

**CHAPTER 7**  
**ZONE DISTRICTS AND STANDARDS**

**SUBCHAPTER 7.1      ZONING DISTRICTS**

**7.1-1      ZONING DISTRICTS ESTABLISHED**

The Fountain Green City Council, upon recommendation by the Planning Commission, shall have the authority to divide Fountain Green City into zoning districts.

Within each of these districts, the Fountain Green City Council, upon recommendation by the Planning Commission, may regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings and structures, and the use of land.

The Fountain Green City Council shall ensure that the regulations are uniform for each class or kind of buildings throughout each district, but the regulations in one district may differ from those in other districts.

The designated zoning districts within Fountain Green City are: Residential - Agriculture (RA); Business - Commercial (BC); Public Facilities (PF); and Sensitive Lands (SL).

---

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

---

### SUBCHAPTER 7.2 RESIDENTIAL AGRICULTURE (RA) ZONE

- 7.2-1 PURPOSE
- 7.2-2 USE TABLE
- 7.2-3 DEVELOPMENT STANDARDS
- 7.2-4 FENCING
- 7.2-5 PERFORMANCE STANDARDS
- 7.2-6 PARKING
- 7.2-7 CONDITIONAL USE STANDARDS OF REVIEW
- 7.2-8 SIGNS
- 7.2-9 RELATED PROVISIONS

#### 7.2-1 PURPOSE

This zone is intended to allow the keeping of a limited number of farm animals, poultry, and small animals in conjunction with single-family dwellings to an extent consistent with, and in proportion to, the amount of land area provided for this purpose.

**CHAPTER 7 ZONE DISTRICTS AND STANDARDS**

**7.2-2 USE TABLE**

If a use is not specifically designated then it is prohibited.

Table 7.2-2 USES

Type	Allowed	Conditional Use	Business License or Home Occupation
Accessory Structure, unoccupied	√		
Accessory Structure, animals or poultry	√		
Agriculture	√		
Bed and Breakfast		√	√
<u>Child Care for Business</u> Center: 8 children or less Facility: 9 children or more		√	√
Single Family Dwelling/Residence	√		√
Farm Animals/Livestock	√		
Fence, Agriculture	√		
Fence, Electric	√		
<u>Group Home</u> Assisted Living Facility Elderly People with Disabilities Youth		√ √ √ √	√ √ √ √
Home Occupation		√	√
Household Pets	√		
Manufactured Home	√		
Modular Home	√		
Pet Boarding, Breeding, Training, &/or Grooming		√	√
Pet Kennels, Commercial		√	√
Pet Kennels, Private	√		
Preschool		√	√
Public/Rights of Way	√		
Public Utility Stations		√	
RV Occupancy	√	√	
Schools, Private-Quasi Public		√	√
Seasonal Commercial Use	√		
Solar Panels		√	
Subdivisions	√		

CHAPTER 7 ZONE DISTRICTS AND STANDARDS

7.2-3 DEVELOPMENT STANDARDS

Table 7.2-3a MINIMUM LOT AND DEVELOPMENT STANDARDS

Lot	Area	Lot Frontage	Depth	Setbacks	Height
Single Family Dwelling	0.455 acre 19,820 ft <sup>2</sup>	90 ft	100 ft	<u>Front: 25 ft Rear: 25 ft Side: 12 ft</u> unless property fronts on a city street right-of-way where it remains 25ft.	28 ft max
Accessory Building	See above.	90 ft	100 ft	<p>Auxiliary buildings (sheds) must be situated no closer to the front street right-of-way than at the back edge of the residence. Back edges of corner lot homes will be directly to the rear of the designated frontage for each residence. Auxiliary building side and rear setbacks between the back edge of the house to the property midpoints are also 12 feet from property lines not bounding a street right-of-way where they remain 25 feet.</p> <p>Fire lanes require 12 feet between any unattached structures.</p> <p>There are 2-foot setbacks for auxiliary buildings behind property midpoints. The roofs of these buildings must be such that snow and rain drain onto the building owner's property.</p> <p>Fire lanes must be 12 feet between buildings on adjoining properties.</p> <p>Auxiliary buildings that house animals (barns, animal sheds, and kennels, etc) must be placed behind property midpoints.</p> <p>Lots larger than one acre will use the same midpoints as a square one-acre lot.</p>	28 ft max
Public Utility Stations	0.455 acre or pre-existing smaller lot	90 ft	100 ft	<u>Front: 25' Rear: 25' Side: 12'</u> unless property fronts on a city street right-of-way where it remains 25'	50 ft

- A. Erection of only one principal structure, which is the residence on the lot.
- B. Lot Coverage. All buildings, including accessory buildings and structures, shall cover not more than forty (40%) percent of the area of the lot or parcel of land.

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

- C. Access. All structures shall be on a lot adjacent to a public street or with access to an approved private street, and shall be so located on lots as to provide safe and convenient access for fire protection.
- D. If the building site is in the FEMA Special Flood Plain, FEMA mitigation requirements must be met in addition to Sensitive Land conditional use requirements.
- E. Limitations on the Keeping and Maintenance of Animals and Fowl. See Fountain Green City Animal Control Ordinance Chapter 13-20-0-00 and the following requirements.
  - 1. Large, animal operations in the Fountain Green City and its buffer zone that are subject to Region 8 Federal CAFO (confined animal feeding operations) regulations which direct animal waste management to control water pollution, should comply with such regulations. While dust, animal manure, odor, noise and other factors are part and parcel with agricultural activities, viable commercial enterprises can reasonably be expected to control animal wastes, disease, flies, rodents and other pests.
  - 2. Smaller, animal operations in Fountain Green City and its buffer zone not under CAFO regulations are expected to use good husbandry practices to control animal wastes, water pollution, disease, flies, rodents and other pests, and nuisances (animals leaving property). In order to accomplish this, smaller operations will be subject to animal unit (AU) limits. Animal unit limits will not apply to transient farming operations of less than 90 days duration for such things as lambing, layover in transport to winter or summer pasture range, etc. A description of animal units is given in the table below.

Table 7.2-3b ANIMAL UNITS (AUs) DEFINED

Animal type	AUs	Relative AUs
Horses, mulés, donkeys, zebras (Equines)	1	1 horse
Beef cattle, dairy cows (Bovines)	1	1 cow
Hogs and pigs or swine (Porcines)	0.5	2 pigs
Sheep (Ovines), Goats (Caprines), Llamas (Camelids)	0.2	5 sheep
Turkeys, Geese and Ducks	0.04	25 turkeys
Chickens and Rabbits	0.01	100 chickens

Other animals not listed in this table will have AUs determined by the Planning Commission on a case by case basis.

Immature offspring of animals will be assigned 1/2 the AU value of an adult. For equines and bovines, offspring up to two years of age will be 0.5 AU. For porcines, offspring up to one year old will be 0.25 AU. For ovines, caprines and camelids, offspring up to one year old will be 0.1 AU. For poultry and rabbits, offspring up to six months of age will be one-half of the adult AU. For turkeys, geese and ducks this will be 0.02 AU and for chickens and rabbits, 0.005 AU.

Animal units will be assigned to property incrementally based on one AU per 6,000 square feet of land uncovered by any building. Half of an AU can be awarded for 3,000 square feet of land uncovered by any building for lots greater than 0.5 acre. See the following table.

CHAPTER 7 ZONE DISTRICTS AND STANDARDS

Table 7.2-3c NUMBER OF ANIMAL UNITS (AUs) BY LOT SIZE AND UNCOVERED SQUARE FOOTAGE

Acreage	Uncovered square footage calculations		AUs	Acreage	Uncovered square footage calculations		AUs
0.25	10,890 -6,000 4,890	6,000 sq ft ÷ 6,000 sq ft/AU = 1 AU	1	1.50	65,340 -63,000 2,340	63,000 sq ft ÷ 6,000 sq ft/AU = 10.5 AU	10.5
0.33	14,375 -12,000 2,375	12,000 sq ft ÷ 6,000 sq ft/AU = 2 AU	2	1.67	72,745 -69,000 3,745	69,000 sq ft ÷ 6,000 sq ft/AU = 11.5 AU	11.5
0.50	21,780 -18,000 3,780	18,000 sq ft ÷ 6,000 sq ft/AU = 3 AU	3	2.0	87,120 -84,000 3,120	84,000 sq ft ÷ 6,000 sq ft/AU = 14 AU	14
0.67	29,185 -27,000 2,185	27,000sq ft ÷ 6,000 sq ft/AU = 4.5 AU	4.5	2.5	108,900 -104,000 4,900	104,000 sq ft÷ 6,000 sqft/AU = 17 AU	17
0.75	32,670 -30,000 2,670	30,000 sq ft ÷ 6,000 sq ft/AU = 5 AU	5	3.0	130,680 -127,000 3,680	127,000 sq ft÷ 6,000 sq ft/AU = 21 AU	21
1.0	43,560 -39,000 4,560	39,000 sq ft ÷ 6,000 sq ft/AU = 6.5 AU	6.5	3.5	152,460 -148,000 4,460	148,000 sq ft÷ 6,000 sq ft/AU = 24.5 AU	24.5
1.25	54,450 -51,000 3,450	51,000 sq ft ÷ 6,000 sq ft/AU = 8.5 AU	8.5	4.0	174,240 -172,000 2,240	172,000 sq ft÷ 6,000 sq ft/AU = 28.5 AU	28.5
1.33	56,605 -54,000 2,605	54,000 sq ft ÷ 6,000 sq ft/AU = 9 AU	9	4.2 1 city block	182,952 -180,000 2,952	180,000 sq ft÷ 6,000 sq ft/AU = 30 AU	30

If a mix of animals are present on a given property, their individual AUs are totaled and should be less than or equal to the AUs limits given in the above table.

