

Trenton Town Zoning Ordinance

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TRENTON TOWN ZONING ORDINANCE

An ordinance to regulate by districts or zones the location, height and bulk of buildings and other structures; the percentage of lot which may be occupied; the size of courts, lots and other open spaces; the density and distribution of population; the location and use of buildings and structures for trade, industry, residence, recreation, public activities or other purposes; and the uses of land for trade, industry, recreation or other purposes and repealing all ordinances or parts of ordinances in conflict herewith.

Be it ordained by the Town Council of Trenton, State of Utah as follows:

TRENTON, UTAH ZONING ORDINANCE CHAPTER 1 GENERAL PROVISIONS

Section 1.1	Short Title
Section 1.2	Purpose
Section 1.3	Interpretation
Section 1.4	Conflict
Section 1.5	Effect upon Previous Ordinances and Map
Section 1.6	Severability (Effect)
Section 1.7	Definitions

Section 1.1 SHORT TITLE

This ordinance shall be known as the zoning ordinance of Trenton, Utah and may be so cited and pleaded.

Section 1.2 PURPOSE

This ordinance is designed and enacted for the purpose of promoting health, safety, morals, convenience, order, prosperity, and welfare of present and future inhabitants of Trenton, Utah, including amongst other things the lessening of congestion in the streets or roads, securing safety from fire and other dangers, providing adequate light and air, classification of land uses and distribution of land development and utilization, protection of the tax base, securing economy in governmental expenditures, fostering the town's commercial and industrial growth, and the protection of both residential and non-residential development. In addition, it is a purpose of this ordinance to ensure compliance by the town with state and federal law, specifically including the Utah Fair Housing Act, the federal Fair Housing Act Amendments, and the Americans with Disabilities Act. Trenton Specifically recognizes the right of all persons with disabilities, as those terms are defined by law, to reside in any zone where residential use is permitted.

Section 1.3 INTERPRETATION

In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be the minimum requirements for the purposes set forth.

Section 1.4 CONFLICT

This ordinance shall not nullify the more restrictive provisions of the general plan, covenants, agreements, other ordinances, or laws, but shall prevail notwithstanding such provisions which are less restrictive.

Section 1.5 EFFECT UPON PREVIOUS ORDINANCES AND MAP

Any existing zoning ordinance of Trenton, Utah, including maps, is hereby superseded and amended to read as set forth herein; provided, however that this ordinance shall be deemed a continuation of the previous ordinance, and not a new enactment, insofar as the substance of revisions of the previous ordinance is included, whether in the same or in different language; and this ordinance shall be so interpreted upon all questions of construction, including but not limited to questions of construction relating to tenure of officers and boards established by previous ordinances and to questions of conforming and nonconforming uses, buildings, or structures, and to questions as to dates upon which such uses, buildings or structures became conforming or nonconforming.

Section 1.6 SEVERABILITY (EFFECT)

If any section, provision, sentence, or clause of this title is declared unconstitutional by a court of competent jurisdiction, such determination shall not impair the validity of the remainder of this title which shall remain in full force and effect.

Section 1.7 DEFINITIONS

For the purpose of this ordinance, certain words and terms are defined as follows: (Words used in the present tense include the future; works in the singular number include the plural and plural the singular; words not included herein but defined in the building code shall be construed as defined herein.)

AGRICULTURE. The tilling of the soil, the raising of crops, horticulture, and gardening, including the keeping or raising of domestic animals and fowl, household pets.

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

ALLEY. A public thorough fare twenty-six (26) feet or less in width.

APARTMENT COURT. Any building or group of buildings which contain dwelling units; see dwelling, group.

BASEMENT. A story partly underground. A basement shall be counted as a story for purposes of height measurement if its height is one-half (½) or more above grade.

BASEMENT APARTMENT. The basement portion of a building which does not exceed the size or configuration of the structure above and which is designed and arranged for use as a dwelling unit independent of the main dwelling.

BOARDING HOUSE. A building with not more than five (5) guest rooms where, for compensation, meals are provided for at least five (5) but not more than fifteen (15) persons.

BUILDING. Any structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals, or chattels, two hundred (200) square feet or larger.

BUILDING ACCESSORY. A detached subordinate building clearly incidental to and located upon the same lot occupied by the main building.

BUILDING, HEIGHT OF. The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of mansard roof, or to the mean height level between ridge and eaves of a gable, hip, or gambrel roof.

BUILDING, MAIN. The principal building or one of the principal buildings upon a lot, or the building or one of the principal buildings housing the principal use upon a lot.

BUILDING, PUBLIC. A building owned and operated or owned and intended to be operated by a public agency of the United States of America, of the State of Utah, or any of its subdivisions.

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

CHILD NURSERY. An establishment for the care and/or instruction, whether or not for compensation, of six (6) or more children other than the members of the family residing on the premises or in accordance with current state law.

CONDITIONAL USE. A use of land for which a conditional use permit is required pursuant to provisions of this ordinance.

DWELLINGS. Any building or portion thereof, which is designed for use for residential purposes, except the following: hotels, apartment hotels, boarding houses, lodging houses, motels, apartment motels, fraternities sororities, trailers, mobile homes or dormitories.

DWELLINGS, SINGLE FAMILY. A building arranged or designed to be occupied by one family the structure having only one (1) dwelling unit.

DWELLING, MULTIPLE-FAMILY. A building arranged or designed to be occupied by more than one (1) family.

DWELLING GROUP. One or more dwelling structures arranged along two sides or two sides and one end of a court.

DWELLING UNIT. One or more rooms in a dwelling, apartment hotel or apartment motel, designed for or occupied by one family for living or sleeping purposes and having kitchen facilities for the use of not more than one family (other than hot plates or other portable cooking units).

FAMILY. One or more persons related by blood, marriage, or adoption, occupying a dwelling unit and living as a single house-keeping unit, as distinguished from renters, roomers or as a group occupying a boarding house, lodging house, or hotel as herein defined.

FAMILY FOOD PRODUCTION PERTAINING TO PIGS. The keeping of up to two (2) (non-reproducing) pigs of any breed may be allowed for a predetermined amount of time with a Special Use Permit issued by the Town Council.

FOWL AND ANIMALS:

A. The keeping of animals and fowl as permitted by point count per unit. One unit equals five-eighths (5/8) acre. A total of not more than ten (10) points per unit is allowed.

B. On any property less than five-eighths (5/8) acre, not more than five (5) points are allowed.

C. Offspring of mammals shall not be considered in the point count until they are weaned or nine months old whichever occurs first.

D. Animals must have free access to a minimum of twenty-five percent (25%) of all property considered for point count.

ANIMAL POINT EQUIVALENTS

1 cow, beef, llama, alpaca or horse		4 points
1 sheep or goat		2 points
1 rabbits		1points
1 pigeons		1 points
1 chicken		.5 point
1 duck or 1 goose		1 point
1 turkey		1 point

1 ostrich, emu	3 points
1 fallow deer	2 points

Peacocks, buffalo, roosters and guinea fowl are not allowed.

Pigs of any kind and other animals not listed may be allowed with a Conditional Use Permit issued by the Town Council.

E. Where permitted under the provisions of this title, animals and fowl are to be fed and corralled at least twenty feet (20') from any dwelling on the same or adjacent lot, as measured from the closest point of the corral or enclosure to the closest point of the dwelling and ten feet off the property line.

F. For purposes of grazing down a pasture, animals may be brought in for a period not to exceed one hundred eighty (180) days per year per piece of property, and the number of animals permitted to graze may be up to twice the number allowed on a permanent basis. Grazing includes only the vegetation native to the pasture and does not permit the supplemental feeding of hay or grain.

G. The keeping of animals and fowl are under conditions that they do not constitute a violation of the nuisance or health code.

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

GARAGE, PRIVATE. An accessory building designed or used for the storage of not more than four (4) automobiles owned and used by the occupants of the building to which it is accessory, provided that on a lot occupied by a multiple dwelling, the private garage may be designed and used for the storage of two (2) times as many automobiles as there are dwelling units in the multiple dwelling. A garage shall be considered part of a dwelling if the garage and dwelling have a roof or wall in common.

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

HOME OCCUPATION. Any use conducted entirely within a dwelling and carried on by persons residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof and in connection with which there is no display, nor stock in trade.

HOUSEHOLD PETS. Animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats and canaries, but not including a sufficient number of dogs to constitute of kennel as defined in this ordinance.

JUNKYARD. The use of any lot portion of a lot, or tract of land for the storage, keeping or abandonment of junk, including scrap metals, or other scrap material, or for the dismantling, demolition or abandonment of automobiles or other vehicles, or machinery or parts thereof; provided that this definition shall be deemed not to include such uses which are clearly accessory and incidental to any use permitted in the zone.

JUNK. Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste or junked, dismantled or wrecked automobiles or parts thereof, iron, steel and other old or scrap ferrous or nonferrous material.

KENNEL. The keeping of three (3) or more dogs at least four (4) months old.

LOCAL JURISDICTION. The legal government institution of Trenton, Utah.

LOT. A parcel of land occupied or to be occupied by a main building, or group of buildings (main and accessory), together with such yards, open spaces lot width and lot area as are required by this ordinance and having frontage upon a street. Except for group dwellings, not more than one (1) dwelling structure shall occupy any one (1) lot.

LOT CORNER. A lot abutting on two intersections or intercepting streets, where the interior angle of intersection or interception does not exceed one hundred thirty five (135) degrees.

LOT INTERIOR. A lot other than a corner lot.

MOTEL. A group of attached or detached building containing individual sleeping rooms designed for or used temporarily by automobile tourists or transients, with garage attached or parking space conveniently located to each unit.

NATURAL WATERWAYS. Those areas, vary in width, along streams, creeks, springs, gullies, or washes which are natural drainage channels as determined by the building inspector, in which areas no buildings shall be constructed.

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

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

PARKING LOT. An open area, other than a street, used for the temporary parking of more than four (4) automobiles and available for public use, whether free, for compensation, or as an accommodation for clients or customers.

PARKING SPACE. Space within a building, lot or parking lot for the parking or storage of one (1) automobile.

PLANNING AND ZONING COMMISSION. The body created pursuant to State Law and sometimes referred to herein as “Zoning Commission,” “Planning and Zoning Commission,” or “Planning Commission.”

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

STABLE, PUBLIC. A stable other than a private stable.

STORY. The space within a building included between the surface of any floor and the surface of the ceiling next above.

STORY, HALF. A story with a least two (2) of its opposite sides situated in a sloping roof, the floor area of which does not exceed two thirds (2/3) of the floor immediately below it.

STREET. A public thoroughfare which affords principal means of access to abutting property, and is more than twenty-six (26) feet wide.

STRUCTURE. Anything constructed or erected, which requires location on the ground or attached to something having location on the ground, having a room and not designed to be portable.

STRUCTURAL ALTERATIONS. Any change in supporting members of a building, such as bearing walls, columns, beams or girders.

SUBSTANTIAL PROGRESS. On a structure substantial progress is gained by passing the rough framing inspection by the town building inspector.

TRAILER. Mobile home or camper. A vehicle with or without motive power or wheels designed to be used for human habitation.

TRAILER OR MOBILE HOME PARK. Any area of tract of land used or designed to accommodate two (2) or more trailers, mobile homes or camping parties.

USE ACCESSORY. A subordinate use customarily incidental to and located upon the same lot occupied by a main use.

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

WIDTH OF LOT. The distance between the side lot lines at the distance back from the front lot line required for the depth of the front yard.

YARD. A space on a lot, other than a court, unoccupied and unobstructed from the ground upward by buildings except as otherwise provided herein.

YARD FRONT. A space on the same lot with a building, between the front line of the building (exclusive of steps) and the front lot line and extending across the full width of the lot.

YARD REAR. A space on the same lot with a building, between the rear line of the building (exclusive of steps and chimneys) and the rear line of the lot and extending the full width of the lot.

**TRENTON, UTAH
ZONING ORDINANCE
CHAPTER 2
SUPPLEMENTARY AND QUALIFYING REGULATIONS**

Section 2.1	Effect of Chapter
Section 2.2	Lots in Separate Ownership
Section 2.3	Yard Space for One Building Only
Section 2.4	Every Dwelling to Be on a “Lot”
Section 2.5	Separately Owned Lots - Reduced Yards
Section 2.6	Private Garage with Side Yard - Reduced Yards
Section 2.7	Yards to Be Unobstructed - Exceptions
Section 2.8	Area of Accessory Buildings
Section 2.9	Minimum Height of Main Buildings
Section 2.10	Clear View of Intersecting Streets
Section 2.11	Sale or Lease of Required Space
Section 2.12	Coverage Regulations
Section 2.13	Nuisance and Abatement

Section 2.1 EFFECT OF CHAPTER

The regulations hereinafter set forth in this chapter qualify or supplement, as the case may be, the zone regulations appearing elsewhere in this ordinance.

Section 2.2 LOTS IN SEPARATE OWNERSHIP

The requirements of this ordinance as to minimum lot area or lot width shall not be construed to prevent the use of a single-family dwelling of any lot or parcel of land in the event that such lot or parcel of land was held in separate ownership at the time of the adoption of the zoning ordinance.

