vehicle may be occupied temporarily by family members or guests of the owner. However, no boat, trailer, motor home, travel trailer, or similar recreational vehicle shall be occupied for a period greater than seven (7) days.

Section 1724—Swimming Pool Enclosures:

1. All swimming pools, or other artificially created pools more than twenty four (24) inches deep and with a surface area of fifty (50) square feet of surface area, shall be surrounded by a protective fence.
2. The protective fence shall be no less than five (5) feet high for pools situated on property used for any dwelling.
3. The fence must be constructed of approved materials. The fence exterior shall be smooth (free of projections which would aid climbing) and shall have no opening which exceeds four (4) inches in horizontal dimension.
4. Gates shall be constructed of approved materials, and shall be self-closing, self-latching, and not over four (4) feet wide. Latching hardware shall be installed at a height of not less than fifty-two (52) inches.
5. Space adjacent to the exterior of the fence, which falls within the area described by a radius equal in length to the height of the enclosure, and centered at the top of the

enclosure fence, must be kept clear of all natural or man-made objects which could be used to gain access to the enclosure.

6. Outdoor Jacuzzi tubs, or other similar small pools, may be protected by a solid locking cover in lieu of a fence. In the absence of a solid locking cover, the requirements for a fence provided by this Section shall be observed.
7. Access to indoor pools shall be restricted by the surrounding structure in a manner that is at least as secure as provided for outdoor pools, as provided by this Section.

Section 1725—Wireless Telecommunications Site/Facility:

This Section is provided to establish development standards for wireless telecommunication facilities to promote compatibility with adjoining uses to the extent permitted by the Telecommunications Act of 1996, as amended.

1. **Scope.** The requirements of this Section shall apply to all wireless telecommunications facilities such as “cellular” or “PCS” (Personal Communications System) communications and paging systems. This Section shall not apply to radio antennas complying with the ruling of the Federal Communications Commission in “Amateur Radio Preemption, 101 FCC 2nd 952 (1985)” or a regulation related to amateur radio service adopted under 47 C.F.R Part 97.
2. **Facility Types.** The following types of wireless telecommunication facilities shall be governed by this Section:
 - 2.1. Stealth Design Antennas.
 - 2.2. Roof – Mounted Antennas.
 - 2.3. Wall – Mounted antennas.
 - 2.4. Monopoles – monopoles with antennas and antenna support.
3. **Prohibited Facility Types.** Unless a facility is a wireless telecommunication facility identified by Section 1717(2) above, all other types of facilities are hereby determined to be prohibited facilities within Richfield City, including the following facilities:
 - 3.1. Lattice Tower. A lattice tower shall be prohibited, unless otherwise required by to comply with applicable state or federal law.
 - 3.2. All other types of wireless telecommunication facilities not expressly provided for herein, unless otherwise required to comply with state or federal law.

4. **Other Laws.** The requirements of this Chapter shall not be construed to prohibit or limit other applicable provisions of this Ordinance or other laws, including pertinent regulations of the Federal Communications Commission and the Federal Aviation Administration.
5. **Existing Facility Plan Required.** When a carrier applies for an approval under this Section, the carrier shall submit a plan showing by location and type the carrier's existing and planned facilities within the City and within one (1) mile of the City's boundary.
6. **Screening.** Any associated mechanical or electrical equipment shall be completely screened from view, from public rights-of-way, on-site parking areas and adjacent properties, with a decorative screening fence, and/or landscaping.
7. **Location.** The proposed facility, including associated mechanical and electrical equipment, shall not be located within any public right-of-way.
8. **Compliance Required.** The proposed facility shall conform to the requirements of this Section and other applicable federal, state, or local laws, including pertinent regulations of the Federal Communications Commission and the Federal Aviation Administration.
9. **Permits Required.** Copies of required permits from pertinent federal and state agencies establishing compliance with applicable federal or state regulations shall be filed with the City as part of a Land Use Application required to authorize the proposed facility.
10. **Specific Requirements for Various Types of Allowed Antennas.**
 - 10.1. **Stealth Design Antennas.** The following provisions shall apply to all stealth-design antennas. The intent of this Section is to allow creativity in designing a proposed facility so that it will have essentially no visual impact.
 - 10.1.1. **Stealth designs may include, but are not limited to, the use of one (1) or more of the following:**
 - 10.1.1.1. Screening, structure, and/or antenna design which blend with the architecture of the existing structure upon which the antenna will be mounted.
 - 10.1.1.2. Screening, structure, antenna and/or location design which blend with and/or take advantage of existing vegetation and/or features of a site; and
 - 10.1.1.3. Color schemes that make the antenna less noticeable.

- 10.1.2. Any associated mechanical or electrical equipment shall be completely screened from view, from public rights-of-way, on-site parking areas and adjacent properties, with a decorative screening fence, and/or landscaping.
 - 10.1.3. The proposed facility, including associated mechanical and electrical equipment, shall not be located within any public right-of-way.
 - 10.1.4. The proposed facility shall conform to the requirements of this Section and other applicable federal, state, or local laws, including pertinent regulations of the Federal Communications Commission and the Federal Aviation Administration.
 - 10.1.5. Copies of required permits from pertinent federal and state agencies establishing compliance with applicable federal and state regulations shall be maintained on file with the City.
 - 10.1.6. The proposed facility shall conform to applicable development standards set forth in this Section.
 - 10.1.7. The Council shall have authority to determine whether a proposed roof-mounted or wall-mounted wireless telecommunications facility design will have essentially no visual impact and whether a proposed stealth design meets the intent of this Section.
- 10.2. Roof-Mounted Antennas. The following provisions shall apply to roof-mounted antennas.
- 10.2.1. Roof-mounted antennas may only be allowed if determined to be a stealth design as set forth in this Section.
 - 10.2.2. The maximum height of any roof-mounted antenna shall comply with the maximum building height allowed in the Zoning District in which the roof-mounted antenna is located.
 - 10.2.3. The maximum number of roof-mounted antennas shall be one (1) roof-mounted antenna per building or structure
- 10.3. Wall-Mounted Antennas. Wall-Mounted antennas may only be allowed if determined to be a stealth design as set forth in this Section. The following provisions shall apply to flush- and non-flush-mounted wall antennas.
- 10.3.1. Wall-mounted antennas shall not:
 - 10.3.1.1. Extend above the wall line of the building; and