If additional AUs are desired for a given property, then conditional use permits may be granted with appropriate conditions (USDA, Utah State Extension Service or other legitimate animal husbandry recommendations) to control for additional animal wastes, water pollution, disease susceptibility, pests and nuisance problems, etc.

If complaints arise which are found to have merit, it will be the burden of landowner/land user to show proof of compliance with the above AU directive or conditional use permit as well as demonstrate reasonable efforts to control animal wastes, water pollution, disease, flies, rodents and other pests, and nuisances.

3. The keeping, as pets, of wild, exotic, or dangerous animals, poultry, or creatures capable of transmitting disease or inflicting harm shall not be permitted within the corporate limits of Fountain Green City. "Wild, exotic, or dangerous" means any animal which is not commonly domesticated in the State of Utah, or which is not native to North America (excepting some species of birds, such as parrots and tropical fish), or which, irrespective of geographic origin, is of a wild or predatory nature, or any other animal which, because of its size, growth propensity, vicious nature or other characteristics, would constitute an unreasonable danger to human life, health or property, including hybrids, and animals which, as a result of their

---

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

---

natural or wild condition, cannot be vaccinated effectively for such things as rabies and distemper. Those animals shall include, but are not limited to:

- a) Alligators and crocodiles;
  - b) All bears, including grizzly bears, brown bears, and black bears;
  - c) Birds of prey (except for those licensed for falconry or hawking);
  - d) All non-domesticated cats, including cheetahs, cougars, bobcats, leopards, lions,
  - e) lynx, panthers, mountain lions, tigers and wildcats;
  - f) All non-domesticated dogs, including wolf, part wolf, fox, part fox, coyote, part
  - g) coyote, dingo and part dingo;
  - h) Porcupines;
  - i) All subhuman primates (such as monkeys, chimpanzees, apes, gibbons,
  - j) orangutans, lemurs, etc.)
  - k) All raccoons, including eastern raccoons and ring-tailed cats;
  - l) Skunks (unless domesticated and surgically altered to eliminate scent glands);
  - m) Venomous snakes or lizards;
  - n) 11. All weasels, martins, wolverines, badgers, otters, ermine, mink and mongoose.
4. Pets shall, at all times, be properly sheltered and restrained upon any approved lot or parcel of land.
  5. Any commercial or agricultural enterprise utilizing any animals in subsection C above or other animals that might be considered as belonging to subsection C by the Planning Commission will require a conditional use permit.
- F. Public Utility Stations. In any residential zone, public utility stations shall meet the following requirements:
1. Each station shall be the primary structure located on a lot not less than 2,000 square feet in area.
  2. Each station shall be located on a lot that has adequate access from a street, alley, or easement.
  3. Each station shall be provided with setbacks on each of the four sides of the structure not less than five feet in width, except that for such stations located on lots fronting on a street and abutted by one or more residential lots, the front, side, and rear setbacks should equal those required for a single family residence in the same zone.

**CHAPTER 7 ZONE DISTRICTS AND STANDARDS**

**7.2-4 FENCING**

Table 7.2-4 FENCING

Clear Vision Restriction	Setbacks	Height	Wildlife/Large Animal	Electric	Corner Lot
50 ft	Front, or any street corner or driveway entrance: 25'	Max 3 ½' for non-agriculture use	not permitted	not permitted	permitted
		Max 6' for agriculture use	permitted	permitted	permitted

- A. FENCES. Fences in residential areas shall comply with the following:
1. Solid fences within the 50-foot sight lines of street intersections and driveways shall be less than or equal to 3 ½' feet in height.
  2. Solid fences outside of the 50-foot sight lines may be up to six feet in height.
  3. Hedges and shrubs will be considered to be the same as solid fences.
  4. Trees within the 50-foot sight lines shall be pruned so that the branches are no lower than 7 ½' to maintain clear vision along sight lines. Shrubs and hedges shall be less than or equal to 3 ½' feet in height.
  5. Netted, chain link, or other agricultural fencing that provides clear vision within the 50-foot sight lines can be more than 3 ½' feet in height.

**7.2-5 PERFORMANCE STANDARDS**

The operation of any use permitted in this district is subject to the following standards of performance:

- A. Nuisances. All uses must be operated so that all practical means are used to confine any noise, odor, dust, smoke, vibration or other similar feature to the premises upon which they are located.
- B. Lighting. Any light used to illuminate signs, parking areas, or for any other purpose shall be so arranged as to confine direct light beams to the lighted property by appropriate directional hooding.



**CHAPTER 7 ZONE DISTRICTS AND STANDARDS**

**7.2-6 PARKING**

Each off-street parking space is to be a minimum of 9 ft by 18 ft.

7.2-6 PARKING TABLE

Uses	Parking Requirement
Bed and Breakfast	1 space per on-duty employee and 1 space for each room rented
Child Care Facility/Center	1 space per on-duty employee and 1 space for pick up and drop off per 6 children
Dwelling, Single Family	2 spaces per residential dwelling on the same lot or parcel
Group Home	1 space per 2 bedrooms plus 1 space per employee per shift, and visiting spaces as determined by conditional use permit.
Preschool, Private and Quasi Public Schools	Determined by conditional use permit.
Preschool, Private and Quasi Public Schools and Public Utility Stations	Determined by conditional use permit.

**7.2-7 CONDITIONAL USE STANDARDS OF REVIEW**

The City shall not issue a conditional use permit unless the Planning Commission concludes that the application fully mitigates all identified adverse impacts and complies with the following general standards applicable to all conditional uses, as well as the specific standards for the use.

- A. GENERAL REVIEW CRITERIA: An applicant for a conditional use in the zone must demonstrate:
1. The application complies with all applicable provisions of this chapter, state and federal law;
  2. The structures associated with the use are compatible with surrounding structures in terms of use, scale, and traffic circulation;
  3. The use is not detrimental to the public health, safety and welfare;
  4. The use is consistent with the Fountain Green City General Plan;
  5. Traffic conditions are not adversely affected by the proposed use including the existence or need for dedicated turn lanes, pedestrian access, and capacity of the existing streets;
  6. There is sufficient utility capacity;
  7. There is sufficient emergency vehicle access;
  8. The location and design of off-street parking as well as compliance with off-street parking standards;
  9. A plan for fencing, screening, and landscaping to separate the use from adjoining uses and mitigate the potential for conflict in uses;
  10. That exterior lighting complies with the lighting standards of the zone; and

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

11. That within and adjoining the site, impacts on the aquifer, slope retention, and flood potential have been fully mitigated and are appropriate to the topography of the site.
- B. SPECIFIC REVIEW CRITERIA FOR CERTAIN CONDITIONAL USES. In addition to the foregoing, the Planning Commission must evaluate the applicant's compliance with each of the following criteria when considering whether to approve, deny or conditionally approve an application for each of the following conditional uses:
1. Pet Boarding, Breeding, Training, and Grooming.
    - a) Half acre or larger lot required. A limited and reasonable number of adult dogs or adult cats, together with their offspring up to three months of age or similar numbers of other small pets, may be maintained per half-acre (0.5) parcel or lot. See Fountain Green City Animal Control Ordinance Chapter 13-20-0-00.
    - b) One acre or larger lot required. Boarding, breeding, training and grooming of horses or other large animals may be permitted on one-acre parcel or lot.
    - c) Compliance with State and County Board of Health Regulations. No provision herein shall be construed as authorizing the keeping of an animal or animals, or poultry, in violation of Sanpete County or Utah State Division of Health regulations; or keeping of an animal or animals or poultry, capable of inflicting harm, or endangering the health and safety of any person, or despoiling the environment (air quality, and surface or well waters) of any property or adjoining property.
  2. Child Care Facility/Center. Each application for a childcare facility, center or home occupation must include and comply with:
    - a) Proof of application for state childcare license (if state childcare license denied, conditional use permit will also be denied);
    - b) Compliance with state, federal and local law;
    - c) A design that does not include a front yard playground;
    - d) Parking and traffic plan that adequately mitigates the adverse impacts of increased traffic in the neighborhood (if a facility or center);
    - e) Childcare providers as a home occupation may not exceed six children, 12 years of age or younger, including the provider's own children at any given time;
    - f) Childcare providers as a home occupation may not provide services for more than two infants under the age of two at any given time.
  3. Seasonal Commercial Uses. Includes uses such as Farmers' Markets where produce or other items are sold for less than 4 months during the year.
    - a) The seasonal commercial use must comply with setback and clear vision area requirements of this ordinance and with applicable building and applicable fire codes.
    - b) Adequate parking is provided to serve the commercial use that does not create parking shortage for other existing uses on site or adjoining properties.