Section 2.3 YARD SPACE FOR ONE BUILDING ONLY

No required yard or other open space around an existing building, or which is hereafter provided around any building for the purpose of complying with the provisions of this ordinance, shall be considered as providing an open space or yard for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected or established.

Section 2.4 EVERY DWELLING TO BE ON A “LOT”

Every dwelling shall be located and maintained on a “lot” as defined in this ordinance.

Section 2.5 SEPARATELY OWNED LOTS - REDUCED YARDS

On any lot under a separate ownership from adjacent lots and of record at the time of passage of the zoning ordinance and such lot having a smaller width than required for the zone in which it is located, the width of each of the side yards for a dwelling may be reduced to a width which is not less than the same percentage of the width of the lot as the required side yard would be of the required lot width, provided that on interior lots, the smaller of the two yards shall be in no case less than five (5) feet, or the larger less than eight (8) feet, and for corner lots the side yard on the side street shall be in no case less than fifteen (15) feet or the other side yard be less than five (5) feet.

Section 2.6 PRIVATE GARAGE WITH SIDE YARD - REDUCED YARDS

On any interior lot where a private garage, containing a sufficient number of parking spaces to meet the requirements of this ordinance, has a side yard equal to the minimum side yard required for a dwelling in the same zone, the width of the other side yard for the dwelling may be reduced to equal that of the minimum required side yard.

Section 2.7 YARDS TO BE UNOBSTRUCTED - EXCEPTIONS

Every part of a required yard shall be open to the sky unobstructed except for accessory buildings in a rear yard, the ordinary projections of skylights, sills, belt courses, cornices, roof overhang, chimneys, flues and other ornamental features which project into a yard not more than four (4) feet and open or lattice enclosed fire escapes, fireproof

outside stairways and balconies upon fire towers projecting into a yard not more than five (5) feet. Fences to conform with fence requirements of this ordinance.

Section 2.8 AREA OF ACCESSORY BUILDINGS

No accessory building nor group of accessory buildings in any residential zone shall cover more than twenty-five (25) percent of the rear yard.

Section 2.9 MINIMUM HEIGHT OF MAIN BUILDING

No dwelling shall be erected to a height less than one (1) story above grade.

Section 2.10 CLEAR VIEW OF INTERSECTING STREETS

In all zones which require a front yard, no obstruction to view in excess of two (2) feet in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points forty (40) feet from the intersection of the street lines except a reasonable number of trees pruned high enough to permit unobstructed vision to automobile drivers and pumps at gasoline service stations.

Section 2.11 SALE OF LEASE OF REQUIRED SPACE

No space needed to meet the width, yard, area, coverage, parking or other requirements of this ordinance for a lot or building may be sold or lease away from such lot or building.

Section 2.12 COVERAGE REGULATIONS

In no zone shall a building or group of buildings with their accessory buildings cover more than sixty (70) percent of the area of the lot.

Section 2.13 NUISANCE AND ABATEMENT

Any building or structure erected, constructed, altered, enlarged, converted or maintained contrary to the provisions of this ordinance, and any use of land or premise including any portion thereof established, conducted or maintained contrary to the provisions of this ordinance, including but not limited to a premise used as a junkyard as defined herein, shall be, and the same hereby is declared to be unlawful and a public nuisance; and the local attorney shall upon request of the governing body, at once commence action or proceedings for abatement and removal or enjoinder thereof in a manner provided by law, and take such other steps as will abate and remove such building or structure or use and restrain or enjoin any person, firm or structure of property contrary to the provisions of this ordinance.

**TRENTON, TOWN
ZONING ORDINANCE
CHAPTER 3
NONCONFORMING BUILDINGS AND USES**

Section 3.1	Purpose and Objectives
Section 3.2	Decision/ Review
Section 3.3	Continuing Existing Uses
Section 3.4	Construction Approved Prior to Enactment
Section 3.5	Alteration Where Parking Insufficient
Section 3.6	Nonconforming Uses, Substitution, Extension
Section 3.7	Cessation of Use

Section 3.1 PURPOSE AND OBJECTIVES

The purpose of this section is to control and gradually eliminate those uses of land or buildings, which, although legal at the time of their establishment, do not now conform to the use, height, location, and similar, regulations of the district within which they are situated.

Section 3.2 DECISION/ REVIEW

The Planning Commission shall hear and decide any matters pertaining to nonconforming buildings & uses.

Section 3.3 CONTINUING EXISTING USES

Except as hereinafter specified, any use, building, or structure, lawfully existing at the time of the enactment or subsequent amendment of this ordinance, may be continued, even though such use, building or structure does not conform with the provisions of this ordinance for the district in which it is located. Except as otherwise provided by law, nothing in this chapter shall prevent or discourage the strengthening or restoring a safe condition or any part of any building or structure declared unsafe by proper authority.

Section 3.4 CONSTRUCTION APPROVED PRIOR TO ENACTMENT

A building, structure, or part thereof which does not conform to the regulations for the district in which it is situated, but for which a building permit was issued and construction started prior to the enactment of this ordinance (or a substantially similar preceding provision), may be completed in accordance with such plan provided work is prosecuted continuously and without delay. Such building shall be deemed nonconforming and shall be subject to the regulations set forth herein.

Section 3.5 ALTERATION WHERE PARKING INSUFFICIENT

A building or structure lacking sufficient automobile parking space in connection therewith as required by ordinance may be altered or enlarged provided additional automobile parking space is supplied to meet the requirements of this ordinance for such alteration or enlargement.

Section 3.6 NONCONFORMING USES, SUBSTITUTION, EXTENSION

A nonconforming use shall not be enlarged, extended, or changed unless the use is changed to a use permitted in the district in which it is located, and a nonconforming building shall not be reconstructed or structurally altered unless such alteration results in removing those conditions of the building which render it nonconforming, except as follows:

- A. More desirable. When authorized by the town council in consideration of the prior recommendation of the planning commission, and in accordance with this ordinance, a nonconforming use that is determined to be of a more desirable nature may be substituted for another nonconforming use.
- B. Repairs. Repairs and structural alterations necessary for building safety may be made to a nonconforming building provided that the floor area of such building is not increased.
- C. Maintenance permitted. Nonconforming buildings or structures may be maintained.
- D. Within building. A nonconforming use may be extended to include the entire floor area of the existing building in which it is conducted at the time the use became nonconforming.
- E. Force majeure. A nonconforming building or structure, which is damaged or partially destroyed by fire, flood, wind, earthquake, or other calamity or act of nature or the public enemy, may be restored. The occupancy or use of such building structure or part thereof which existed at the time of such partial destruction may be

continued or resumed provided that such restoration is started within a period of one (1) year and is diligently prosecuted to completion within a period of two (2) years. No reconstruction shall be made, except in the case of residences or accessory farm buildings, unless every portion of such building or structure is made to conform to all regulations for new buildings in the zone in which it is located, as determined by the planning commission.

Section 3.7 CESSATION OF USE

A use shall be deemed to have ceased when it has been discontinued for a period of one (1) year, unless clear intent not to abandon, subject to the following provisions:

- A. Cessation of use of building designated or designed for nonconforming use. Except for residential or accessory farm structure, a building or structure which was originally designed for a nonconforming use shall not be put to a nonconforming use again when such use has been discontinued for a period of one (1) year.
- B. Cessation of use of building not designed for nonconforming use. A building or structure which was not originally designed as a nonconforming use shall not be put to a nonconforming use again when such use has not been discontinued for a period of one (1) year.
- C. Cessation of use of nonconforming use of land. A nonconforming use of land not involving any building or structure (except minor structures such as fences, signs, and building less than four hundred (400) square feet in area) shall not be resumed when such uses have been discontinued for a period of one (1) year.
- D. Cessation of keeping of animals not in compliance with the ordinance. The keeping of animals not in compliance with the ordinance shall not be resumed when such use has been discontinued for a period of six (6) months.

**TRENTON, UTAH
ZONING ORDINANCE
CHAPTER 4
PLANNING AND ZONING COMMISSION**

- Section 4.1 Organization and Procedures**
- Section 4.2 Duties and Powers of the Planning Commission**
- Section 4.3 Entrance upon Land**

Section 4.1 ORGANIZATION AND PROCEDURES

The Planning and Zoning Commission is hereby established and shall consist of five (5) members appointed by the Mayor with the approval and consent of the town council, for a term 5 years; provided that the terms of the members of the first board so appointed shall be such that the terms of one member shall expire every year. The Commission shall begin the one-year rotation with the member whose serves expires first on the Commission and then rotate out every year in order of service beginning with the shortest remaining term. Any vacancy occurring on the commission by reason of death, resignation, removal or disqualification shall be promptly filled by the Mayor with the approval and consent of the town council and shall fill the remaining term of the vacated seat.

- A. The planning commission shall elect a chairperson from its members at the first regular planning commission meeting of the calendar year, as provided by the ordinance establishing the planning commission.
- B. The commission may adopt policies and procedures for the conduct of its meetings; the processing of applications, and for any other purposes considered necessary for the functioning of planning commission.
- C. The town council may provide that those policies and procedures be approved by the town council before taking effect.

Section 4.2 DUTIES AND POWERS OF THE PLANNING COMMISSION

The planning commission shall:

- A. Prepare and recommend a general plan and amendments to the general plan to the town council
- B. Recommend zoning ordinances and maps, and amendments to zoning ordinances and maps, to the town council.
- C. Administer provisions of the zoning ordinance, where specifically provided for in the zoning ordinance adopted by the town council.
- D. Recommend subdivision regulations and amendments to those regulations to the town council.
- E. Recommend approval or denial of subdivision applications.
- F. Advise the town council on matters as the town council directs.
- G. Hear or decide any matters that the town council designates, including the approval or denial of or recommendations to approve or deny conditional use permits.
- H. Exercise any other powers:
 - 1. That are necessary to enable it to perform its function; or
 - 2. Delegated to it by the town council.

Section 4.3 ENTRANCE UPON LAND

The planning commission or its authorized agents may enter upon any land at reasonable times to make examinations and surveys.

**TRENTON, UTAH
ZONING ORDINANCE
CHAPTER 5
BOARD OF ADJUSTMENT**

Section 5.1	Board Membership
Section 5.2	Organization
Section 5.3	Duties and Powers

Section 5.1 BOARD MEMBERSHIP

- A. The board of adjustment is established, the members of which shall be appointed by the Mayor with the advice and consent of the town council.
- B. The board shall consist of five (5) members, each to be appointed for a term of five (5) years and removable for cause by the appointing authority upon written charges and after public hearing, except that the first five (5) members so appointed, one (1) member shall be appointed to serve one (1) year, one (1) member, two (2) years, one (1) member, three (3) years, and one (1) member shall be appointed for a five (5) year period to take the place of the member whose term shall next expire. Any vacancy occurring on the board by reason of death, resignation, removal or disqualification shall be promptly filled by the Mayor with the advice and consent of the town council for the unexpired term of each member.

Section 5.2 ORGANIZATION

The board of adjustment shall organize and elect a chairman and adopt rules in accordance with the provisions of this title and other laws. Meetings of the board shall be held at the call of the chairman and at such time as the board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each question, or if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official action; all of which shall be immediately filed in the office of the town clerk.

Section 5.3 DUTIES AND POWERS

In addition to any other powers given by state law or these zoning ordinances, upon appeals, the board of adjustment after proper notice and public hearing shall have the following powers:

- A. To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made in the enforcement of this title;
- B. To authorize upon appeal in specific cases such variance from the terms of these zoning ordinances not to contrary to the public interest, where, owing to special conditions a literal enforcement of the provisions of this chapter will result in unnecessary hardship; provided, that the spirit of these ordinances shall be preserved and substantial justice done;
- C. To interpret the zoning map and zoning ordinance;
- D. The board of adjustment may make determinations regarding the existence, expansion, or modification of nonconforming uses if that authority is delegated to them by the legislative body.
- E. In exercising the above-mentioned powers, such board may in conformity with the provisions of the law, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken; provided that before any variance may be granted it shall be shown that:
 - 1. The variance will not substantially affect the comprehensive plan of zoning in the town and that adherence to the strict letter of the ordinance will cause difficulties and hardships and are not self-imposed, the imposition of which upon the petitioner is unnecessary in order to carry out the general purpose of the plan.

2. Special circumstances attached to the property covered by the application, which do not generally apply to the other property in the same zone.
 3. That because of the special circumstances, property covered by application is deprived of privileges possessed by other property in the same zone; and that the granting of the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.
- F. The concurring vote of a majority of the five (5) members of the board shall be necessary to reverse any order, requirement or determination of such administrative official, or to decide in favor of such applicant on any matter for which it is required to pass or to effect any such variation of special exemption to these ordinances.

**TRENTON, UTAH
ZONING ORDINANCE
CHAPTER 6
OFF-STREET PARKING AND LOADING**

Section 6.1	Off Street Parking Required
Section 6.2	Parking Space for Dwellings
Section 6.3	Parking Space Buildings or Uses not Dwellings
Section 6.4	Location of Parking Spaces
Section 6.5	Parking Lot Regulations
Section 6.6	Off Street Truck Loading Space

Section 6.1 OFF STREET PARKING REQUIRED

There shall be provided at the time of erection of any building or at the time any main building is enlarge or increased in capacity, minimum off-street parking space with adequate provisions for ingress and egress by standard sized automobiles.