- 10.3.1.2. Extend more than one (1) foot horizontally from the wall surface.
- 10.3.2. Wall-mounted antennas, equipment, and the supporting structure shall be painted to match the color of the building or structure or the background against which they are most commonly seen.
- 10.3.3. Antennas mounted directly on walls with no portion of the antenna extending above the wall line shall be considered wall-mounted antennas.
- 10.3.4. The maximum number of wall-mounted antennas shall be one (1) wall-mounted antenna per building or structure.
- 10.3.5. All wall-mounted antennas shall be approved stealth-design antennas as set forth in this section.
- 10.4. Monopoles, Monopoles with Antennas, and Antenna Support Structures. Monopoles with Antennas and Antenna Support Structures shall only be allowed if determined to be a stealth design as set forth in this Section. The following provisions shall apply to monopoles with antennas and antenna support structures.
 - 10.4.1. The maximum height of any monopole, including antennas and antenna support structures, shall comply with the maximum building height allowed in the Zoning District in which the monopole, including antennas and antenna support structures is located, measured from the natural grade at the base of the monopole to the highest point of the pole, antennas, or support structures.
 - 10.4.2. The location of a monopole, and its associated equipment and facilities, shall be as follows:
 - 10.4.2.1. All accessory equipment not located within an accessory building shall be completely screened from view by a decorative screening fence.
 - 10.4.2.2. All monopoles and associated equipment and facilities shall be a stealth-design, as provided by this Chapter. The Council shall have the authority and responsibility to determine whether a proposed monopole and its associated accessory equipment and facilities will have no visual impact.
 - 10.4.2.3. A monopole, and its associated equipment and facilities, shall comply with the minimum yard setback requirements of the Zoning District in which it is located. In addition, if located in a Residential or Agricultural zoning district, a minimum of four (4) feet for every

foot of pole height from the closest property line of any residential structure shall be provided.

10.4.2.4. A monopole shall not be located within one thousand (1,000) linear feet from another monopole.

10.4.2.5. All communication and power lines to or between any accessory building, accessory equipment, and antenna structures, shall be located underground.

11. Alternative Locations. In considering applications to locate wireless telecommunications facilities, the Council shall consider whether the location of the antenna on other existing structures in the same vicinity, such as other towers, buildings, utility poles, athletic field lights, parking lot lights, etc., is possible without significantly affecting antenna transmission or reception.

12. Non-Maintained and Abandoned Facilities—Letter Agreement. Prior to approval of an application for wireless telecommunication facility, the Applicant shall provide the Council a letter agreeing to the requirements of this Chapter. The letter agreement shall state that if technology renders the facility obsolete, the facility is not maintained, the facility is abandoned, or the facility is vacated, the carrier will provide the City with a copy of a "Notice to Abandon" to be filed with the Federal Communications Commission and will remove the facility.

13. If the Zoning Administrator determines that a facility is not maintained, is abandoned, or is vacated, the Zoning Administrator shall send the carrier a Notice of Non-Maintenance or Abandonment by certified mail. If a facility subject to the foregoing notice requirement has not been repaired, put into use, or removed within thirty (30) days of receipt of the notice, the Zoning Administrator shall send the carrier a certified Notice to Remove, which shall give the carrier thirty (30) days from the receipt of the notice to remove the facility. In the event a facility is not removed as required, the City may undertake legal proceedings to enforce removal as set forth in this Ordinance, or other applicable Ordinances of the City.

Section 1726—Regulation of Amateur Radio Antennas:

As required by the Act, the City may not enact or enforce an ordinance that does not comply with the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952 (1985)" or a regulation related to amateur radio service adopted under 47 C.F.R. Part 97.

1. If the City adopts an ordinance involving the placement, screening, or height of an amateur radio antenna based on health, safety, or aesthetic conditions, the ordinance shall:

- 1.1. Reasonably accommodate amateur radio communications; and
- 1.2. Represent the minimal practicable regulation to accomplish the City's purpose.

Section 1727—Manufactured Homes:

As required by the Act, and for the purposes of this Section, a manufactured home is the same as defined in Section 58-56-3, Utah Code Annotated, 1953, as amended, except that the manufactured home must be attached to a permanent foundation in accordance with plans providing for vertical loads, uplift, and lateral forces and frost protection in compliance with the applicable building code. All appendages, including carports, garages, storage buildings, additions, or alterations must be built in compliance with the applicable building code.

1. A manufactured home may not be excluded from any land use zone or area in which a single-family residence would be permitted, provided the manufactured home complies with all local land use ordinances, building codes, and any restrictive covenants, applicable to a single-family residence within that zone or area.
2. The City may not:
 - 2.1. adopt or enforce an ordinance or regulation that treats a proposed development that includes manufactured homes differently than one that does not include manufactured homes; or
 - 2.2. Reject a development plan because the development is expected to contain manufactured homes.