---

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

---

- c) The use does not cause noise, light, or other nuisances which adversely impacts surrounding property uses.
4. Home Occupation. The intent of Fountain Green City is to encourage a majority of business activities to be conducted in the Business and Commercial Zone. However, business activities may be conducted within or immediately adjacent to a residence on a limited basis if such activities comply with the following criteria:
- a) All home occupations should be secondary and incidental to the residential use.
  - b) The Home Occupation shall be conducted wholly within the residential lot.
  - c) Is limited to the on-site employment of family members.
  - d) The Home Occupation shall not alter the residential character or appearance of the dwelling or neighborhood; shall be conducted wholly within the residence or approved structure on the premises and shall not occupy any area within the garage, unless the garage still functions for parking, or two off-street parking spaces for residential use are still available.
  - e) Commodities may be sold. However, it is the intent that such sales be limited to items produced on the premises, or items that are incidental to the service provided.
  - f) Shall not generate business-related vehicular traffic in excess of 16 vehicles per day.
  - g) Shall not include identifying signage in excess of a six square-foot nameplate, attached to the dwelling.
  - h) Shall be enclosed within a structure in complete conformity with international building codes.
  - i) Shall not cause a demand for municipal services in excess of that associated with normal residential use.
  - j) Home Occupation Permits shall be valid for one year and may be renewed annually provided there have been no substantiated violations, unresolved complaints, or detrimental characteristics which may, in the judgment of the Planning Commission, require termination of said Permit as approved by Fountain Green City;
  - k) Mortuary, animal hospital, clinic, hospital, RV service, junkyard, auto or ATV/motorcycle repair service, or adult-oriented business, medical, dental and related health professional offices are specifically excluded as home occupations due to health and sanitation risks from the disposal of waste materials and other deleterious effects on residential quality of the neighborhood.
  - l) The activities of the occupation shall not involve the unreasonable use of combustible or toxic material, which would pose an increased hazard to the area, nor shall the activities produce noise or smoke, glare, odor, dust, flashing light or similar conditions that would decrease the residential quality of the neighborhood.
5. RV Occupancy. Occupancy of any recreational vehicle is by conditional use or short-term visitation only.

**CHAPTER 7 ZONE DISTRICTS AND STANDARDS**

- a) Occupancy of a recreational vehicle shall not be permitted in Fountain Green City except in an approved RV Park or temporarily on private residential property for visitation purposes not to exceed 30 days in any 90 day period.
- b) Occupancy of a recreational vehicle while building a house may be requested through a conditional use permit for a period of one year.
- c) No RV occupancy allowed on City street rights-of-way.
- d) No RV occupancy in the line of sight triangles at street intersections.

**7.2-8 SIGNS**

If a sign type is not specifically designated below, then it is prohibited.

Table 7.2-8 SIGNS

Sign type	Allowed	Conditional	Max. Area	Max. Height	General Restrictions
Construction	√		32 sq ft	8 ft	Installation height 8 ft maximum.
Name Plate	√		6 sq ft	2 ft	
Real Estate	√		9 sq ft	3 ft	
				Illumination: 24 hour continuous illumination of signs is prohibited in this zone.	

**7.2-9 RELATED PROVISIONS**

- Licensing – See City Ordinances.
- Chapter 2 Definitions
- Chapter 3 Administration and Enforcement
- Chapter 6 Annexation
- Chapter 8 Nonconforming Uses and Noncomplying Structures
- Chapter 9 Group Homes
- Chapter 10 Subdivisions
- Chapter 11 General Design Standards for Fountain Green City

---

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

---

### SUBCHAPTER 7.3 BUSINESS COMMERCIAL (BC) ZONE

- 7.3-1 PURPOSE
- 7.3-2 USE TABLE
- 7.3-3 DEVELOPMENT STANDARDS
- 7.3-4 PROJECT AND PLOT PLAN APPROVAL
- 7.3-5 FENCING
- 7.3-6 PERFORMANCE STANDARDS
- 7.3-7 PARKING
- 7.3-8 CONDITIONAL USE STANDARDS OF REVIEW
- 7.3-9 SIGNS
- 7.3-10 RELATED PROVISIONS

#### 7.3-1 PURPOSE

This zone is established to provide land within Fountain Green City primarily for the accommodation of business and commercial uses. Land parcels in this zone are, and should be, adjacent, contiguous, or proximate to major arterial roadways within Fountain Green City and to existing commercial areas. Provisions herein are intended to encourage greater integrity and aesthetic improvements as business and commercial areas are redeveloped, expanded, and improved. Integrated and coordinated building design, landscaping, parking, ingress, and signing are encouraged through the use of project plan approval procedures.

#### 7.3-2 USE TABLE

If a use is not specifically designated then it is prohibited. Permitted uses characteristic of this zone include a wide range of professional buildings, light industry or manufacturing, retail and service stores, restaurants and shops. Residential homes are permitted. Mobile dwelling and recreational vehicle (RV) parks shall be considered as conditional uses under the provisions of Chapter 7 of this Ordinance.

CHAPTER 7 ZONE DISTRICTS AND STANDARDS

Table 7.3-2 USES

Type	Allowed	Conditional Use	Business License
Accessory Structure, unoccupied	√		
Accessory Structure, animals or poultry	√*		
Adult-oriented Businesses			
Bed and Breakfast		√	√
Child Care for Business		√	√
Center: 8 children or less	√		
Facility: 9 children or more	√		√
Civic Club			√
Single Family Dwelling/Residence	√		√
Farm Animals/Livestock	√		
Fence, Agriculture	√		
Fence, Electric	√		
Group Home			
Assisted Living Facility			
Elderly		√	√
People with Disabilities		√	√
Youth		√	√
Health Care Center	√		√
Home Occupation for residential dwelling only		√	√
Household Pets	√		
Intermittent Commercial Use			
Light Manufacturing	√	√	√
Manufactured Home	√		√
Mobile Home Park			
Modular Home	√	√	√
Office, Business	√		
Office, Government	√		√
Pet Boarding, Breeding, Training, &/or Grooming		√	√
Pet Kennel, Commercial		√	√
Pet Kennel, Private	√		
Pre-School	√		
Professional Buildings	√		
Public Services	√		√
Public-Rights of Way	√		
Public Utility Stations			
Recreational Vehicle Park		√	
Repair Shops, Gasoline Stations, Auto Dealerships and Autobody Shops	√	√	√
Retail and Service Stores <u>except</u> Adult-oriented Businesses	√		√
Restaurants and Shops	√		√
RV Occupancy		√	
Solar Panels		√	
Seasonal Commercial Use	√		

**CHAPTER 7 ZONE DISTRICTS AND STANDARDS**

Storage Units		√	√
Subdivisions, Commercial	√		√
Subdivisions, Residential	√		√
Swimming Pool		√	

\*Animals and poultry are subject to the animal units and other regulations concerning the keeping of animals found in Chapter 7.2 Residential-Agriculture Zone Standards.