Section 6.2 PARKING SPACE FOR DWELLINGS

In all zones there shall be provided in a private garage, or in area properly located for a future garage, a surfaced space including gravel for the parking of one (1) automobile for the first six hundred (600) squared feet or fraction thereof of gross floor area in a new dwelling, plus one (1) extra parking space for each six hundred (600) additional square feet of such space added in the case of the enlargement of existing building. In no case shall there be less than one (1) such parking space for each dwelling unit. There shall be no change of use without the attendant space to accommodate the increased off-street parking needs. A minimum parking space shall be at least nine (9) feet by twenty (20) feet hard surface including gravel.

Section 6.3 PARKING SPACE-BUILDINGS OR USES NOT DWELLINGS

For a new building, or any enlargement or increase in seating capacity, floor area or guest rooms of any existing main building, there shall be at least one (1) permanently maintained parking space of not less than one hundred sixty (160) square feet net area as follows:

- A. For church, school, college, and university auditoriums and theaters, general auditoriums, stadiums and other similar places of assembly, at least one (1) parking space for every five (5) fixed seats provided in said buildings or structures.
- B. For hospitals, at least (1) parking space for each two (2) beds, including infant cribs and children's beds. For medical and dental clinics, at least ten (10) parking spaces, provided that three (3) additional parking spaces shall be provided for each doctor or dentist having offices in such clinic in excess of three (3) doctors or dentists.
- C. For tourist courts and apartment motels, at least one (1) parking space for each individual sleeping or living unit; for hotels and apartment hotels, at least one (1) parking space for each (2) sleeping rooms up to and including the first twenty (20) sleeping rooms, and one parking for each three (3) sleeping rooms over twenty (20) sleeping rooms.
- D. For boarding houses, lodging houses, dormitories, fraternities or sororities, at least one (1) parking space for every three (3) persons for whose accommodation the building is designed or used.
- E. For restaurants or establishments that serve meals, lunches or drinks to patrons either in their cars or in the building, for retail stores selling directly to the public, and for dance halls and recreational places of assembly, at least one (1) parking space for each two hundred (200) Square feet of floor space in the building, or one (1) parking space for each two (2) employees working on the highest employment shift, or five (5) parking spaces, which ever requirement is the greater.
- F. For mortuaries, at least thirty (30) parking spaces; for liquor stores, at least twenty (20) parking spaces.
- G. For all business or industrial uses not listed above, on (1) parking space for each two (2) employees working on the highest employment shift.
- H. In no case shall a building be constructed, altered or increased where, if the foregoing parking provisions are inadequate to provide sufficient spaces for all employees and customers combine the provision of adequate parking spaces shall supersede any and all foregoing formulas.

Section 6.4 LOCATION OF PARKING SPACES

Parking space as required above shall be on the same lot with the main building or, in the case of buildings other than dwellings, may be located within the same block not farther than five hundred (500) feet there from.

Section 6.5 PARKING LOT REGULATIONS

Every parcel of land hereafter used as a parking lot shall be paved with an asphalt or concrete surfacing shall have appropriate bumper guards where needed as determined by the building inspector Any lights used to illuminate the parking area shall be so arranged to reflect the light away from adjoining premises in any residential zone Wherever a parking lot is located adjacent to a residential zone boundary there shall be provided a solid wall or compact evergreen hedge or uniformly painted board fence not less than four (4) in height not to exceed six (6) feet in height on the residential boundary side

Section 6.6 OFF STREET TRUCK LOADING SPACE

On the same premises with every building, structure or part thereof, erected and occupied or increased in capacity after the effective date of the ordinance, for manufacturing, storage, warehouse, goods display, department store, grocery, hotel, hospital, mortuary, laundry, dry cleaning or other use similarly involving the receipt of distribution by vehicle of materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading services in order to avoid undue interference with public use of streets or alleys. Such space, unless otherwise adequately provided for shall include a minimum ten (10) foot by twenty-five (25) foot loading space with a minimum of fourteen (14) foot height clearance, for every twenty thousand (20,000) square feet or fraction thereof in excess of three thousand (3,000) square feet of building-floor use for above mentioned purposes, or for every twenty thousand (20,000) square feet or fraction thereof in excess of three thousand (3,000) square feet of land-use for above-mentioned purpose.

**TRENTON, UTAH
ZONING ORDINANCE
CHAPTER 7
MOTOR VEHICLE ACCESS**

- Section 7.1 Business Requiring Access**
Section 7.2 Roadways and Curbs
Section 7.3 Location of Gasoline Pumps

Section 7.1 BUSINESS REQUIRING ACCESS

Service stations, roadside stands, public parking lots, and all other businesses requiring motor vehicle access shall meet the requirements as provided in this chapter.

Section 7.2 ROADWAYS AND CURBS

Access to the station or other structure or parking lot shall be controlled as follows.

- A. Access shall be not more than two (2) roadways for each one hundred (100) feet or fraction thereof of frontage on any street.
- B. No two (2) of the roadways shall be closer to each other than twelve (12) feet; and no roadway shall be closer to a side property line than three (3) feet.
- C. Each roadway shall be not more than thirty-six (36) feet in width.
- D. No roadway shall be closer than twenty (20) feet to the point of intersection of two (2) property lines at any street corner.
- E. In all cases where there is an existing curb and gutter or sidewalk on the street, the applicant for a permit shall provide a safety island along the entire frontage of the property except for permitted roadways; concrete curbs shall be constructed and height, location, and structural specifications shall be approved by the town engineer.
- F. Where there is no existing curb, and gutter, or sidewalk the applicant shall install such safety island and curb or in place thereof, construct along the entire length of the property line, except in front of the permitted roadways, a curb, fence, or pipe rail not exceeding two (2) feet or less than eight (8) inches in height.

Section 7.3 LOCATION OF GASOLINE PUMPS

Gasoline pumps shall be set back not less than eighteen (18) feet from any street line to which the pump island is vertical and twelve (12) feet from any street line to which the pump island is parallel, and not less than ten (10) feet from any residential or agriculture zone boundary line. If the pump island is set at an angle on the property, it shall be so located that automobiles stopped for service will not extend over the property line.

ZONING ORDINANCE
CHAPTER 8
CONDITIONAL USES

Section 8.1	Purpose
Section 8.2	Conditional Use Permit
Section 8.3	Review Procedure
Section 8.4	Determination
Section 8.5	Issuance
Section 8.6	Building Permit
Section 8.7	Expiration
Section 8.8	Specific Review Criteria for Certain Conditional Uses

Section 8.1 PURPOSE

The purpose and intent of conditional uses is to allow in certain areas compatible integration of uses which are related to the permitted uses of the zone, but which may be suitable and desirable only in locations in that particular zone due to conditions and circumstances peculiar to that location and/or upon certain conditions which make the uses suitable and/or only if such uses are designed, laid out and constructed on the proposed site in a particular manner.

Section 8.2 CONDITIONAL USE PERMIT

A conditional use permit shall be required for all uses listed as conditional uses in the zone regulations, a conditional use fee may be charged. The town council may revoke a conditional use permit after review and recommendation by the planning commission, upon failure to comply with the conditions imposed with the original approval of the permit.

Section 8.3 REVIEW PROCEDURE

- A. Application for a conditional use permit shall be made to the planning commission.
- B. Detailed location, site, and building plan shall accompany the completed application forms provided by the town.
- C. The application together with all pertinent information shall be considered by the planning commission at its next regularly scheduled meeting.
- D. The planning commission shall call a public hearing on any application after adequate notice and in compliance with current state law.
- E. A record of the hearing, together with a recommendation for the denial or issuance of the conditional use permit with conditions of approval or reasons for denial shall be forwarded to the town council.

Section 8.4 DETERMINATION

The planning commission may deny or recommend a conditional use to be located within any zone in which the particular conditional use is permitted by the use regulations of that zone. In authorizing any conditional use, the planning commission shall impose such requirements and conditions necessary for the protection of adjacent properties and the public welfare.

Section 8.5 ISSUANCE

The planning commission shall not recommend a conditional use permit unless evidence is presented to establish that:

- A. The proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community;
- B. Such use will not, under the circumstance of the particular case and the conditions imposed, be detrimental to the health, safety, and general welfare of persons nor injurious to property or improvements in the community, but will be compatible with and complementary to the existing surrounding uses, buildings and structures when considering traffic generation, parking, building design, and location, landscaping and signs; and
- C. The proposed use will comply with the regulations and conditions specified in this ordinance for such use; and

- D. The proposed use conforms to the goals, policies and governing principles and land use of the master plan of the town.
- E. The proposed use will not lead to the deterioration of the environment or ecology of the general area, nor will produce conditions or emit pollutants of such a type or of such a quantity so as to detrimentally effect, to any appreciable degree, public and private properties including the operation of existing uses thereon, in the immediate vicinity or the community or area as a whole.

Section 8.6 BUILDING PERMIT

Following the issuance of a conditional use permit, the building inspector shall approve an application for a building permit and shall insure that development is undertaken and completed in compliance with the permits and conditions pertaining thereto.

Section 8.7 EXPIRATION

Unless there is substantial action under a conditional use permit within a maximum period of one (1) year of its issuance, the conditional use permit shall expire. The planning commission may grant a maximum extension of six (6) months under exceptional circumstances.

Section 8.8 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 the following conditional use:

- A. Adult Oriented Businesses. The purpose of this chapter is to establish reasonable and uniform regulations to prevent the concentration of adult-oriented businesses or the location in areas deleterious to the health, safety, and welfare of the town, and to prevent inappropriate exposure of such businesses to the community. This chapter regulates the time, place, and manner of the operation of sexually-oriented businesses, consistent with the United States and Utah State Constitutions.
- B. No adult-oriented business may be located within one thousand feet (1000) of any:
 - 1. School, day care facility, cemetery, public park, library, or religious institution;
 - 2. Residential zoning boundary;
 - a. Liquor store; or
 - b. Other adult-oriented business.
 - 3. For the purposes of this section, distance is measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which the adult-oriented business is located and:
 - a. The closest exterior wall of another adult oriented business;
 - b. The closest property line of any school, day care facility, public park, library, cemetery or religious institution; and
 - c. The nearest property line of any residential zone.

**TRENTON, UTAH
ZONING ORDINANCE
CHAPTER 9
BUILDING PERMIT, OCCUPANCY CERTIFICATE AND SITE PLAN**

- Section 9.1 Building Permit Required**
- Section 9.2 Certificate of Occupancy Required**
- Section 9.3 Site Plan Approval Required**

Section 9.1 BUILDING PERMIT REQUIRED

The construction, alteration, repair, removal or occupancy of any structure or any part thereof, as provided or as restricted in this ordinance shall not be commenced, or proceeded with, except after the issuance of a Zoning Clearance by the Planning and Zoning Commission and a written permit by the building inspector; provided, that no permit shall be necessary where the erection, construction, reconstruction, or alteration is minor (less than two hundred (200) square feet), or as determined by the building inspector.

Section 9.2 CERTIFICATE OF OCCUPANCY REQUIRED

No land shall be used or occupied, and no building hereafter structurally altered or erected shall be used or changed in use, until a certificate of occupancy shall have been issued by the building inspector, stating that the building or the proposed use thereof, or the use of the land, complies with the provisions of this ordinance. A like certificate shall be issued for the purpose of maintaining, renewing, changing or extending a nonconforming use. A certificate of occupancy either for the whole or a part of a building or structure shall be applied for coincidentally with the application for a building permit and shall be issued within the ten (10) days after the erection or structural alteration of such building or structure, or part thereof, shall have been completed in conformity with the provisions of this ordinance.

Section 9.3 SITE PLAN APPROVAL REQUIRED

- A. In any zone the location of main and accessory buildings on the site and in relation to another, the traffic circulation features within the site, the height and bulk of building, the provision of off-street parking space, the provision for driveways for ingress and egress, the provision of other open space on the site, and the display of signs shall be in accordance with a site plan or plans or subsequent amendment thereof approved in any case by the planning commission prior to issuance of a building, or land use permit. In approving site plans the planning commission may act on a site plan submitted to it or may act on its own initiative in proposing and approving the site plan, including any conditions or requirements designated or specified on or in connection therewith.
- B. A site plan shall also include a landscaping plan and fences, or walls designed to further the purposes of the regulations for commercial zones, and such features shall be provided and maintained as a condition of the establishment and maintenance of any use to which they are appurtenant. In considering any site plan hereunder, the planning commission shall endeavor to assure safety and convenience of traffic movement both within the area covered and in relation to access streets, harmonious and beneficial relation among the buildings and uses in the area covered, the satisfactory and harmonious relation between such area and contiguous land and buildings and adjacent neighborhoods
- C. Prior to developing and/or building in any zone in the town and prior to any building permit being issued or any property being developed or subdivided, the property owner or developer shall agree to install all improvements, including but not limited to landscaping improvements, sewer, water, gas lines, utilities, streets, etc., to the property line or such location as required by the town council to facilitate the orderly and proper development of the surrounding property. When such improvements are required an escrow or bond may be required before building or development may begin.

