TOQUERVILLE CITY
ORDINANCE 2021.12

AN ORDINANCE OF THE CITY COUNCIL OF TOQUERVILLE, UTAH, AMENDING AND RESTATING SECTIONS 2 AND 3 OF ARTICLE A (AGRICULTURAL DISTRICTS), CHAPTER 9 (AGRICULTURAL ZONES) WITHIN TITLE 10 (LAND USE REGULATIONS) OF THE TOQUERVILLE CITY CODE MAKING THE PLACEMENT OF PUBLIC AND QUASI-PUBLIC USES FOR ESSENTIAL PUBLIC PURPOSES AND PUBLIC UTILITY USES PERMITTED USES WITHIN THE CITY'S AGRICULTURAL ZONE.

RECITALS

WHEREAS, Toquerville City ("City") is an incorporated municipality duly organized under the laws of the State of Utah;

WHEREAS, the City is authorized and required pursuant to Utah Code Annotated, Title 10, Chapter 9a, Section 501 to create and enforce regulations regarding the use of land within the City's municipal boundaries;

WHEREAS, pursuant to Utah Code Annotated, Title 10, Chapter 9a, Section 103 and Title 10, Chapter 3b, Section 301, the Toquerville City Council ("City Council") is designated as the governing body of the City and the primary Land Use Authority;

WHEREAS, currently the City has within its land use regulatory scheme a zoning district which allows primarily for agricultural uses and limited residences found in Title 10, Chapter 9, Article A of the Toquerville City Code ("Agricultural Zone").

WHEREAS, the City Council has determined that it is in the best interests of the health, safety and general welfare of the City to amend and restate Sections 2 and 3 of said Article A to clearly identify that Public and Quasi-Public uses (as those terms are defined in the Chapter 2 of Title 10) for essential Public services and Public Utility uses are permitted uses within the Agricultural Zone.

ORDINANCE

NOW THEREFORE BE IT HEREBY ORDAINED by the City Council of Toquerville City, Utah, as follows:

1.   AMENDMENT AND RESTATEMENT OF SECTION 2 & 3, ARTICLE A, CHAPTER 9, TITLE 10.   Sections 2 & 3, Article A, Chapter 9, Title 10 of the Toquerville City Code is hereby amended and restated in its entirety as follows:

10-9A-2: PERMITTED USES:

Agricultural buildings and uses as necessarily ancillary and related to agricultural operations.

Crop production.

Family food production.

Home occupations (with current home occupation permit).

Household pets, as limited by title 5, chapter 1, "Animal Control", of this Code.

Livestock, as permitted under section 5-1-4 of this Code.

One single-family dwelling.

Public or Quasi-Public building for essential public services.

Public utility uses.

10-9A-3: CONDITIONAL USES:

Commercial kennels.

Commercial livestock operations.

Commercial roadside stands for sale of produce grown and sold on premises.

Private cemeteries.

Residential facility for elderly persons.

Residential facility for persons with a disability. This use shall require a permit under section 10-17-2 of this title.

Riding stables.

Vertical storage silos.

Other uses, similar to the above and judged to be in harmony with the character and intent of the zone.

2.   REPEALER.   This Ordinance shall repeal and supersede all prior ordinances and resolutions governing the same.

3.   SAVINGS CLAUSE: If any provision or clause in this Ordinance or the application thereof to any person or entity or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses or applications hereof which can be implemented without the invalid provision, clause, or application hereof, and to this end the provisions and clauses of this Ordinance are declared to be severable.

4.   EFFECTIVE DATE. This Ordinance shall take effect immediately upon approval by the City Council.

PASSED AND APPROVED THIS 21st DAY OF JULY, 2021.

John 'Chuck' Williams	Aye ✓	Nay __	Absent/Abstain	_____
Keen Ellsworth	Aye __	Nay __	Absent/Abstain	✓
Justin Sip	Aye ✓	Nay __	Absent/Abstain	_____
Gary Chaves	Aye __	Nay __	Absent/Abstain	✓
Ty Bringhurst	Aye ✓	Nay __	Absent/Abstain	_____

TOQUERVILLE CITY
a Utah Municipal Corporation

_____
Councilman Ty Bringhurst

_____
7-21-21
Date

Attest:

_____
Ruth Evans, City Recorder

Toquerville City, Washington County
Corporate
SEAL
* UTAH *