**7.3-3 DEVELOPMENT STANDARDS**

Table 7.3-3 MINIMUM LOT AND DEVELOPMENT STANDARDS

Lot	Area	Lot Frontage	Depth	Setbacks	Height
Business or Business-residential Combined	No minimum lot area requirements except as may be dictated by off-street parking requirements, adequate circulation and appropriate site utilization.	35 ft	100 ft	<u>Front:</u> 0 ft from Center Street to 100 South on State Street, and 25 ft for the rest of the BC zone. Rear and side setbacks, access and parking areas shall be dictated by off-street parking requirements.	28 ft max
Residential Dwelling only Single Family	Minimum lot size is 0.455 acre.	90 ft	100 ft	<u>Front and Rear Setbacks:</u> 25 ft <u>Side setbacks:</u> 12 ft unless property fronts on a city street right-of-way where it remains 25 ft.	28 ft max

CHAPTER 7 ZONE DISTRICTS AND STANDARDS

Lot	Area	Lot Frontage	Depth	Setbacks	Height
Accessory Building on a Residential Lot	See above.		100 ft	<p>Auxiliary buildings (sheds) must be situated no closer to the front street right-of-way than at the back edge of the residence. Back edges of corner lot homes will be directly to the rear of the designated frontage for each residence. Auxiliary building side and rear setbacks between the back edge of the house to the property midpoints are also 12 feet from property lines not bounding a street right-of-way where they remain 25 feet.</p> <p>Fire lanes require 12 feet between any unattached structures.</p> <p>There are 2-foot setbacks for auxiliary buildings behind property midpoints. The roofs of these buildings must be such that snow and rain drain onto the building owner's property.</p> <p>Fire lanes must be 12 feet between buildings on adjoining properties.</p> <p>Auxiliary buildings that house animals (barns, animal sheds, and kennels, etc) must be placed behind property midpoints.</p> <p>Lots larger than one acre will use the same midpoints as a square one-acre lot.</p>	28 ft max
Public Utility Stations		90 ft	100 ft	<p><u>Front:</u> 25 ft <u>Rear:</u> 25 ft <u>Side:</u> 12 ft unless property fronts on a city street right-of-way where it remains 25 ft</p>	50 ft

1. Erection of more than one principal structure on the lot shall not be permitted.
2. LOT COVERAGE. Except for residential-only dwellings, there shall be no minimum lot area requirements in the BC zone except as may be dictated by off-street parking requirements (See Chapter 7.3-7 Parking.) adequate circulation, and appropriate site utilization.
3. ACCESS. All structures shall be on a lot adjacent to a public street or with access to an approved private right-of-way.



## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

4. If the building site is in the FEMA Special Flood Plain, FEMA mitigation requirements must be met in addition to Sensitive Land conditional use requirements.
5. PUBLIC UTILITY STATIONS. In any residential zone public utility stations shall meet the following requirements:
  - a) Each station shall be the primary structure located on a lot not less than 2,000 square feet in area.
  - b) Each station shall be located on a lot that has adequate access from a street, alley, or easement.
  - c) Each station shall be provided with a yard on each of the four sides of the building or structures not less than five feet in width, except that for such stations located on lots fronting on a street and abutted by one or more residential lots, the front, side, and rear setbacks should equal those required for a single family residence in the same zone.

### 7.3-4 PROJECT AND PLOT PLAN APPROVAL

Prior to the construction of any building or structure in this zone, a project and plot plan shall first be submitted to and approved by the Fountain Green City Planning Commission and, thereafter, by the City Council.

- A. If the building site is in the FEMA Special Flood Plain, FEMA mitigation requirements must be met in addition to Sensitive Land conditional use requirements.
- B. Said plan shall be drawn to scale and certified by a licensed engineer or surveyor and shall contain the following information:
  1. The location of all existing and proposed buildings and structures on the site, with full dimensions showing distances between buildings and distances from buildings to adjacent property lines;
  2. The location of all parking spaces, driveways, loading and dock areas, and points of vehicular ingress and egress;
  3. A landscaping plan showing the location, types, and initial sizes of all planting materials to be used together with the location of fences, walls, and hedges;
  4. Signs, and decorative materials;
  5. Preliminary elevations of all buildings showing the general appearance and type of external materials; and
  6. No wall, fence, or opaque hedge or screening material higher than four feet shall be installed or maintained within a required front yard in a BC zone. A chain link fence or decorative masonry wall at least six feet in height shall be erected along all property lines which lie adjacent to a Residential Agriculture Zone.

### 7.3-5 FENCING

A sight-obscuring fence or decorative masonry wall at least six feet in height shall be erected along all property lines which lie adjacent to a Residential Agricultural Zone.

**CHAPTER 7 ZONE DISTRICTS AND STANDARDS**

Table 7.3-5 FENCING

Clear Vision Restriction	Setbacks	Height	Wildlife/Large Animal	Electric	Corner Lot
50 ft	any street corner	Max 3 ½ ft for non-agriculture use	not permitted	not permitted	permitted
		Max 6 ft for agriculture use	permitted	permitted	permitted

Consider the condition of an 8-ft high fence around a swimming pool.

**7.3-6 PERFORMANCE STANDARDS**

The operation of any use permitted in this district is subject to the following standards of performance:

- A. Nuisances. All uses must be operated so that all practical means are used to confine any noise, odor, dust, smoke, vibration or other similar feature to the premises upon which they are located.
- B. Lighting. Any light used to illuminate signs, parking areas, or for any other purpose shall be so arranged as to confine direct light beams to the lighted property by appropriate directional hooding.

**7.3-7 PARKING**

Each off-street parking space is to be a minimum of 9 ft by 18 ft.

Table 7.3-7 PARKING

Uses	Parking Requirement
Bed and Breakfast	1 space per on-duty employee and 1 space for each room rented
Child Care Facility/Center	1 space per on-duty employee and 1 space for pick up and drop off per 6 children
Dwelling, Single Family	2 spaces per residential dwelling on the same lot or parcel (average 167 sq ft per space)
Group Home	1 space per 2 bedrooms plus 1 space per employee per shift, and visitor parking spaces as determined by conditional use permit.
Health Care Center	5 spaces per 1,000 square feet and 1 space for each on-duty employee
Office, Business, Government	3 spaces per 1,000 square feet and 1 space for each on-duty employee
Office, Professional	3 spaces per 1,000 square feet and 1 space for each on-duty employee
Public Services and Public Utility	3 spaces per 1,000 square feet and 1 space for each on-duty employee
Retail Sales Establishment and all other permitted uses	5 spaces per 1,000 square feet and 1 space for each on-duty employee

---

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

---

### 7.3-8 CONDITIONAL USE STANDARDS OF REVIEW

The City shall not issue a conditional use permit unless the Planning Commission concludes that the application fully mitigates all identified adverse impacts and complies with the following general standards applicable to all conditional uses, as well as the specific standards for the use.

- A. **GENERAL REVIEW CRITERIA:** An applicant for a conditional use in the zone must demonstrate:
1. The application complies with all applicable provisions of this chapter, state and federal law;
  2. The structures associated with the use are compatible with surrounding structures in terms of use, scale, mass and circulation;
  3. The use is not detrimental to the public health, safety and welfare;
  4. The use is consistent with the Fountain Green City General Plan as amended;
  5. Traffic conditions are not adversely affected by the proposed use including the existence or need for dedicated turn lanes, pedestrian access, and capacity of the existing streets;
  6. There is sufficient utility capacity;
  7. There is sufficient emergency vehicle access;
  8. The location and design of off-street parking as well as compliance with off-street parking standards;
  9. A plan for fencing, screening, and landscaping to separate the use from adjoining uses and mitigate the potential for conflict in uses;
  10. That exterior lighting complies with the lighting standards of the zone;
  11. That within and adjoining the site, impacts on the aquifer, slope retention, and flood potential have been fully mitigated and are appropriate to the topography of the site.
- B. **SPECIFIC REVIEW CRITERIA FOR CERTAIN CONDITIONAL USES.** In addition to the foregoing, the Planning Commission must evaluate the applicant's compliance with each of the following criteria when considering whether to approve, deny or conditionally approve an application for each of the following conditional uses:
1. **Pet Boarding, Breeding, Training, and Grooming.**
    - a) Half acre or larger lot required. A limited and reasonable number of adult dogs or adult cats, together with their offspring up to three months of age or similar numbers of other small pets, may be maintained per half-acre (0.5) parcel or lot. See Fountain Green City Animal Control Ordinance Chapter 13-20-0-00.
    - b) One acre or larger lot required. Boarding, breeding, training and grooming of horses or other large animals may be permitted on one-acre parcel or lot.
    - c) Compliance with State and County Board of Health Regulations. No provision herein shall be construed as authorizing the keeping of an animal or animals, or poultry, in violation of Sanpete County or Utah State Division of Health regulations; or keeping of an animal or animals or poultry, capable

---

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

---

of inflicting harm, or endangering the health and safety of any person, or despoiling the environment (air quality, and surface or well waters) of any property or adjoining property.

2. Mobile Dwelling Parks. A Mobile Dwelling Park shall be:
  - a) Located on a minimum of 4.12 acres;
  - b) Subject to State Board of Health requirements (density no greater than 6 units per acre);
  - c) Subject to the site plan and development standards required in this zone;
  - d) Sewer impact fees will be determined based on maximum occupancy; and
  - e) Water usage requirements will determine the number of irrigation water shares to be tendered to Fountain Green City.
3. Each manufactured dwelling unit shall meet contemporary electrical, plumbing, structural, and appearance standards before being located within an approved mobile dwelling park.
4. Manufactured or modular units, new or used, which are damaged; are altered or modified at the discretion of an owner; which contain aluminum branch circuit wiring; or which fail to meet minimum code requirements, shall not be located in an existing or new mobile dwelling park in Fountain Green City.