**TRENTON, UTAH
ZONING ORDINANCE
CHAPTER 10
ADMINISTRATION AND ENFORCEMENT**

Section 10.1	Building Inspector-Enforcement Duties
Section 10.2	Building Inspector-Permit Compliance
Section 10.3	Building Inspector-Powers and Duties
Section 10.4	Changes and Amendments
Section 10.5	Attorney's Fees, Engineering Fees and Other Professional Fees and Costs
Section 10.6	Annexation
Section 10.7	Licensing
Section 10.8	Violations

Section 10.1 BUILDING INSPECTOR-ENFORCEMENT DUTIES

The building inspector, appointed under the provisions of the building code of the town, is designated and authorized as the officer charged with enforcement of this ordinance, but the town council, by resolution or ordinance may from time to time entrust such administration, in whole or in part, to any other officer of the town without amendment to this ordinance.

Section 10.2 BUILDING INSPECTOR-PERMIT COMPLIANCE

From the time of the effective date of the ordinance codified in this ordinance the building inspector shall not grant a permit for the construction or alteration of any building or structure or the moving of a building or structure onto a lot, if such building, or structure would be in violation of this ordinance.

- A. A building permit must be obtained within 2 months of getting approval for a Zoning Clearance.
- B. Substantial progress must be made within 6 months of obtaining a building permit. If substantial progress is not made the permit will be suspended and a fine of \$1000 will be charged the first month following suspension and doubling each month thereafter that for up to six months. At the six month mark the permit will be revoked and the lot must be returned to a preconstruction state. All fines collected will be kept by the town to offset costs occurred with the process.

Section 10.3 BUILDING INSPECTOR-POWERS AND DUTIES

It shall be the duty of the building inspector to inspect or cause to be inspected all buildings in course of construction or repair. He shall enforce all the provisions of this ordinance, entering actions in the court when necessary, and his failure to do so shall not legalize any violation of such provisions. The building inspector shall not issue any permit unless the plans of and for the proposed erection, construction, reconstruction, alteration and use fully conform to all zoning regulations then in effect.

Section 10.4 CHANGES AND AMENDMENTS

This zoning ordinance, including the maps, may be amended from time to time by the town council after fifteen (15) days' notice and public hearing, but all proposed amendments shall be first proposed by the planning commission or shall be submitted to the planning commission for its recommendation which shall be returned to the town council for its consideration within thirty (30) days. Failure of the planning commission to submit its recommendation within the prescribed time shall be deemed an approval by such commission of the proposed change or amendment. The town council may overrule the planning commission's recommendations by a majority vote of its members.

Section 10.5 ATTORNEY'S FEES, ENGINEERING FEES AND OTHER PROFESSIONAL FEES AND COSTS

- A. Fees. All fees incurred by the town for professional services relation to a subdivision shall be passed on directly to the subdivider for payment.
- B. Deposits/Refund. At the time of application for a subdivision, the subdivider shall pay a deposit of fifty (50) percent of the projected engineering checking, and engineering inspection fees for said subdivision, as determined by the town engineer. At the time of conditional final acceptance, providing that all professional fees have been paid, seventy-five (75) percent of the deposit shall be refunded. The remaining twenty-five (25) percent shall be refunded when the guarantee period has expired, and final approval has been granted.

- C. Non-payment. Non-payment of professional fees, after sixty (60) days from the invoice date, shall be caused to order all work to cease in said subdivision and denial of building permits for lots in the subdivision until such fees are paid in full. In addition, failure by the subdivider to reimburse the town for attorney's fees, engineering fees and other professional fees and costs incurred by the town in relation to the subdivider's subdivision shall be grounds for denial of approval of subsequent phases of the same subdivision within the town or denial of approval of subsequent subdivision projects within the city.
- D. Default. In any legal proceeding brought by the town to collect attorney's fees, engineering fees and other professional fees and costs incurred by the town in relation to a subdivider's project, the prevailing party shall recover its costs of court, including attorney's fees.
- E. Interest Charge. Any payment not received within thirty days of the billing date will be charged interest at the rate of 1.5% per month (18% per annum), which interest shall begin accruing as of billing date.

Section 10.6 ANNEXATION

New areas annexed to the town shall automatically be classified as being in agriculture zone, A5, until such classification shall have been changed by an amendment to the zoning ordinance or as provided by law.

Section 10.7 LICENSING

All departments, officials and public employees of the town which are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this ordinance shall issue no permit or license for uses, buildings, or purposes where the same would be in conflict with the provisions of the ordinance, shall be null and void.

Section 10.8 VIOLATIONS

Any person, firm, or corporation, whether as principal, agent, employee or otherwise, convicted of violating or causing or permitting the violation of the provisions of this title shall be guilty of a class C misdemeanor, and in addition to the fine for such violation, the violator shall pay all cost and expenses involved in the case. Each day such violation continues shall be considered a separate offense and punishable as such. No suspension of sentence or prohibition shall be granted to any such violator unless there is included in the terms thereof, the term that the violator shall comply with the provisions which he has been convicted of violation and shall comply with the provisions of the ordinance which he has violated and shall abate and correct illegal conditions which he has brought about by the erection, construction, enlargement, alteration, omission or conversion of which he has been a party.

**TRENTON, UTAH
ZONING ORDINANCE
CHAPTER 11
HOME OCCUPATIONS**

Section 11.1	Purpose
Section 11.2	Procedure
Section 11.3	Conditions
Section 11.4	Special Requirements for Child Day Care, Preschool, Dance Studio or Any Other Group Classes
Section 11.5	Non-Compliance
Section 11.6	Appeal

Section 11.1 PURPOSE

To assure compliance with the provisions of this ordinance, and to protect the character of residential neighborhoods within Trenton boundaries a business license shall be obtained from the planning commission before any part of a dwelling unit may be used for business purposes

Section 11.2 PROCEDURE

The planning commission may, upon application, issue a business license, which shall state the home occupation permitted, the conditions attached thereto, and any time limitations imposed thereon. The permit shall not be issued unless the planning commission is satisfied that the applicant will meet all the conditions listed herein and that the applicant has agreed in writing to comply with all such conditions. All applications shall be accompanied with payment of any applicable fee in such amount as the town council shall from time to time establish by ordinance or resolution, and payment of all business license fees required by the town's ordinances.

Section 11.3 CONDITIONS

Each and every one of the following conditions must be observed at all times by the holder of a home occupations business license.

- A. The home occupation shall be carried on primarily by persons residing in the dwelling unit wherein the occupation is conducted. No more than two (2) persons who are not bonafide residents of the premises shall be employed on said premises.
- B. Display of merchandise, goods or customer services shall be permitted pursuant to conditions imposed at time business license is granted.
- C. Signs, advertising or displays of any kind shall be in compliance with the applicable zone.
- D. Any home occupation shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes and shall not change the character thereof.
- E. The home occupation shall not be a nuisance or cause any undue disturbance to the neighborhood.
- F. The occupation shall not involve the use of any part of a dwelling for which, by reasons of state, federal or local law or ordinances, special or extra entrances or exits, or special rooms are required as prerequisite condition to the operation of such use, or for which said laws or ordinances require such modification or equipment.
- G. The occupation must be carried on within the dwelling except that existing accessory buildings and structures on the same lot as the dwelling may be used when approved in writing by the planning commission.
- H. There shall be complete conformity with fire, building, plumbing, electrical, and health codes and all state and town laws and ordinances.
- I. A home occupation shall not cause or create a demand from municipal or utility services or community facilities in excess of those usually and customarily provided for residential uses.
- J. The home occupation shall not alter the residential character or the premises or unreasonably disturb the peace and quiet, including radio and television reception, or the neighborhood by reasons of color, design, materials, construction, lighting, odors, sounds, noise or vibrations.
- K. Any special conditions established or imposed by the planning commission and made of record in the business license, as the commission deems necessary to carry out the intent of this ordinance shall be met.

Section 11.4 SPECIAL REQUIREMENTS FOR CHILD DAY CARE, PRESCHOOL, DANCE STUDIO OR ANY OTHER GROUP CLASSES

Prior to the issuance of a Trenton Town business license and during operation of a child daycare, preschool, dance studio, or other group classes as a home occupation, the following conditions shall apply.

A copy of a Utah State Agency license, permit or approval, if required, shall be provided to Trenton Town.

- A. If exterior play areas are used, they shall be fenced. The fence shall be a minimum of six (6) feet high and have a self-closing, self-latching gate; openings in the fence shall not be large enough to allow a four (4) inch sphere to pass through. Field fence or barbed wire shall not be sufficient to serve this purpose.
- B. A minimum of thirty-five (35) square feet of floor space shall be required for each child or student enrolled. The area shall be wholly within the primary structure on the premises and shall not exceed the equivalent of thirty (30) percent of the finished living space to a maximum of three hundred (300) square feet. Areas of unfinished construction cannot be used in these calculations.
- C. Children shall not be allowed in areas of the home with unfinished construction.
- D. Children shall be supervised or under adult supervision at all times.

Section 11.5 NON-COMPLIANCE

Any business license may be revoked by the planning commission upon violation of any requirements of this ordinance or upon failure to comply with any of the conditions or limitations of the permit, unless such violations are satisfactorily corrected within three (3) days of receipt of written notice thereof. A business license may be revoked for repeated violations of the requirements of this ordinance notwithstanding compliance to the violation notice. The granting of a business license shall not relieve applicant of any other license requirements of the town or of any other public agency.

Section 11.6 APPEAL

In the event, of denial of any business license, or of the revocation thereof, or of objections to the limitations placed thereon, appeal may be made to the board of adjustment in accordance with the provisions of this ordinance.

**TRENTON, UTAH
ZONING ORDINANCE
CHAPTER 12
REZONING PROCEDURE AND DEVELOPMENT AGREEMENT**

Section 12.1	Purpose and Intent
Section 12.2	Development to Be Linked to Rezoning-a Town Policy
Section 12.3	Petition Procedure
Section 12.4	Concept Development Plan
Section 12.5	Concept Development Plan Attached to Rezoning
Section 12.6	Procedure for Processing Development Proposals
Section 12.7	Development to Take Place Only in Accordance with Approved Plans
Section 12.8	Reversion to Original Zoning Designation
Section 12.9	Development Agreement
Section 12.10	Development Agreement to Constitute a Covenant Running with the Land
Section 12.11	Town Zoning Alternative Actions

Section 12.1 PURPOSE AND INTENT

The purpose of this chapter is to establish responsibilities and commitments of both Trenton and a zoning petitioner at the time the town considers rezoning to property in response to a petition filed by an applicant/developer. This chapter also outlines the procedure and options of the town in considering rezoning approval.

Section 12.2 DEVELOPMENT TO BE LINKED TO REZONING-A TOWN POLICY

- A. Since the purpose of zoning regulations is to promote the general welfare, safety, health, convenience and economic prosperity of the residents of the town, it is town policy that rezoning of property upon petition by property owners should further this purpose. A rezoning of property itself does nothing to promote these goals, the achievement of proposed development upon which rezoning is based is of prime importance to the town to justify the actual rezoning requested.
- B. It is to the advantage of a petitioner for rezoning to gain town approval to a development concept for property which is the subject of a zoning petition. Approval of a development concept will be in accordance with policies and guidelines outlined in the towns adopted general plan respecting the end desires of residents in the immediate area.
- C. Therefore, in order to associated projected development with a rezoning petition, Trenton requires a concept development plan showing a petitioner's general development proposals be submitted, part of a rezoning petition for all proposed multi-family dwelling, mixed use, recreation resort, commercial and industrial developments.
- D. With this information, the town can more readily determine whether a rezoning petition would be in conformance with the city adopted master plan, its goals and policies and be compatible with surrounding land use and zoning and can better assess the impact of the proposed development on existing public infrastructure along with the attitudes of property owners and residents of the immediate area. The intent herein is to enhance flexibility and facilitate ease of acceptance in the town's response to rezoning requests.

Section 12.3 PETITION PROCEDURE

- A. The town procedure for processing rezoning petitions for multi-family dwelling, mixed use, recreational resort, commercial and industrial developments requires a petitioner to submit as part of the rezoning petition, a concept development plan and to specify the general land uses, the general and building arrangements which will occupy the property and the general time frame and phasing development if rezoning is granted.
- B. Neighboring property owners will be notified not only of the rezoning petition, but also of the general details of what is proposed and how and when it will be located on the property.
- C. The planning commission will consider whether the petition should be approved or disapproved based upon the merits and compatibility of the proposed project with the general plan and surrounding land uses and its impact on the surrounding area. They will consider also whether the proposed development, and in turn the petition for rezoning, is needed to provide the service or convenience brought about by changing conditions and which therefore promotes the public welfare. They may require change in the concept development plan in order to achieve compatibility and may impose conditions to lessen or eliminate adverse impacts.

Section 12.4 CONCEPT DEVELOPMENT PLAN

The plan to be submitted with a rezoning petition shall indicate general land use types, approximate locations and arrangements of buildings, structures, and facilities and general open space, parking access and traffic patterns and shall be regarded as a “concept development plan” only, with more specific development plans to be reviewed by the town at a later date as part of its site plan design review, conditional use approval and building permit issuance process.

Section 12.5 CONCEPT DEVELOPMENT PLAN ATTACHED TO REZONING

At the time of rezoning approval by the town council the concept development plan is also approved and becomes attached to the rezoning and the rezoned land. The petitioner/owner and any assigns or successor in interest, becomes committed to develop only in accordance with the proposals outlined in the plan and any materially different concept, use building arrangement, etc, will not be approved nor will building permits be issued by the town until and unless such plan is amended by the town council after recommendations of the planning commission and after public hearing as per the procedure followed for original approval. If the town denies such challenges or amendments and/or the concept plan is abandoned, the town may institute steps to revert the zoning to its former or other appropriate zone as herein outlined.

Section 12.6 PROCEDURE FOR PROCESSING DEVELOPMENT PROPOSALS

After rezoning is completed, a development proposal shall be processed and specific plans for all or a phase of the development on the rezoned land shall be reviewed as required by the zoning ordinance and other applicable regulations and codes in effect and shall be in accordance with the approved concept plan and any conditions attached thereto.

Section 12.7 DEVELOPMENT TO TAKE PLACE ONLY IN ACCORDANCE WITH APPROVED PLANS

Where a concept development plan has been approved in conjunction with the rezoning of land, and where more specific plans have been approved as part of the zoning process for obtaining building permits, such permits shall be issued only for uses, buildings and structures approved on the plan. Permits shall be issued, and development shall only proceed in such a manner as to assure that all amenities and features of the plan are constructed and all conditions are complied with as development proceeds.

Section 12.8 REVERSION TO ORIGINAL ZONING DESIGNATION

- A. If development does not occur as proposed at the time of zoning approval, the public benefits expected from the development cannot be realized and the effect of the rezoning is therefore without merit in terms of improving the public economic prosperity, general welfare, safety, health and convenience to the town’s residents. If in such cases the town finds that the zoning purpose has not been attained, the town then may initiate steps to revert the zoning to its former or other appropriate zone as future opportunities for similar development in the same general area may be shared by all properties deemed suitable and so a speculative zoning monopoly is not created.
- B. If building permits have not been obtained or if construction of the development or an agreed upon phase thereof in accordance with the approved concept and final development plans, has not commenced within two (2) years from the date of zoning approval or other time period as set by the town council, the town may examine the reasons for the delay and the progress of the developers to that point and may either extend the time period or initiate steps to revert the zoning designation of the previously rezoned land to its former or other appropriate zone. The reversion of zoning shall follow the same procedure established by law for amending the zoning map.

Section 12.9 DEVELOPMENT AGREEMENT

- A. The town council may require a petitioner, at the time of zoning approval, to enter into a zoning development agreement which specifies and details the petitioner’s responsibilities and commitments in carrying out development contained in an approved concept development plan and which lists the conditions and limitations of development imposed by the town and also the contemplated action of the town in case of default by a petitioner or any successors in interest in the rezoned property.
- B. The agreement shall also contain the petitioner’s acknowledgment that the commitment of zoning is predicated upon the good faith accomplishment of the approved development and if not started or constructed within the specified period of time, the town may take steps to rescind zoning approval and revert the zoning to its former or other appropriate zone.

Section 12.10 DEVELOPMENT AGREEMENT TO CONSTITUTE A COVENANT RUNNING WITH THE LAND

A zoning development agreement which has been executed as part of rezoning process shall be recorded in the county recorder's office as a covenant running with the land.

Section 12.11 TOWN ZONING ALTERNATIVE ACTIONS

- A. In all rezoning petition considerations, the town council after considering the recommendations of the town planning commission and after holding the required public hearing(s) may take any of the following final alternative actions:
 - 1. Where a concept development plan is required as provided for in this chapter, the town council may approve rezoning and concurrently approve a concept development plan for the development of the petitioned-for property, in whole or in part, with or without changes or conditions and adopt an ordinance rezoning the property, or the town may by motion, grant conditional zoning approval with the rezoning to become effective by passage of an ordinance at a future date when more detailed development plans and/or other information have been approved by the town. This action represents a zoning commitment by the town with fulfillment based upon a petitioner's future more complete proposal.
 - 2. Conditional zoning approval shall be valid for a period of two (2) years, or such other time period as expressly set by the town council. Upon the expiration of such period of time, the town council, after due consideration of additional material submitted, shall either grant an extension of time or rescind its conditional approval and deny the rezoning petition.
 - 3. The town council may grant or deny the rezoning petition outright, in whole or in part. It may require the petitioner to execute a development agreement with the town when it deems it appropriate or necessary.
 - 4. The town council may rezone or agree to rezone the subject land to any other zone or zones deemed more appropriate when considering the general plan, citizen's comments and other factors and which may allow some or all of the petitioner's requested uses.
- B. The town council, upon its own initiative and after receiving the recommendations of the planning commission may zone or rezone land:
 - 1. Where it is determined to be in the best interest of the general public; or
 - 2. In order to achieve consistency as a result of amendments to the town general plan; or
 - 3. Where changed conditions, public attitudes or life styles so indicate a need; or
 - 4. Due to special circumstances associated with the land which would not unduly increase any burden (noise, traffic, odor, property valuation, etc) to adjoining land zoned for uses different than the proposed zone.

**TRENTON, UTAH
SUBDIVISION ORDINANCE
CHAPTER 13.00
GENERAL PROVISIONS**

Section 13.00.1	Short Title Section
Section 13.00.2	Purpose
Section 13.00.3	Authority
Section 13.00.4	Severability
Section 13.00.5	Definitions and Applicability
Section 13.00.6	Jurisdiction and Penalty
Section 13.00.7	Restricted Lots with Existing Single-family Dwelling

Section 13.00.1 SHORT TITLE

This Ordinance shall be known and may be cited as the Trenton Town Subdivision Ordinance and may be identified within this document as “the Ordinance,” “this Ordinance” or “Subdivision Ordinance.”

Section 13.00.2 PURPOSE

This Ordinance is established to promote the health, safety and welfare of residents of Trenton Town and to provide for the orderly subdivision of land within the incorporated area of Trenton, Utah

Section 13.00.3 AUTHORITY

This Ordinance is enacted and authorized under the provisions of Title 17, Chapter 27, *et. sect.* Utah Code Annotated, 1953, as amended.

Section 13.00.4 SEVERABILITY

If any section, provision, sentence, or clause of this title is declared unconstitutional by a court of competent jurisdiction, such determination shall not impair the validity of the remainder of this title which shall remain in full force and effect.

Section 13.00.5 DEFINITIONS AND APPLICABILITY

For the purposes of this Ordinance all terms shall have the same definition as provided by § 17-27-103, Utah Code Annotated, 1953, as amended, except the definition of “subdivision” as provided more fully herein.

For the purposes of this Ordinance a subdivision shall be, and shall mean;

Any land that is divided, resubdivided or proposed to be divided into two (2) or more lots, plots, parcels, sites, units, or other division of land after January 1, 2004 for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. Subdivision includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument.

A subdivision does not include:

- A. A lot or parcel that qualifies as land in agricultural use under Title 59, Chapter 2, Part 5, Farmland Assessment Act, and providing a minimum parcel size of five (5) acres for each parcel created. A bona fide division of land for agricultural purposes does not include the establishment of a recreational use, cabin, single family dwelling, or any other residential use, and commercial and industrial uses.
- B. A recorded agreement between owners of adjoining properties adjusting their mutual boundary if:
 - 1. no new lot is created; and
 - 2. the adjustment does not result in a violation of any applicable zoning ordinances.
- C. A recorded document, executed by the owner of record, revising the legal description of more than one contiguous parcel of property into one legal description encompassing all such parcels of property;
- D. A bona fide division or partition of land for the purpose of siting, on one or more of the resulting separate parcels, an unmanned facility appurtenant to a pipeline owned or operated by a gas corporation, as defined

in §54-2-1, Utah Code Annotated, 1953, as amended, an interstate pipeline company, subject to the Jurisdiction of the Federal Energy Regulatory Commission under the National Gas Act] 5 U.S.C. Sec. 717 et. seq., or intrastate pipeline company, subject to the jurisdiction of the Federal Energy Regulatory Commission under the National Gas Act, 15 U.S.C. Sec-. 717 et. seq.

- E. A bona fide division or partition of land for the purpose of siting, on one or more of the resulting separate parcels, an unmanned telecommunications, microwave, fiber optic, electrical, or other utility service regeneration, transformation, or amplification facility.
- F. The joining of a subdivided parcel of property to another parcel of property that has not been subdivided so as to subject the unsubdivided parcel to this ordinance.

Section 13.00.6 JURISDICTION AND PENALTY

- A. This Ordinance shall govern and apply to the subdivision, platting and recording of all lands lying within the incorporated area of Trenton Town, Utah.
- B. No person shall subdivide any land, nor shall any building permit, other required development approval, or any other license or permit be issued for any lot or parcel of land which is located wholly, or in part, within the incorporated area of Trenton Town, except in compliance with this Ordinance, and all other applicable Local, State and Federal Laws.
- C. Any plat of a subdivision, or any survey description, filed or recorded without the approvals required by this Ordinance is deemed to be void, for the purposes of development or the issuance of a building permit, as required by §17-27-811 *et. seq.* Utah Code Annotated, 1953, as amended.
- D. Any owner or agent of the owner of any land located in a subdivision, as defined herein, who transfers or sells any land located within the subdivision before the subdivision has been approved and recorded, in the Office of the Cache County Recorder, consistent with the requirements of this Ordinance, and applicable Local, State and Federal requirements is guilty of a violation of this Ordinance, and State law at §17-97-811 *et. seq.* Utah Code Annotated, 1953, as amended, for each lot or parcel transferred or sold.
- E. The description by metes and bounds in the instrument or transfer or other documents used in the process of selling or transferring lots, plots, parcels, sites, units, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions does not exempt the transaction from the requirements of this Ordinance and such action from the penalties or remedies provided by this Ordinance, or the laws of the State of Utah.

Section 13.00.7 RESTRICTED LOTS WITH EXISTING SINGLE-FAMILY DWELLING

This section is provided for the consideration of restricted lots with an existing residential use in a single-family dwelling that was originally built upon a lot of record, but which was separated from the original parcel of land between August 21, 1970, and January 1, 2001. Any further divisions of the subject parcel shall meet the requirements for minor or major subdivision for the original 1970 parcel as defined in 13.01.4 of this chapter.

The planning commission may review a restricted lot with an existing residential use in a single-family dwelling to make a determination as whether such lots should be considered a legal lot for this existing use. The following information shall be provided to the Planning and Zoning Commission:

- A. An application and fee for a review of a restricted lot with an existing residential use in a single-family dwelling shall be presented to the Zoning Commission. The Zoning Commission will review the application and determine if the required information provided is complete.
- B. The applicant shall provide written documentation that he/she has attempted and exhausted every effort to work through the subdivision process with the other owner(s) of the original 1970 parcel.
- C. The restricted lot with an existing single-family dwelling meets all requirements of the Town Code including, but not limited to Title 13- Subdivisions Ordinance and Title 17- Zoning Ordinance.
 - 1. Lot size;
 - 2. Setback;
 - 3. Access;
 - 4. Dedication of Town road right-of-way(s), and;
 - 5. Any other requirements as specified by the Trenton Town Ordinance.

- D. A Record of Survey Map with all the applicable information required as per 13.03.6- *Property (Lot) Split Subdivision Application* has to be prepared, the Trenton Town Planning and Zoning Commission may waive any requirement deemed to be excessive under 13.03.6. In addition to the items from 13.03.6, the following information shall also be provided:
 - 1. County Assessor's Property Assessment Card- to verify date of construction single-family dwelling, and;
 - 2. County Recorder's Property History Card - to verify date of property division.
- E. Verification of the availability of required services (water and sewage) shall be required. The following information shall be provided to the Planning and Zoning Commission:
 - 1. Verification showing the approved water source for this residential use in a single-family dwelling, and;
 - 2. Certification from the Bear River Health Department that the current sewage system complies with all regulation.
- F. The property owner is willing to record an agreement with the Town agreeing to participate with any future subdivision requests for the remaining parcel(s) of the original 1970 parcel. This agreement will be recorded in the office of the Cache County Recorder with the property so as to inform and include all future property owners.
- G. Once the existing residential use in a single-family dwelling on a restricted lot has been approved by the Planning and Zoning Commission as legal for the use, the parcel shall not be eligible for a subdivision without including remainder of the original 1970 parcel. All permitted uses associated with this use shall be considered legal.
- H. All violation of the Trenton Town Ordinance must be resolved before the Planning and Zoning Commission grants approval of a residential use in a single-family dwelling on a restricted lot.

**TRENTON, UTAH
SUBDIVISION ORDINANCE
CHAPTER 13.01
GENERAL PROVISIONS**

- Section 13.01.1 Short Title**
- Section 13.01.2 Purpose and Authority**
- Section 13.01.3 Definitions and Applicability**
- Section 13.01.4 Jurisdiction and Penalty**
- Section 13.01.5 Severability (Effect)**
- Section 13.01.6 General Responsibilities**
- Section 13.01.7 Site Preparation Work Prohibited**
- Section 13.01.8 Incomplete Application**
- Section 13.01.9 Effective Period of a Subdivision Plat**

Section 13.01.1 SHORT TITLE

This Ordinance shall be known and may be cited as the Trenton Town Subdivision Ordinance and may be identified within this document as “the Ordinance,” “this Ordinance” or “Subdivision Ordinance.”