### C. RECREATIONAL VEHICLE PARKS (RVP) STANDARDS AND REQUIREMENTS.

1. The property upon which an RVP is approved shall be and remain in one ownership;
2. An RVP shall be located on a minimum of 2 acres and a maximum of 4.12 acres;
3. The RVP shall contain not more than an average of 18 recreational vehicles per acre;
4. Only one recreational vehicle shall be placed on each designated space.
5. An RVP shall comply with:
  - a) all plat, plot plan, and site development requirements of this zone; and
  - b) the Code of Camp, Trailer Court, Hotel, Motel, and Resort Sanitation Regulations of the Utah State Division of Health;
6. Any spaces in an RVP shall not:
  - a) be used by any one vehicle for a period greater than 30 days;
  - b) be used by any specific vehicle for a period of 30 days where that vehicle had been in residence in the RVP within the previous 30 days; or
  - c) be used by any individual or family for a permanent residence.
7. Occupancy of a recreational vehicle shall not be permitted in Fountain Green City except in an approved RVP or temporarily on private residential property for visitation purposes not to exceed 30 days in any 90 day period;
8. Sewer impact fees will be determined based on maximum occupancy; and

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

9. Water usage requirements will determine the number of irrigation water shares to be tendered to Fountain Green City.
- D. Child Care Facility/Center. Each application for a childcare facility, center or home occupation must include and comply with:
1. Proof of application for state childcare license;
  2. Compliance with state, federal and local law;
  3. A design that does not include a front yard playground;
  4. Parking and traffic plan that adequately mitigates the adverse impacts of increased traffic in the neighborhood (if a facility or center);
  5. Childcare providers as a home occupation may not exceed six children, 12 years or age or younger, including the provider's own children at any given time;
  6. Childcare providers as a home occupation may not provide services for more than two infants under the age of two at any given time.
- E. Intermittent Commercial Uses. The occasional use of dwellings, community buildings, private clubs, lodges, social or recreational establishments and/or their accessory buildings for commercial purposes may be allowed upon receiving a conditional use permit and provided the provisions of this section are complied with.
- The following standards shall apply to all intermittent commercial uses in addition to any conditions the Planning Commission deems necessary and desirable to protect the public health, safety and general welfare.
1. The display and sales of merchandise should be contained primarily within a building;
  2. The building proposed for the intermittent commercial use must comply with setback and clear vision area requirements of this ordinance and with applicable building and fire codes;
  3. A business license from the City is required to conduct an intermittent commercial use;
  4. Adequate parking is provided to serve the commercial use that does not create a parking shortage for other existing uses on site, or adjoining properties; and
  5. The use does not cause noise, light, or other nuisances which adversely impacts surrounding property uses.
- F. Seasonal Commercial Use. These uses are commercial activities that meet for less than 4 months during the year, such as Farmers Markets.
1. The seasonal commercial use must comply with setback and clear vision area requirements of this ordinance and with applicable fire codes;
  2. Adequate parking is provided to serve the commercial use that does not create a parking shortage for other existing uses on site, or adjoining properties; and
  3. The use does not cause noise, light, or other nuisances which adversely impact surrounding property uses.
- G. Home Occupation in Residential-only Dwellings. The intent of Fountain Green City is to encourage a majority of business activities to be conducted in the Business and Commercial Zone. However, business activities may be conducted within or

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

immediately adjacent to a residence on a limited basis if such activities comply with the following criteria:

1. All home occupations should be secondary and incidental to the residential use;
  2. The Home Occupation shall be conducted wholly within the residence or approved structure on the premises and shall not include outdoor storage, outdoor display of merchandise, nor parking/storage of vehicle in excess of 12,000 lbs gross vehicle weight. Only one vehicle may be used in association with the Home Occupation and shall be stored on the premises;
  3. Is limited to the on-site employment of family members;
  4. The Home Occupation shall not alter the residential character or appearance of the dwelling or neighborhood; shall be conducted wholly within the residence or approved structure on the premises and shall not occupy any area within the garage, unless the garage still functions for parking, or two off-street parking spaces for residential use are still available;
  5. Commodities may be sold. However, it is the intent that such sales be limited to items produced on the premises, or items that are incidental to the service provided;
  6. Shall not generate business-related vehicular traffic in excess of 16 vehicles per day;
  7. Shall not include identifying signage in excess of a six square-foot nameplate, attached to the dwelling;
  8. Shall be enclosed within a structure in complete conformity with international building codes;
  9. Shall not cause a demand for municipal services in excess of that associated with normal residential use;
  10. Home Occupation Permits shall be valid for one year and may be renewed annually provided there have been no substantiated violations, unresolved complaints, or detrimental characteristics which may, in the judgment of the Planning Commission, require termination of said Permit as approved by Fountain Green City;
  11. Mortuary, animal hospital, clinic, hospital, RV service, junkyard, auto or ATV/motorcycle repair service, or adult-oriented business, medical, dental and related health professional offices are specifically excluded as home occupations due to health and sanitation risks from the disposal of waste materials and other deleterious effects on residential quality of the neighborhood; and
  12. The activities of the home occupation shall not involve the unreasonable use of combustible or toxic material, which would pose an increased hazard to the area, nor shall the activities produce noise or smoke, glare, odor, dust, flashing light or similar conditions that would decrease the residential quality of the neighborhood.
- H. Adult-oriented Businesses. An application for the above use may be approved upon a finding that the proposed use complies with all of the following standards:
1. The on-site activities of said use cannot be within 1,000 feet of schools, churches, and public facilities;

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

2. No outside storage nor public display of erotic and/or prurient materials visible to passers-by is permitted;
3. The activities of the adult-oriented business shall not involve the unreasonable use of combustible or toxic material, which would pose an increased hazard to the area, nor shall the activities produce noise or smoke, glare, odor, dust, flashing light or similar conditions that would decrease the quality and property values of the business-commercial zone;
4. Signage shall be limited to one attached, non-illuminated identification sign, not larger than two square feet in surface area, which does not specify the goods or services provided by the business use, shall be permitted;
5. A site plan drawn to scale showing the location of the structure, its relationship to dwellings on the same and adjacent properties within 1,000 feet, and provisions for safe vehicular access and adequate off-street parking shall be submitted with the application; and
6. A public hearing before the Planning Commission is required for each application unless a signed affidavit in support of the adult-oriented business being proposed is provided to the City from each property owner within 1,000 feet.

### 7.3-9 SIGNS

- A. Business or commercial signs must be visible from the traveled portion of the streets within the designated Business-Commercial Zone. These signs must be located on the site of the commercial or business enterprise where there is at least one principal building for that business or commercial enterprise.
- B. If a sign type is not specifically designated below, then it is prohibited.

Table 7.3-9 SIGNS

Sign type	Allowed	Conditional	Max. Area	Max. Height	General Restrictions
Banner Sign	√		48 sq ft	3 ft	Installation height and location to be reviewed by the Planning Commission for safety and visibility. Maximum height allowed is 28 ft. One sign only.
Construction	√		32 sq ft	8 ft	Installation height 8 ft maximum. One sign only.
Flat or Wall Sign	√		none	none	Low intensity light fixtures only. No neon lights permitted. More than two signs will require a conditional use permit.
Monument Sign	√		48 sq ft	8 ft	Two signs per business. Low intensity light fixtures only. No neon lights permitted. Installation height to be reviewed by the Planning Commission for safety and visibility. Maximum height allowed is 28 ft.

**CHAPTER 7 ZONE DISTRICTS AND STANDARDS**

Name Plate	√		6 sq ft	2 ft	One sign per business.
Real Estate	√		9 sq ft	3 ft	One sign per lot.

**7.3-10 RELATED PROVISIONS**

Licensing – See City Ordinances.

Chapter 2 Definitions

Chapter 3 Administration and Enforcement

Chapter 6 Annexation

Chapter 8 Nonconforming Uses and Noncomplying Structures

Chapter 9 Group Homes

Chapter 10 Subdivisions

Chapter 11 General Design Standards for Fountain Green City



---

CHAPTER 7 ZONE DISTRICTS AND STANDARDS

---

**SUBCHAPTER 7.4 PUBLIC FACILITIES (PF) ZONE**

- 7.4-1 PURPOSE
- 7.4-2 USE TABLE
- 7.4-3 DEVELOPMENT STANDARDS
- 7.4-4 PROJECT AND PLOT PLAN APPROVAL
- 7.4-5 FENCING
- 7.4-6 PERFORMANCE STANDARDS
- 7.4-7 CONDITIONAL USE STANDARDS OF REVIEW
- 7.4-8 SIGNS
- 7.4-9 RELATED PROVISIONS

**7.4-1 PURPOSE**

This zone provides recognition of the location and establishment of facilities which are maintained in public and quasi-public ownership and which may utilize relatively large areas of land. Permitted uses in this zone include churches, public buildings, utility stations, parks, schools, and city shops and equipment storage areas.

**7.4-2 USE TABLE**

If a use is not specifically designated then it is prohibited.