Section 13.01.2 PURPOSE AND AUTHORITY

The Trenton Town Council adopts this title pursuant to the Municipal Land Use and Development Management Act, title 10, chapter 9a, Utah Code Annotated, 1953, for the purposes set forth therein. This Ordinance is established to promote the health, safety and welfare of residents of Trenton Town and to provide for the orderly subdivision of land within the incorporated area of Trenton, Utah.

Section 13.01.3 DEFINITIONS AND APPLICABILITY

For the purposes of this Ordinance all terms shall have the same definition as provided by § 10-9a-103, Utah Code Annotated, 1953, as amended, and those in section 1.6 of the Trenton Town Zoning Ordinance.

- A. Subdivision shall be defined additionally as follows: Any land that is divided, resubdivided, or proposed to be divided into two (2) or more lots, plots, parcels, sites, units, or other division of land after August 2005, for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. Subdivision includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument.
- B. Subdivision: A subdivision containing two (2) to five (5) lots and which does not qualify as a Lot-Split Subdivision. All subdivisions are limited to five (5) lots.

Section 13.01.4 JURISDICTION AND PENALTY

This Ordinance shall govern and apply to the subdivision, platting and recording of all lands lying within the incorporated area of Trenton Town, Utah.

- A. No person shall subdivide any land, nor shall any building permit, other required development approval, or any other license or permit be issued for any lot or parcel of land which is located wholly, or in part, within the incorporated area of Trenton Town, except in compliance with this Ordinance, and all other applicable Local, State and Federal Laws.
- B. Any plat of a subdivision, or any survey description, filed or recorded without the approvals required by this Ordinance is deemed to be void, for the purposes of development or the issuance of a building permit, as required by section 10-9a-611 et. seq. Utah Code Annotated, 1953, as amended.
- C. Any owner or agent of the owner of any land located in a subdivision, as defined herein, who transfers or sells any land located within the subdivision before the subdivision has been approved and recorded, in the Office of the Cache County Recorder, consistent with the requirements of this Ordinance, and applicable Local, State and Federal requirements is guilty of a violation of this Ordinance, and section 10-9a-611 et. seq. Utah Code Annotated, 1953, as amended, for each lot or parcel transferred or sold.
- D. The description by metes and bounds in the instrument or transfer or other documents used in the process of selling or transferring lots, plots, parcels, sites, units, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all

other plans, terms, and conditions does not exempt the transaction from the requirements of this Ordinance and such action from the penalties or remedies provided by this Ordinance, or the laws of the State of Utah.

Section 13.01.5 SEVERABILITY (EFFECT)

If any section, provision, sentence or clause of this title is declared unconstitutional by a court of competent jurisdiction, such determination shall not impair the validity of the remainder of this title which shall remain in full force and effect.

Section 13.01.6 GENERAL RESPONSIBILITIES

- A. The subdivider shall prepare a plat consistent with the standards contained herein and shall pay for the design and inspection of the public improvements required. The town shall process said plats in accordance with the regulations set forth herein.
- B. Following a determination of a complete subdivision application by the planning zoning commission, the subdivision application shall be scheduled for consideration by the planning and zoning commission at a regular meeting.
 - 1. Notice of the meeting shall be provided as required by the Open and Public Meetings provisions of Utah Code Annotated (1953, as amended) section 52, part 4, and within section 10-9a, part 2, Utah Code Annotated (1953, as amended).
 - 2. Additional notice shall be provided by U.S. mail to all owners of record of real property within one thousand (1000) feet of the subdivision site.
- C. Proposed subdivisions shall be referred by the town clerk to such departments and special districts, governmental boards, bureaus, utility companies, and other agencies which will provide public and private facilities and services to the subdivision for their information and comment. The planning and zoning commission is responsible for coordinating the comments received from all public and private entities and shall decide which agencies to refer the proposed subdivisions to
- D. The planning and zoning commission shall make comments as to engineering requirements for street widths, grades, alignments and flood control, whether the proposed public improvements are consistent with this title and other applicable ordinances and policies, and for the inspection and approval of all construction of public improvements.
- E. The planning and zoning commission shall act as an advisory agency to the town council. It is charged with making investigations, reports and recommendations on proposed subdivisions as to their conformance to the Town General Plan, land use ordinance, and other pertinent documents. The planning and zoning commission shall recommend approval, approval with conditions, or denial of the preliminary and final plats to the county council.
- F. The town clerk shall approve the form of the final plat, that the subdivider dedicating land for use of the public is the owner of record, and that the land is free and clear of unacceptable encumbrances according to the title report.
- G. The town council has final jurisdiction in the approval of subdivision plats; the establishment of requirements for and design standards of public improvements; and the acceptance of lands and public improvements that may be proposed for dedication.

Section 13.01.7 SITE PREPARATION WORK PROHIBITED

No excavation, grading or regarding, or removal of vegetation for a proposed subdivision site shall take place and no building permits shall be issued, until a proposed subdivision has received approval from the Town Council or authorized designee, and the subdivision has been recorded in the Office of the Cache County Recorder.

Section 13.01.8 INCOMPLETE APPLICATION

The lack of any information required by this title, or improper information supplied by the applicant, shall be cause for the planning and zoning commission to find the subdivision application incomplete. An incomplete subdivision application shall be prohibited from being scheduled on a planning and zoning commission meeting agenda. The planning and zoning commission shall not consider any material, items or other information related to the proposed subdivision if the application is incomplete. If the planning and zoning commission determines that the subdivision application lacks any information as required by this title, the planning and zoning commission shall notify the applicant of the information lacking from the subdivision application. The planning and zoning commission shall allow forty-five (45) days from the date of notification of an incomplete subdivision application for the applicant to provide the required information and provide a complete subdivision application to the planning and zoning

commission. If the application for a subdivision approval remains incomplete after forty-five (45) days from date of notification of an incomplete subdivision application, the planning and zoning commission shall return the entire incomplete Subdivision application to the applicant, accompanied by all subdivision application fees paid less any administrative expenses incurred by the town to process the application

Section 13.01.9 EFFECTIVE PERIOD OF A SUBDIVISION PLAT

The approval of a preliminary subdivision or final plat shall be effective for a period of one (1) year from the date the plat is approved by the Town Council. If the approved plat is not recorded within the one (1) year from the date of approval the plat and approval shall be void, and applicant shall be required to submit a new application for review and approval subject to the existing provisions of this Ordinance and all other applicable Local, State, and Federal requirements in effect at the time of the submission of the application.

**TRENTON, UTAH
SUBDIVISION ORDINANCE
CHAPTER 13.02
TYPE AND PROCESS**

- Section 13.02.1 Standards and Lot Size**
- Section 13.02.2 Lot Line Adjustments**
- Section 13.02.3 Lot-Split Subdivision**
- Section 13.02.4 Approval Process**
- Section 13.02.5 Plat Amendment**

Section 13.02.1 STANDARDS AND LOT SIZE

All subdivisions must meet the minimum lot and development standards as outlined in each base zone of the Trenton Town land use ordinance and within this title.

Section 13.02.2 LOT LINE ADJUSTMENTS

- A. An agreement to adjust lot lines between adjoining properties may be executed upon the recordation of an appropriate deed if:
 - 1. No new dwelling lot or housing unit results from the lot line adjustment;
 - 2. The lot sizes, frontages, and configurations are consistent with this title and the town zoning ordinance;
 - 3. No lot is made to be undevelopable without variances, special approvals, or other considerations;
 - 4. All property owners that are directly affected by the adjustment consent to the lot line adjustment;
 - 5. The lot line adjustment does not result in a remnant piece of land that did not exist previously;
 - 6. The lot line adjustment does not result in the violation of any applicable zoning district requirements;
 - 7. The lot line adjustments do not substantially alter legal lots that may otherwise need further review of the town council in the form of a subdivision amendment.
- B. The applicants requesting the lot line adjustment shall provide the town clerk with the following material:
 - 1. A record of survey showing the two (2) parcels or lots identifying the existing lot line dividing two (2) parcels and the proposed new lot line after the adjustment including the legal description for each new lot or parcel.
 - 2. A copy of the recorded deeds transferring the property to the appropriate owner(s). Upon the completion of recording the deeds, each lot or parcel shall have one boundary description reflecting the legal descriptions on the survey.

Section 13.02.3 LOT-SPLIT SUBDIVISION

- A. A Property Split Subdivision is the division of property into two (2) separate lots, such property which does not exist as a lot in an approved subdivision, but which existed as a legally created lot of record on the effective date of this Ordinance. Lot split subdivisions shall meet the following criteria:
 - 1. The property proposed to be subdivided is not traversed by the mapped lines of a proposed street, as shown in the Town General Plan;
 - 2. The property does not require the dedication of any land for a public purpose and the two (2) lots in the subdivision meet the frontage, width, and area requirements of the Zoning Ordinance, or have been granted a variance or special exception from those requirements by the Board of Adjustment.
- B. Subdivisions proposing the creation of more than two (2) lots shall not be allowed subsequent Property Split Subdivision approvals. The approval of a Property Split Subdivision shall prohibit any additional Property Split Subdivision approvals for the property that exists at the time of the first Property Split Subdivision approval as determined by the tax identification number of the property.
- C. The planning and zoning commission shall be the land use authority to decide all lot-split subdivision applications.
- D. Lot-split subdivisions shall conform to the requirements of section 13.03.3 Preliminary Subdivision Plan Requirements of this title.

Section 13.02.4 APPROVAL PROCESS

Subdivisions are to be approved utilizing the following process (any alterations in this process shall be approved by the planning and zoning commission):

- A. Concept Plan Review: Upon completing a Concept plan, applicants may request that the planning commission review all applicable codes and identify any preliminary issues which are likely to be of concern in evaluating the subdivision.
- B. Preliminary Plat: Applicants shall submit to the town clerk a completed subdivision application, a preliminary plat, and any other associated materials deemed necessary by this code. This information shall be reviewed by the planning commission and a recommendation for action shall be forwarded to the town council.
- C. Final Plat: The town council shall review the application, proposed plat, and any recommendations by the planning commission. The council may approve, approve with stipulations or alterations, or deny any subdivision plat.
- D. Final Plat Recordation: The final step in the review and approval process is the recordation of the final plat of the proposed subdivision in the office of the Cache County recorder. It shall be the responsibility of the town clerk to ensure that all stipulations/alterations have been completed and that the plat meets all applicable codes prior to recordation.

Section 13.02.5 PLAT AMENDMENT

- A. Changes to Plat: The town council may consider any proposed vacation, alteration, or amendment of a recorded subdivision plat based upon the recommendation of the planning and zoning commission in compliance with section 10-9a-608, Utah Code Annotated, 1953, as amended. Any fee owner, as shown on the last county assessment rolls, of land within the subdivision may, in writing, petition the planning and zoning commission or town council to have the plat, any portion of it, or any road or lot contained in it, vacated, altered, or amended.
- B. Minor Amendment: With the written approval of all owners of interest in a proposed subdivision that are directly affected by an amendment or alteration, an unrecorded subdivision may have minor modifications made to the final plat so long as the modifications are not substantial, as determined by the planning and zoning commission. The final plat must then contain all necessary signatures and be recorded in compliance with this title.

**TRENTON, UTAH
SUBDIVISION ORDINANCE
CHAPTER 13.03
REQUIREMENTS**

Section 13.03.1 Application

Section 13.03.2 Sketch Plan Requirements

Section 13.03.3 Preliminary Subdivision Plan Requirements

Section 13.03.4 Final Subdivision Plat Requirements

Section 13.03.1 APPLICATION

The planning and zoning commission shall establish guidelines for all subdivision applications in conformance with this title. The application shall include all of the information required by staff, the planning commission, and the town council to make a decision on the proposed subdivision.

Section 13.03.2 CONCEPT PLAN REQUIREMENTS

- A. The concept plan is an informal discussion document only designed to allow the identification of policies, procedures, standards and other items that may be considered in the subdivision review and approval processes of Trenton Town once a subdivision application is received. To achieve these objectives and to promote the identification of all items necessary for consideration, the applicant should provide at a minimum, a map, plat, and/or other scale drawing of the area. The following applicable information may also be submitted to provide further information regarding the nature and intent of the subdivision:
1. The configuration, size and number of lots in the proposed development;
 2. Potential locations of hazards and sensitive lands or other features which may impose peculiar construction requirements;
 3. Potential open space;
 4. The way in which the proposed development will fit into the context of the surrounding area;
 5. The present and planned surrounding roads and utilities;
 6. Access points and limiting of access, if required;
 7. Existing and proposed trail system;
 8. The anticipated time schedule for the development;
 9. Plans and needs for water, sewer, roads, and sanitation disposal;
 10. The development method that will be used, the total acreage involved, the number of allowable lots and the number of planned lots;
 11. Any planned phasing or future development of adjacent land;
 12. Any other information available or pertinent to the proposed subdivision or as required by the planning and zoning commission.
- B. A sketch plan does not constitute an application for subdivision approval, as provided by this Ordinance, and is in no way binding on the Town or the applicant. Any discussion that occurs at a Sketch Plan review meeting shall not be considered any indication of subdivision approval or disapproval, either actual or implied.

Section 13.03.3 PRELIMINARY SUBDIVISION PLAN REQUIREMENTS

The following information is required for all applications for the subdivision of land within Trenton Town. The applicant may be required to provide other information required by the planning and zoning Commission, or Town Council necessary to evaluate the merits of the proposed subdivision and compliance with this Ordinance.

- A. A Preliminary subdivision application, provided by the town clerk, completed and signed by the owner(s), or authorized agent of the owner(s), of the land parcel(s) proposed to be subdivided.
- B. A preliminary subdivision plat prepared by a licensed land surveyor in pen and the sheets shall be numbered in sequence if more than one (1) sheet is used and shall be of such a size as is acceptable for recordation in the Office of the Cache County Recorder. A minimum of eleven (11) paper copies shall be presented to the planning and zoning commission. The commission may request additional copies if required. One (1) 24" x 36" copy of the subdivision plat shall be presented to the planning and zoning commission, along with an electronic copy.
- C. The preliminary subdivision plat shall show the following:

1. The layout or configuration of the proposed subdivision at a scale of no more than 1 inch (1") = 100 feet (100'), or as recommended by the Zoning Commission;
2. Located at the top and center of the minor subdivision plat the proposed name of the minor subdivision and the section, township, range, principal median and County of its location;
3. A title block placed on the lower right hand corner of the plat showing:
 - a. Name and address of owner(s) of record;
 - b. a surveyor's certificate showing the name and registration number of the licensed land surveyor responsible for making the plat or survey and certifying to the accuracy of such plat; and
 - c. Date of preparation of the plat and any revision dates
4. Signature blocks prepared, as required and provided by the Town, for the dated signatures of the Mayor attested to by the Town Clerk/Recorder, Planning and Zoning Commission Chair, Town Attorney, and Bear River Board of Health Director;
5. North arrow, graphic and written scale, basis of bearings used;
6. Tabulation of the number of acres in the proposed subdivision, showing the total number of lots, and the areas of each lot;
7. A vicinity map of the site at a minimum scale of 1" = 2,000 feet;
8. Surveyed boundary of the proposed subdivision; accurate in scale, dimension and bearing, giving the location of and ties to the nearest existing two (2) government control monuments. This information shall provide data sufficient to determine readily the location, bearing, and length of all lines and the location of all proposed monuments. The names of all adjoining property owners of record shall be shown;
 - a. All existing monuments found during the course of the survey (including a physical description such: as a brass cap)
9. The legal description of the entire subdivision site boundary;
10. A note on the subdivision plat, provided by Trenton, stating that Trenton Town has not determined the availability and adequacy of culinary water to any of the lots identified on the plat or survey, with all owners being advised of the requirements to obtain a legitimate culinary water source and to comply with all other requirements for the issuance of a zoning clearance, prior to the issuance of any building permits;
11. Identification of known natural features including, but not limited to, wetlands as identified by the U.S. Army Corps of Engineers, areas which would be covered in the event of 100 year floods, all water bodies, flood ways and drainage ways, slopes exceeding 25%, and any other natural features as required by the, planning and zoning commission or Town Council for the entire subdivision site, including a tabulation of the acres in each;
12. Identification of known man-made features including, but not limited to, high voltage power lines, high pressure gas lines, hard surfaced roads, road easements, road rights-of-way, bridges, culverts and drainage channels, field drains, existing water and sewer trunk lines, all utility easements, railroads and railroad easements, irrigation ditches, canals and canal easements within and adjacent to the subdivision site;
13. All monuments erected, corners, and other points established in the field in their proper places. The material of which the monuments, corners, or other points are made shall be noted. The legend for metal monuments shall indicate the kind of metal, the diameter, and length of the monuments;
14. The location with name and parcel number and dimensions of all existing buildings, existing property lines, and fence lines;
15. The location with name and parcel number of any existing platted lots within or contiguous to the subdivision site;
16. All lots, rights-of-way, and easements created by the subdivision with their boundary, bearings, lengths, widths, name, number, or purpose shall be given all lots must be given a unique identifying number and such number shall be shown;
17. A note on the plat stating the minimum required setbacks for primary building;
18. All existing roadway locations and dimensions, and rights-of-way with cross sections of all roads, showing proposed cuts and fills exceeding three (3) feet;
19. Location and size of existing and proposed culinary water and sewer lines and/or the location of all wells proposed, active and abandoned, and springs used for culinary water and the location of all septic systems and drain fields, as applicable;
20. Proposed storm drainage system for both surface and flood water, including any drainage easement;

21. Layout of proposed power lines, including the source and connection to the existing power supply;
 22. An indication of the use for all proposed lots including required notes identifying agricultural protection areas and other proposed or required protective and restrictive covenants;
 23. Endorsement on the plat by every person having a security interest in the subdivision property that they are subordinating their liens to all covenants, servitudes and easements imposed on the property;
 24. For all subdivisions located in the Agricultural Zone a note on the subdivision plat provided by Trenton Town stating that all owners are aware that they shall be subject to the sights, sounds, and smells associated with agricultural activities, such activities being uses allowed in the Agricultural Zone; and
 25. Other applicable subdivision notes, as required by the planning and zoning commission or Town Council.
- D. A development phasing schedule (if applicable) including the sequence for each phase, approximate size in area of each phase, and proposed phasing of construction of all private and public improvements.
 - E. A Title Report for the property proposed to be subdivided provided by a Title Company within 30 days of the date of subdivision application.
 - F. A tax clearance from the Cache County Treasurer indicating that all taxes, interest and penalties owing for the property have been paid.
 - G. Addresses of all owners of record of real property within 1000 feet of the parcel of land proposed for subdivision, including the names and addresses of the holders of any known valid mineral leases.
 - H. Payment of the non-refundable administrative processing fee, and a refundable subdivision application fee, as established by resolution by the Town Council.

Section 13.03.4 FINAL SUBDIVISION PLAT REQUIREMENTS

The following information is required for all final subdivision applications:

- A. A subdivision application, as provided by the planning and zoning commission, completed and signed by the owner(s), or authorized agent of the owner(s), of the land parcel(s) proposed to be subdivided and possessing a valid preliminary subdivision application approval.
- B. A final subdivision plat shall be prepared by a licensed land surveyor and conforming to current surveying practice and in a form acceptable to the Trenton Town clerk for recordation. The final subdivision plat shall be presented in ink on a 24-inch by 36-inch reproducible Mylar at the same scale and contain the same information, except for any changes, additions or revisions required by the Town Council, as shown on the approved preliminary subdivision plat. All revision dates must be shown as well as the following:
 1. Notation of any self-imposed restrictions, or other restrictions, if required by the Town Council in accordance with this Ordinance;
 2. Endorsement on the plat by every person having a security interest in the subdivision property that they are subordinating their liens to all covenants, servitudes and easements imposed on the property;
 3. The owner's certificate of consent including a legal description of the subdivision's boundaries and the dedication of public ways or spaces, as required. This certificate shall be signed, dated, and notarized. The owner's certificate shall include a reference to any covenants that may be declared and blanks where the County Recorder may enter the book and page number of their recording;
 4. For all subdivisions located in the Agricultural Zone, a note on the final subdivision plat, provided by Trenton Town, stating that all owners are aware that they shall be subject to the sights, sounds, and smells associated with agriculture activities , such activities being uses allowed in the Agricultural Zone;
 5. Subdivisions containing a parcel for agricultural production shall label the parcel "Agricultural Parcel" on the recorded subdivision plat; and
 6. Other Final Subdivision Plat notes, as required by the Town Council.
- C. All of the required signature blocks shall be signed prior to the recordation of the final plat.
- D. Subdivisions containing a parcel for agricultural production shall be accompanied by a signed agreement which shall be recorded in the County Recorder's office stating that commercial and residential structures are not permitted on the agricultural parcel. Agricultural parcels may be made developable in conformance with State Laws and Trenton Town's adopted Zoning and Subdivision Ordinances.

**TRENTON, UTAH
SUBDIVISION ORDINANCE
CHAPTER 13.04
REQUIREMENTS FOR ALL SUBDIVISIONS**

- Section 13.04.1 Subdivision Layout**
- Section 13.04.2 Lots**
- Section 13.04.3 Utilities and Easements**
- Section 13.04.4 Storm Drainage Requirements**
- Section 13.04.5 Evidence and Availability of Required Services**
- Section 13.04.6 Suitability of Area for Subdivision**
- Section 13.04.7 Completion of Subdivision Improvements**
- Section 13.04.8 Improvement Security**
- Section 13.04.9 Coordination with Municipalities and other Service Providers**

Section 13.04.1 SUBDIVISION LAYOUT

- A. The subdivision layout shall conform to the Town General Plan, this title, and the requirements of the base zoning district as established within chapter 14 of this code.
- B. Where trees, groves, waterways, scenic points, historic spots or other town assets and landmarks, as determined by the, planning and zoning commission, and/or the town council, are located within a proposed subdivision, every practical means shall be provided to preserve these features. The planning and zoning commission may request recommendations from qualified organizations to aid in the determination of these features.
- C. Whenever a tract to be subdivided adjoins or embraces any part of an existing or proposed street so designated on the transportation element of the town general plan, such part of the public way shall be platted and dedicated and may be required to be improved by the subdivider in the location and at the width specified.

Section 13.04.2 LOTS

- A. All subdivisions shall result in the creation of lots which are developable and capable of being built upon. A subdivision shall not create lots which would make improvement impractical due to size, shape, steepness of terrain, location of watercourses, problems of sewerage or driveway grades, or other physical conditions.
- B. No Subdivisions shall be allowed to be developed whose access is off a class “C” road.
- C. The minimum area and dimensions of all lots shall conform to the requirements of the Zoning Ordinance of Trenton for the zoning district in which the subdivision is located.
- D. The side lines of all lots, so far as possible, shall be at approximate right angles to the street which the lot faces, or approximately radial to the center of curvatures, if such street is curved. Side lines of lots shall be approximately radial to the center of curvature of a cul-de-sac on which the lot faces. The planning and zoning commission may allow exceptions to this requirement.
- E. A lot shall not be divided by an incorporated town or county limit line. Each such boundary line shall be made a lot line through whatever process deemed necessary by Trenton Town and the other affected entity.
- F. Remnants of property shall not be left in the subdivision which does not conform to lot requirements unless it is designated as a conservation easement, open space, private utility, or other public purpose and/or meets the minimum lot size requirements for agricultural use under title 59, chapter 2, part 5, farmland assessment act.
- G. Lot numbers shall begin with the number "1" and shall continue consecutively through the subdivision, with no omissions or duplications; no block designations shall be used.
- H. Lots that have been created since August 2005 without the approval of either the planning and zoning commission or of the Town council, as required by Trenton Town or state code at the time of the division, shall be deemed restricted, and shall not be eligible for conditional use permits, further subdivision, building permits, or business licenses until the illegal subdivision has been resolved.

Section 13.04.3 UTILITIES AND EASEMENTS

Zoning Ordinance – December 2022 update

Utility easements shall be provided within the subdivision as required for public utility purposes. Easements shall be dedicated along all front, rear, and side setbacks as deemed necessary by the town council and utility providers. All utilities, private or publicly owned, shall be placed underground unless otherwise approved or specified by the Town. This will include, but not be limited to, telephone, gas, electric power, water, sewer, storm drains, etc. These underground utilities shall be installed before the surfacing of the streets and installation of road base, curb and gutter, sidewalks, etc.

Section 13.04.4 STORM DRAINAGE REQUIREMENTS

Written approval of the proposed storm water drainage system shall be obtained from the Trenton Town Engineer, or applicable Storm Water Management Plan. No new or additional storm water drainage that results from the development of a site shall be allowed to flow from any portion of the subdivision site to any adjacent lots, properties, ditches, canals, or waterways without the prior written authorization from the affected parties, with a note on the subdivision plat identifying a proposed and recordable drainage easement, provided by the adjacent property owner, ditch or canal company. The town shall approve the subdivision's storm water management plan prior to recordation of the final plat.

Section 13.04.5 EVIDENCE AND AVAILABILITY OF REQUIRED SERVICES

The following information is required to be presented as part of a subdivision application necessary to establish the availability of basic services to the proposed parcels or lots.

- A. **Water Requirements.** The Bear River Health Department and the Utah Department of Environmental Quality shall be considered the Town's experts in evaluating the proposed culinary water supply system. It shall be the responsibility of the applicant to provide information and materials as required by the Bear River Health Department or the Utah Department of Environmental Quality, as applicable.
- B. **Sewage Requirements.** The Bear River Health Department and the Utah Department of Environmental Quality shall be considered the Town's experts in evaluating the proposed sewage treatment system. It shall be the responsibility of the applicant to provide information and materials as required by the Bear River Health Department or the Utah Department of Environmental Quality, as applicable. Subdivision applications proposing individual onsite wastewater disposal systems shall include feasibility reports, meeting the requirements of the Bear River Health Department or Utah Department of Environmental Quality, as applicable, for each new parcel or lot proposed.
- C. **Storm Drainage Requirements.** No increased level of storm water drainage shall be allowed to flow from any portion of either lot to any adjacent properties, ditches, canals, or waterways without the prior written authorization, with a note on the subdivision plat identifying a proposed and recordable drainage easement, provided by the adjacent property owner, ditch or canal company.