Table 7.4.2 USES

Type	Allowed	Administrative Conditional Use	Conditional Use	Business License
Church	√			
Municipal Buildings	√			
Parks	√			
Public Buildings	√			
Public Rights-of- Way	√			
Temporary Use		√		
Utility Station			√	√

**CHAPTER 7 ZONE DISTRICTS AND STANDARDS**

**7.4-3 DEVELOPMENT STANDARDS**

Table 7.4-3 MINIMUM LOT AND DEVELOPMENT STANDARDS

Lot	Area	Lot Frontage	Depth	Setbacks	Height
Public Facilities	0.455 acre	90 ft	100 ft	<u>Front:</u> 25 ft <u>Rear:</u> 25 ft <u>Side:</u> 12 ft unless property fronts on a city street right-of-way where it remains 25 ft.	28 ft max
Public Utilities	0.455 acre or pre-existing smaller lot	90 ft	100 ft	<u>Front:</u> 25 ft <u>Rear:</u> 25 ft <u>Side:</u> 12 ft unless property fronts on a city street right-of-way where it remains 25 ft.	50 ft max
Utility Stations	0.455 acre or pre-existing smaller lot	90 ft	100 ft	<u>Front:</u> 25 ft <u>Rear:</u> 25 ft <u>Side:</u> 12 ft unless property fronts on a city street right-of-way where it remains 25 ft.	50 ft max
Accessory Structures	0.455 acre	90 ft	100 ft	<u>Front:</u> 25 ft <u>Rear:</u> 25 ft <u>Side:</u> 12 ft unless property fronts on a city street right-of-way where it remains 25 ft.	28 ft max

**A. PARKING.**

1. Adequate off-street parking will be determined after consideration of use and access by the Planning Commission. Setbacks and frontages should match the surrounding buildings and zones.
  2. The parking area shall be paved with asphalt, concrete, or improved with gravel and shall be maintained so as to eliminate dust or mud, and shall be graded and drained to dispose of surface water.
  3. All structures which are required by provisions of the International Building Code to have adaptations, which assist access by persons with disabilities, shall provide off-street parking persons with disabilities. Parking spaces for persons with disabilities shall be designed, set aside, and identified with signs for use by individuals with physical disabilities.
- B. Access. All structures shall be on a lot adjacent to a public street or with access to an approved private street of 24' minimum width, and shall be so located on lots as to provide safe and convenient access for fire protection.

**7.4-4 PROJECT AND PLOT PLAN APPROVAL**

- A. Project and Plot Plan Approval. Prior to the construction of any building or structure in the PF zone, a project and plot plan shall first be submitted to and approved by the Fountain Green City Planning Commission and, thereafter, by the City Council.

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

6. The use does not cause noise, light, or glare which adversely impacts surrounding uses.

### 7.4-8 SIGNS

If a sign type is not specifically designated below, then it is prohibited.

All signs erected in the PF zone shall be in conformance with the sign provisions of the BC zone.

Table 7.4-8 SIGNS

Sign type	Allowed	Conditional	Max. Area	Max. Height	General Restrictions
Banner Sign	√		48 sq ft	3 ft	Installation height and location to be reviewed by Planning Commission for safety and visibility. Maximum installation height allowed is 25 ft
Construction Flat or Wall Sign	√		32 sq ft none	8 ft none	
Monument Sign	√		48 sq ft	8 ft	Low intensity light fixtures only. One sign per building.
Name Plate	√		6 sq ft	2 ft	One sign per 500 ft of frontage. Two signs per business. Low intensity light fixtures only. No neon lights permitted. Installation height to be reviewed by the Planning Commission for safety and visibility. Maximum installation height allowed is 28 ft.
Real Estate	√		9 sq ft	3 ft	
					Illumination: 24 hour continuous illumination of signs is prohibited in this zone.

### 7.4-9 RELATED PROVISIONS

Licensing – See City Ordinances.

Chapter 2 Definitions

Chapter 3 Administration and Enforcement

Chapter 6 Annexation

Chapter 8 Nonconforming Uses and Noncomplying Structures

Chapter 9 Group Homes

Chapter 10 Subdivisions

Chapter 11 General Design Standards for Fountain Green City

---

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

---

### SUBCHAPTER 7.5 SENSITIVE LANDS (SL) ZONE

- 7.5-1 PURPOSE
- 7.5-2 USE TABLE
- 7.5-3 DEVELOPMENT STANDARDS
- 7.5-4 PROJECT AND PLOT PLAN APPROVAL
- 7.5-5 FENCING
- 7.5-6 PERFORMANCE STANDARDS
- 7.5-7 PARKING
- 7.5-8 CONDITIONAL USE STANDARDS OF REVIEW
- 7.5-9 SIGNS
- 7.5-10 RELATED PROVISIONS

#### 7.5-1 PURPOSE

This zone is established to protect and to regulate existing or proposed uses of environmentally sensitive lands within and adjacent to Fountain Green City. Notwithstanding any other provision of this Chapter, it shall be unlawful to grade, fill, or excavate any land in any manner, which presents an unreasonable risk of erosion, flooding, landslide, or any other unsafe condition. It shall also be unlawful to erect any structure which will not be reasonably safe for use as a human habitation or animal shelter because of surface water, ground waters, or a high water table, expansive or collapsible soils, proximity to a potential or actual landslide, proximity to a known flood plain, or steep slopes, or to any other unsafe condition. All land uses within this zone deemed to be environmentally sensitive or hazardous by the Planning Commission shall be considered on a conditional basis only, and only in accordance with stringent standards specified in this Chapter and the Fountain Green City General Plan. Conditions described on reports or maps issued by the U.S. and Utah Geological Surveys, U.S. Fish and Wildlife Service, Utah Division of Wildlife Resources, U.S. Natural Resources Conservation Service, and Utah Division of Water Quality or maintained by Fountain Green City, together with explanatory information or materials appurtenant thereto, shall be presumed to exist.

**CHAPTER 7 ZONE DISTRICTS AND STANDARDS**

**7.5-2 USE TABLE**

If a use is not specifically designated then it is prohibited.

Table 7.5-2 USE

Type	Allowed	Administrative Conditional Use	Conditional Use	Business License or Home Occupation
Accessory Structure, unoccupied (no animals or poultry)			√	
Accessory Structure, occupied (with animals or poultry)			√	
Agriculture	√			
Bed and Breakfast			√	√
Child Care	√			
Single Family Dwelling/Residence			√	
Farm Animals/Livestock	√			
Fence, Agriculture	√			
Fence, Electric	√			
Home Occupation			√	√
Household Pets	√			
Manufactured Home			√	
Modular Home			√	
Pet Boarding, Breeding, Training, &/or Grooming			√	√
Pet Kennel, Commercial			√	√
Pet Kennel, Private	√			
Pre-School			√	√
Public-Rights of Way	√			
RV Occupancy			√	
Seasonal Commercial Use			√	
Solar Panels			√	
Temporary Outdoor Use		√		
Utility Station			√	

CHAPTER 7 ZONE DISTRICTS AND STANDARDS

7.5-3 **DEVELOPMENT STANDARDS**

Table 7.5-3a MINIMUM LOT AND DEVELOPMENT STANDARDS

Lot	Area	Lot Frontage	Depth	Setbacks	Height
Single Family Dwelling	0.455 acre 19,820 ft <sup>2</sup>	90 ft	100 ft	<p>Front: 25 ft                      Rear: 25 ft                      Side: 12 ft unless property fronts on a city street right-of-way where it remains 25 ft</p>	28 ft max
Accessory Building	See above.	90 ft	100 ft	<p>Auxiliary buildings (sheds) must be situated no closer to the front street right-of-way than at the back edge of the residence. Back edges of corner lot homes will be directly to the rear of the designated frontage for each residence. Auxiliary building side and rear setbacks between the back edge of the house to the property midpoints are also 12 feet from property lines not bounding a street right-of-way where they remain 25 feet.</p> <p>Fire lanes require 12 feet between any unattached structures.</p> <p>There are 2-foot setbacks for auxiliary buildings behind property midpoints. The roofs of these buildings must be such that snow and rain drain onto the building owner's property.</p> <p>Fire lanes must be 12 feet between buildings on adjoining properties.</p> <p>Auxiliary buildings that house animals (barns, animal sheds, and kennels, etc) must be placed behind property midpoints.</p> <p>Lots larger than one acre will use the same midpoints as a square one-acre lot.</p>	28 ft max

- A. Erection of only one principal structure which is the residence on the lot.
- B. LOT COVERAGE. All buildings, including accessory buildings and structures, shall cover not more than forty (40%) percent of the area of the lot or parcel of land.
- C. ACCESS. All structures shall be on a lot adjacent to a public street or with access to an approved private street, and shall be so located on lots as to provide safe and convenient access for fire protection.
- D. Limitations on the Keeping and Maintenance of Animals and Fowl.

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

See Fountain Green City Animal Control Ordinance Chapter 13-20-0-00 and the following requirements.

1. Large, animal operations in the Fountain Green City and its buffer zone that are subject to Region 8 Federal CAFO (confined animal feeding operations) regulations which direct animal waste management to control water pollution, should comply with such regulations. While dust, animal manure, odor, noise and other factors are part and parcel with agricultural activities, viable commercial enterprises can reasonably be expected to control animal wastes, disease, flies, rodents and other pests.
2. Smaller, animal operations in Fountain Green City and its buffer zone not under CAFO regulations are expected to use good husbandry practices to control animal wastes, water pollution, disease, flies, rodents and other pests, and nuisances (animals leaving property). In order to accomplish this, smaller operations will be subject to animal unit (AU) limits. Animal unit limits will not apply to transient farming operations of less than 90 days duration for such things as lambing, layover in transport to winter or summer pasture range, etc. A description of animal units is given in the table below.

Table 7.5-3b ANIMAL UNITS (AUs) DEFINED

Animal type	AUs	Relative AUs
Horses, mules, donkeys, zebras (Equines)	1	1 horse
Beef cattle, dairy cows (Bovines)	1	1 cow
Hogs and pigs or swine (Porcines)	0.5	2 pigs
Sheep (Ovines), Goats (Caprines), Llamas (Camelids)	0.2	5 sheep
Turkeys, Geese and Ducks	0.04	25 turkeys
Chickens and Rabbits	0.01	100 chickens

Other animals not listed in this table will have AUs determined by the Planning Commission on a case by case basis.

Immature offspring of animals will be assigned 1/2 the AU value of an adult. For equines and bovines, offspring up to two years of age will be 0.5 AU. For porcines, offspring up to one year old will be 0.25 AU. For ovines, caprines and camelids, offspring up to one year old will be 0.1 AU. For poultry and rabbits, offspring up to six months of age will be one-half of the adult AU. For turkeys, geese and ducks this will be 0.02 AU and for chickens and rabbits, 0.005 AU.

In keeping with the sensitive nature of the land in this zone, animal units will be assigned to property incrementally based on one AU per 12,000 square feet of land uncovered by any building. Half of an AU can be awarded for 6,000 square feet of land uncovered by any building for lots greater than 0.5 acre. See the following table.

CHAPTER 7 ZONE DISTRICTS AND STANDARDS

Table 7.5-3c NUMBER OF ANIMAL UNITS (AUs) BY LOT SIZE AND UNCOVERED SQUARE FOOTAGE

Acreage	Uncovered square footage calculations		AUs	Acreage	Uncovered square footage calculations		AUs
0.25	10,890 -6,000 4,890	6,000 sq ft ÷ 12,000 sq ft/AU = 0.5 AU	0.5	1.50	65,340 -63,000 2,340	63,000 sq ft ÷ 12,000 sq ft/AU = 5.25 AU	5.25
0.33	14,375 -12,000 2,375	12,000 sq ft ÷ 12,000 sq ft/AU = 1 AU	1	1.67	72,745 -69,000 3,745	69,000 sq ft ÷ 12,000 sq ft/AU = 5.75 AU	5.75
0.50	21,780 -18,000 3,780	18,000 sq ft ÷ 12,000 sq ft/AU = 1.5 AU	1.5	2.0	87,120 -84,000 3,120	84,000 sq ft ÷ 12,000 sq ft/AU = 7 AU	7
0.67	29,185 -27,000 2,185	27,000sq ft ÷ 12,000 sq ft/AU = 2.25 AU	2.25	2.5	108,900 -104,000 4,900	104,000 sq ft ÷ 12,000 sqft/AU = 8.7 AU	8.7
0.75	32,670 -30,000 2,670	30,000 sq ft ÷ 12,000 sq ft/AU = 2.5 AU	2.5	3.0	130,680 -127,000 3,680	127,000 sq ft ÷ 12,000 sq ft/AU = 10.6 AU	10.6
1.0	43,560 -39,000 4,560	39,000 sq ft ÷ 12,000 sq ft/AU = 3.25 AU	3.25	3.5	152,460 -148,000 4,460	148,000 sq ft ÷ 12,000 sq ft/AU = 12.3 AU	12.3
1.25	54,450 -51,000 3,450	51,000 sq ft ÷ 12,000 sq ft/AU = 4.25 AU	4.25	4.0	174,240 -172,000 2,240	172,000 sq ft ÷ 12,000 sq ft/AU = 14.3 AU	14.3
1.33	56,605 -54,000 2,605	54,000 sq ft ÷ 12,000 sq ft/AU = 4.5 AU	4.5	4.2 1 city block	182,952 -180,000 2,952	180,000 sq ft ÷ 12,000 sq ft/AU = 15 AU	15

If a mix of animals are present on a given property, their individual AUs are totalled and should be less than or equal to the AUs limits given in the above table.

If additional AUs are desired for a given property, then conditional use permits may be granted with appropriate conditions (USDA, Utah State Extension Service or other legitimate animal husbandry recommendations) to control for additional animal wastes, water pollution, disease susceptibility, pests and nuisance problems, etc.

If complaints arise which are found to have merit, it will be the burden of landowner/land user to show proof of compliance with the above AU directive or conditional use permit as well as demonstrate reasonable efforts to control animal wastes, water pollution, disease, flies, rodents and other pests, and nuisances.

- The keeping, as pets, of wild, exotic, or dangerous animals, poultry, or creatures capable of transmitting disease or inflicting harm shall not be permitted within the corporate limits of Fountain Green City. "Wild, exotic, or dangerous" means any animal which is not commonly domesticated in the State of Utah, or which is not native to North America (excepting some species of birds, such as parrots and tropical fish), or which, irrespective of geographic origin, is of a wild or predatory nature, or any other animal which, because of its size, growth propensity, vicious nature or other characteristics, would constitute an unreasonable danger to human life, health or property, including hybrids, and animals which, as a result of their



---

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

---

natural or wild condition, cannot be vaccinated effectively for such things as rabies and distemper. Those animals shall include, but are not limited to:

- a) Alligators and crocodiles;
  - b) All bears, including grizzly bears, brown bears, and black bears;
  - c) Birds of prey (except for those licensed for falconry or hawking);
  - d) All non-domesticated cats, including cheetahs, cougars, bobcats, leopards, lions, lynx, panthers, mountain lions, tigers and wildcats;
  - e) All non-domesticated dogs, including wolf, part wolf, fox, part fox, coyote, part coyote, dingo and part dingo;
  - f) Porcupines;
  - g) All subhuman primates (such as monkeys, chimpanzees, apes, gibbons, orangutans, lemurs, etc.)
  - h) All raccoons, including eastern raccoons and ring-tailed cats;
  - i) Skunks (unless domesticated and surgically altered to eliminate scent glands);
  - j) Venomous snakes or lizards;
  - k) All weasels, martins, wolverines, badgers, otters, ermine, mink and mongoose.
4. Pets shall, at all times, be properly sheltered and restrained upon any approved lot or parcel of land.
5. Any commercial or agricultural enterprise utilizing any animals in subsection 3 above or other animals that might be considered as belonging to subsection 3 by the Planning Commission will require a conditional use permit.
- E. PUBLIC UTILITY STATIONS. In any residential zone, public utility stations shall meet the following requirements:
1. Each station shall be the primary structure located on a lot not less than 2,000 square feet in area.
  2. Each station shall be located on a lot that has adequate access from a street, alley, or easement.
  3. Each station shall be provided with setbacks on each of the four sides of the structure not less than five feet in width, except that for such stations located on lots fronting on a street and abutted by one or more residential lots, the front, side, and rear setbacks should equal those required for a single family residence in the same zone.

### 7.5-4 PROJECT AND PLOT PLAN APPROVAL

- A. Prior to the construction of any building or structure on any property or lot in the Sensitive Land (SL) zone, a Letter of Certification and Report by a registered professional engineer is required. It shall be unlawful to grade, fill, or excavate any land or to erect any structure in this Zone without first obtaining a Letter of Certification and Environmental Report from a Utah-licensed, Professional Engineer (PE) which addresses each of the geotechnical elements enumerated within this

**CHAPTER 7 ZONE DISTRICTS AND STANDARDS**

Chapter. Said Report and Certification shall establish beyond reasonable doubt in the minds of a majority of the members of the Fountain Green City Planning Commission and City Council that the proposed use of land may safely occur. Otherwise, the proposed use of land within the Sensitive Lands Zone shall be denied. Either or both public bodies may request that additional geologic, hydrologic, wildlife habitat, or environmental information, or testing data, be submitted prior to the approval or denial of the proposed conditional use.

- B. In conjunction with or after obtaining a Letter of Certification and Environmental Report, the project and plot plan shall be submitted to and approved by the Fountain Green City Planning Commission and, thereafter, by the City Council. Said plan shall be drawn to scale and certified by a licensed engineer or surveyor and shall contain the following information:
1. the location of all existing and proposed buildings and structures on the site, with full dimensions showing distances between buildings and distances from buildings to adjacent property lines;
  2. the location of all parking spaces, driveways, and points of vehicular ingress and egress;
  3. a landscaping plan showing the location, and types of all planting materials to be used together with the location of fences, walls, hedges, and signs;
  4. preliminary elevations of all buildings showing the general appearance.
- C. If the building site is in the FEMA Special Flood Plain, FEMA mitigation requirements must be met in addition to Sensitive Land conditional use requirements.

**7.5-5 FENCING**

Table 7.5-5 FENCING

Clear Vision Restriction	Setbacks	Height	Wildlife/Large Animal	Electric	Corner Lot
50 ft	any street corner	Max 3 ½ ft for non-agriculture use	not permitted	not permitted	permitted
		Max 6 ft for agriculture use	permitted	permitted	permitted

**A. FENCES.**

Fences in residential areas shall comply with the following:

1. Solid fences within the 50-foot sight lines of street intersections and driveways shall be less than or equal to 3 1/2 feet in height.
2. Solid fences outside of the 50-foot sight lines may be up to six feet in height.
3. Hedges and shrubs will be considered to be the same as solid fences.
4. Trees within the 50-foot sight lines shall be pruned so that the branches are no lower than 7 ½' to maintain clear vision along sight lines. Shrubs and hedges shall be less than or equal to 3 ½' feet in height.

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

5. Netted, chain link, or other agricultural fencing that provides clear vision within 50-foot sight lines can be more than 3 ½' feet in height.

### 7.5-6 PERFORMANCE STANDARDS

The operation of any use permitted in this district is subject to the following standards of performance:

- A. **NUISANCES.** All uses must be operated so that all practical means are used to confine any noise, odor, dust, smoke, vibration or other similar feature to the premises upon which they are located.
- B. **LIGHTING.** Any light used to illuminate signs, parking areas, or for any other purpose shall be so arranged as to confine direct light beams to the lighted property by appropriate directional hooding.

### 7.5-7 PARKING

Each off-street parking space is to be a minimum of 9 ft by 18 ft.

Table 7.5-7 PARKING

USES	PARKING REQUIREMENT
Bed and Breakfast	1 space per on-duty employee and 1 space for each room rented
Dwelling – Single Family	2 spaces per residential dwelling on the same lot or parcel
Public Utility Stations	Determined by conditional use permit.

### 7.5-8 CONDITIONAL USE STANDARDS OF REVIEW

The City shall not issue a conditional use permit unless the Planning Commission concludes that the application fully mitigates all identified adverse impacts and complies with the following general standards applicable to all conditional uses, as well as the specific standards for the use.

- A. **GENERAL REVIEW CRITERIA:** An applicant for a conditional use in the zone must demonstrate:
  1. The application complies with all applicable provisions of this chapter, state and federal law;
  2. The structures associated with the use are compatible with surrounding structures in terms of use, scale, and traffic circulation;
  3. The use is not detrimental to the public health, safety and welfare;
  4. The use is consistent with the Fountain Green City General Plan;
  5. Traffic conditions are not adversely affected by the proposed use including the existence or need for dedicated turn lanes, pedestrian access, and capacity of the existing streets;
  6. There is sufficient utility capacity;
  7. There is sufficient emergency vehicle access;

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

8. The location and design of off-street parking as well as compliance with off-street parking standards;
  9. A plan for fencing, screening, and landscaping to separate the use from adjoining uses and mitigate the potential for conflict in uses;
  10. That exterior lighting complies with the lighting standards of the zone; and
  11. That within and adjoining the site, impacts on the aquifer, slope retention, and flood potential have been fully mitigated and are appropriate to the topography of the site.
- B. SPECIFIC REVIEW CRITERIA FOR CERTAIN CONDITIONAL USES. In addition to the foregoing, the Planning Commission must evaluate the applicant's compliance with each of the following criteria when considering whether to approve, deny, or conditionally approve an application for each of the following conditional uses:
1. Pet Boarding, Breeding, Training, and Grooming.
    - a) Half acre or larger lot required. A limited and reasonable number of adult dogs or adult cats, together with their offspring up to three months of age or similar numbers of other small pets, may be maintained per half-acre (0.5) parcel or lot. See Fountain Green City Animal Control Ordinance Chapter 13-20-0-00.
    - b) One acre or larger lot required. Boarding, breeding, training and grooming of horses or other large animals may be permitted on one-acre parcel or lot.
    - c) Compliance with State and County Board of Health Regulations. No provision herein shall be construed as authorizing the keeping of an animal or animals, or poultry, in violation of Sanpete County or Utah State Division of Health regulations; or keeping of an animal or animals or poultry, capable of inflicting harm, or endangering the health and safety of any person, or despoiling the environment (air quality, and surface or well waters) of any property or adjoining property.
  2. Seasonal Commercial Uses. Includes uses such as Farmers' Markets where produce or other items are sold for less than 4 months during the year.
    - a) The seasonal commercial use must comply with setback and clear vision area requirements of this ordinance and with applicable building and applicable fire codes.
    - b) Adequate parking is provided to serve the commercial use that does not create a parking shortage for other existing uses on site or adjoining properties.
    - c) The use does not cause noise, light, or other nuisances which adversely impacts surrounding property uses.
  3. Home Occupation. The intent of Fountain Green City is to encourage a majority of business activities to be conducted in the Business and Commercial Zone. However, business activities may be conducted within or immediately adjacent to a residence on a limited basis if such activities comply with the following criteria:
    - a) All home occupations should be secondary and incidental to the residential use.

---

## CHAPTER 7 ZONE DISTRICTS AND STANDARDS

---

- b) The Home Occupation shall be conducted wholly within the residential lot.
  - c) Is limited to the on-site employment of family members.
  - d) The Home Occupation shall not alter the residential character or appearance of the dwelling or neighborhood; shall be conducted wholly within the residence or approved structure on the premises and shall not occupy any area within the garage, unless the garage still functions for parking, or two off-street parking spaces for residential use are still available.
  - e) Commodities may be sold. However, it is the intent that such sales be limited to items produced on the premises, or items that are incidental to the service provided.
  - f) Shall not generate business-related vehicular traffic in excess of 16 vehicles per day.
  - g) Shall not include identifying signage in excess of a six square-foot nameplate, attached to the dwelling.
  - h) Shall be enclosed within a structure in complete conformity with international building codes.
  - i) Shall not cause a demand for municipal services in excess of that associated with normal residential use.
  - j) Home Occupation Permits shall be valid for one year and may be renewed annually provided there have been no substantiated violations, unresolved complaints, or detrimental characteristics which may, in the judgment of the Planning Commission, require termination of said Permit as approved by Fountain Green City;
  - k) Mortuary, animal hospital, clinic, hospital, RV service, junkyard, auto or ATV/motorcycle repair service, or adult-oriented business, medical, dental and related health professional offices are specifically excluded as home occupations due to health and sanitation risks from the disposal of waste materials and other deleterious effects on residential quality of the neighborhood.
  - l) The activities of the occupation shall not involve the unreasonable use of combustible or toxic material, which would pose an increased hazard to the area, nor shall the activities produce noise or smoke, glare, odor, dust, flashing light or similar conditions that would decrease the residential quality of the neighborhood.
4. RV Occupancy. Occupancy of any recreational vehicle is by conditional use or short-term visitation only.
- a) Occupancy of a recreational vehicle shall not be permitted in Fountain Green City except in an approved RVP or temporarily on private residential property for visitation purposes not to exceed 30 days in any 90 day period.
  - b) Occupancy of a recreational vehicle while building a house, may be requested through a conditional use permit for a period of one year.
  - c) No RV occupancy allowed on City street rights-of-way.
  - d) No RV occupancy in the line of sight triangles at street intersections.

**CHAPTER 7 ZONE DISTRICTS AND STANDARDS**

**7.5-9 SIGNS**

If a sign type is not specifically designated below, then it is prohibited.

Table 7.5-9 SIGNS

Sign type	Allowed	Conditional	Max. Area	Max. Height	General Restrictions
Construction	√		32 sq ft	8 ft	Installation height 8 ft maximum.
Name Plate	√		6 sq ft	2 ft	
Real Estate	√		9 sq ft	3 ft	
					Illumination: 24 hour continuous illumination of signs is prohibited in this zone.

**7.5-10 RELATED PROVISIONS**

Licensing – See City Ordinances.

Chapter 2 Definitions

Chapter 3 Administration and Enforcement

Chapter 6 Annexation

Chapter 8 Nonconforming Uses and Noncomplying Structures

Chapter 9 Group Homes

Chapter 10 Subdivisions

Chapter 11 General Design Standards for Fountain Green City