Section 13.04.6 SUITABILITY OF AREA FOR SUBDIVISION

The following information is required to be presented as part of a subdivision application, necessary to establish the suitability of the site for the proposed subdivision:

- A. **Soils Suitability.** A letter or soils report from the local Soil Conservation District identifying the susceptibility of the proposed subdivision site for soil erosion.
- B. **Fire Control.** A review provided by the Trenton Town Fire District identifying, any items related to providing the proposed subdivision with adequate fire protection and suppression services.
- C. **School Bus Service.** A review provided by the Cache County School District, identifying any items related to the provision of School Bus Services.
- D. **Town Road Department or Utah Department of Transportation Review and Clearance.** A Town Road Department Clearance identifying any items related to providing adequate access to the proposed subdivision. If the proposed subdivision will be accessed directly from a State or Federal Highway, an appropriate access permit as required by the State of Utah Department of Transportation shall be provided with the application materials. For subdivisions located adjacent to a substandard Town road(s) the owner of the site proposed for the subdivision shall provide, as part of the minor subdivision application dedication documents for the additional road right of way, as required by the Town and shall, as a condition of minor subdivision approval, make improvements to the adjacent Town road determined necessary, and reasonably related, to the needs of the proposed subdivision, to the road standards of the Town as applicable. All lots created must have frontage on each lot and must have a dedicated single-home access on an existing UDOT classified class "C" road within the boundaries of the lot that will be utilizing the access

- E. **Solid Waste Disposal.** If the proposed subdivision is located outside of the boundaries of Service District #1, a Garbage or Refuse Plan shall be provided for review by the planning and zoning commission and Town Council.
- F. **Other Information and Materials.** When the Planning and Zoning Commission or Town Council deem necessary, with the reasons for such request being identified, the applicant may be required to provide other information or letters of feasibility, conduct studies, and provide evidence indicating suitability of the area for the proposed subdivision, including, but not limited to, ground water protection, plant cover maintenance, geologic or flood hazard, erosion control, and any other physical or environmental matters necessary in fully identifying the suitability of the area for the proposed subdivision.

Section 13.04.7 COMPLETION OF SUBDIVISION IMPROVEMENTS

No subdivision final plat map or deed shall be recorded until all of the stipulations for approval have been met and all required improvements have been completed to the standards and specifications established by the town or other codes, laws, or regulations. In addition, the following minimum requirements apply and may be added to by the planning and zoning commission, or town council:

- A. Construction within the subdivision shall conform to all federal and state regulations.
- B. Construction drawings and construction within the subdivision shall conform to the Trenton Town standards and specifications. This document shall be available in the office of the town clerk.
- C. Permits must be obtained for construction of the infrastructure facilities within the subdivision.
- D. There shall be a schedule of fees for all services required for the review of infrastructure in the office of the town clerk. All fees within the schedule of fees shall be passed by a resolution of the town council.
- E. Any work which begins prior to the issuance of a permit may be assessed an administrative penalty equal to two hundred percent (200%) of the cost of any fees and permits plus one thousand dollars (\$1,000.00).
- F. A preconstruction conference with the planning and zoning commission may be required not less than forty-eight (48) hours prior to the commencement of construction activities.
- G. The contractor shall notify the town recorder not less than forty-eight (48) hours prior to the commencement of construction.
- H. Within thirty (30) days of the completion of improvements, the subdivider shall submit "as built" drawings of subdivision improvements prepared by or under the supervision of a professional licensed to prepare such work in the state of Utah. Failure to submit such drawings shall result in a hold being placed on issuance of any building permits.

Section 13.04.8 IMPROVEMENT SECURITY

When in the judgment of the planning and zoning commission, it is not feasible to complete requirements or conditions imposed by statute or ordinance prior to the issuance of a permit, use, or occupancy, the improvement security may be accepted pursuant to this section to guarantee completion of the requirements or conditions.

- A. Acceptance of Security: Improvement security may be accepted by the town in relation to the following requirements or conditions:
 - 1. Landscaping, parking, parking lot lighting, signage, structural amenities;
 - 2. Right of way improvements, street improvements, curb, gutter, sidewalk, improvements related to driveways;
 - 3. Electrical power;
 - 4. Sewer, water, utilities; or
 - 5. All other improvements or deferrals.
- B. Types of Security: With the exception of improvements required under provisions of the town zoning ordinance, the following types of surety may be accepted:
 - 1. Certificate of deposit, cash, cashier's check, or savings account in favor of Trenton Town in the amount of not less than one hundred ten percent (110%) of the estimated cost of improvements;
 - 2. Irrevocable letter of credit issued by a federally insured financial institution with the necessary period of time as determined by staff in the amount of not less than one hundred ten percent (110%) of the estimated cost of improvements;
 - 3. Escrow, drawdown, or performance account to which the county is a signatory, and the escrow agent guarantees payment in the amount of not less than one hundred ten percent (110%) of the estimated cost of improvements;

4. Performance bond issued by a financial institution, insurance company, or surety company with a Moody's or Standard & Poor's investment grade bond rating in the amount of not less than one hundred ten percent (110%) of the estimated costs of improvements.
- C. Estimating the Cost of Improvements:
1. The permit holder shall present the town with a firm construction bid for the improvements that shall be valid for a reasonable period of time from the date of the bid.
 2. The bid shall be reviewed by the town clerk or other appropriate town official prior to acceptance of the estimated cost.
 3. If the town accepts the bid amount, the permit holder may use that amount for securing and delivering surety to the town.

If the town does not accept the bid amount, the permit holder shall obtain three (3) firm bids for the work to be secured with prices valid for at least six (6) months. The town shall accept the average of the three (3) bids as the base amount for improvement security

Section 13.04.9 COORDINATION WITH MUNICIPALITIES AND OTHER SERVICE PROVIDERS

The following information is required to be presented as part of a subdivision application, necessary to promote coordination with other service providers:

- A. Trenton Town fully supports access management along all state roads and shall work with all applicants of subdivisions through the Cache Access Management Policy to work with the Utah Department of Transportation to coordinate access, capacity, and safety issues.
- B. Trenton Town will work fully with applicants of subdivisions and adjacent/nearby municipalities to ensure that the information is available to applicants and the municipalities in terms of service provision, development, and annexation in conformance with this title, the zoning ordinance, and state code section 10.2 part 4, annexation.
- C. If the proposed subdivision is located within the boundaries of an Irrigation Company or Canal Company, or easements of any canals or irrigation ditches exist on the proposed subdivision site, a letter from the governing board of the applicable Canal or Irrigation Company, acknowledging the proposed subdivision. This letter may identify any potential impacts resulting from the proposed subdivision.

**TRENTON, UTAH
ZONING ORDINANCE
CHAPTER 14
ZONES**

- Section 14.1 Establishment of Zones**
- Section 14.2 Zones Boundaries**
- Section 14.3 Ordinance and Map Filing**
- Section 14.4 Boundary Location Rules**

Section 14.1 ESTABLISHMENT OF ZONES

For the purpose of this ordinance, the following five (5) zones are created to be applied as necessary to regulate the development of land in Trenton, Utah.

AGRICULTURE- 2 (two (2) acre minimum) **(A-2)**
Oregon Shortline Railroad property line East on 200 North to Center Street. Center Street to 400 North, West to Oregon Shortline Railroad property line.

AGRICULTURE- 5 (five (5) acre minimum) **(A-5)**
All other lands within legal town limits not mentioned below.

RESIDENTIAL **(R-1)**
Oregon Shortline Railroad property east on 300 South to 200 East then north to 100 South and east to 400 South then north to 100 North and west to the Southeast corner of parcel 14-101-0001 then north to the Northeast corner of same parcel then west to Center Street then north to 200 North and East to the Oregon Shortline Railroad property and back to beginning.

COMMERCIAL **(C-2)**
100 South to Main Street to 400 West, East to Oregon Shortline Railroad property line.

COMMERCIAL **(C-1)**
200 North to Main Street, Oregon Shortline Railroad property line West to 400 West.

Section 14.2 ZONES BOUNDARIES

The boundaries of each of the zones are established as described in this chapter or as shown on the map entitled “Zoning Map for the Town of Trenton”, or as hereafter amended, on file at the Town clerk’s office which map is attached and all boundaries, notations and other data shown thereon are made by this reference as much a part of this title as if fully described and detailed herein.

Section 14.3 ORDINANCE AND MAP FILING

This ordinance and the map shall be filed in the custody of the town clerk and may be examined by the public subject to any reasonable regulations established by the town clerk.

Section 14.4 BOUNDARY LOCATION RULES

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

- A. Wherever the zone boundary is indicated as being approximately upon the center line of a street, alley or block, or along a property line, then, unless otherwise definitely indicated on the map, the center line of such street, alley or block or such property line shall be construed to be the boundary of such zone.
- B. Wherever such boundary line of such zone is indicated as being approximately at the line of any river, irrigation canal or other waterway or railroad right of way, or public park or other public land or any section line, then in such case the center of such stream, canal, or waterway. Or of such railroad right of way of the boundary lines of such public land or such section line shall be deemed to be the boundary of such zone.
- C. Where such zone boundary lines cannot be determined by the above rules, their location may be found by the use of the scale appearing upon the map or maps.

- D. Where the application of the above rules does not clarify the zone boundary location, the board of adjustment shall interpret the map.

**TRENTON, UTAH
ZONING ORDINANCE
CHAPTER 15
A-2 AGRICULTURAL ZONE**

- Section 15.1 Purpose**
- Section 15.2 Permitted Uses**
- Section 15.3 Conditional Uses**
- Section 15.4 Height Regulations**
- Section 15.5 Lot Area**
- Section 15.6 Lot Width**
- Section 15.7 Yard-side**
- Section 15.8 Yard-front**
- Section 15.9 Yard-rear**
- Section 15.10 Lot Coverage**
- Section 15.11 Area, Width and Yard Regulations**

Section 15.1 PURPOSE

To provide areas for large lot residential estate neighborhood of a rural character for the benefit and enjoyment of the residents of the neighborhood.

Section 15.2 PERMITTED USES

In Agriculture zone A-2, no building or structure or land shall be used and no building or structure shall be erected which is arranged, intended or designed to be used for other than one or more of the following uses:

- A. Agriculture as defined herein;
- B. Household pets;
- C. Home occupation;
- D. Signs

Type of Sign	Maximum Size in feet	Maximum Height in feet	Illumination
NAME PLATE	1 X 2	8	INDIRECT
PROPERTY	2 X 3	8	NONE
TEMPORARY	8 X 12	16	NONE

- E. Any use permitted in the residential Zone (R-1);
- F. Accessory buildings and uses and buildings customarily incidental to the above
- G. Agricultural buildings and uses;
- H. Agricultural business or industry use as defined herein.

Section 15.3 CONDITIONAL USES “If use not listed then prohibited”

- 1. Church;
- 2. Public School;
- 3. Public Park and Playground;
- 4. Public Buildings;

5. Retail Stores;
6. Public Stables; riding academies, rodeo grounds; agricultural experiment stations; cemeteries;
7. Radio television stations and towers;
8. Golf Courses, golf driving ranges; fun clubs; skeet shooting ranges; and
9. Signs exceeding specifications as outlined in permitted use.

Section 15.4 HEIGHT REGULATIONS

Building height of dwellings shall be no more than thirty-five feet or two and one-half stories, except as per a conditional use.

Section 15.5 LOT AREA

The minimum lot area shall not be less than two (2) acres for all uses permitted in this chapter, except for conditional uses, which may be located on a lot of less than two acres.

Section 15.6 LOT WIDTH

The minimum width of any lot which is required by this chapter to contain a minimum area of two acres shall be one hundred fifty feet (150).

Section 15.7 YARD-SIDE

The minimum side yard for any dwelling shall be twenty (20) feet and the total width of the two required side yards shall be not less than forty (40) feet. The minimum side yard for accessory buildings shall be at least ten (10) feet.

Section 15.8 YARD-FRONT

The minimum depth of the front yard for all structures shall be seventy-five (75) feet.

Section 15.9 YARD-REAR

The minimum depth of the rear yard for any dwelling shall be thirty (30) feet and for accessory building ten (10) feet, provided that :

1. On corner lots which rear upon the side yard of another lot, accessory buildings shall be not located closer than ten feet to such side yard.

Section 15.10 LOT COVERAGE

No building or structure or group of buildings with their accessory buildings shall cover more than seventy (70) percent of the area of the lot.

Section 15.11 AREA, WIDTH AND YARD REGULATIONS

Zone	Area	Width in feet	Front in feet	Side Yards in feet	Rear in feet
A-2	2 Ares	150	75	20 feet on either side of the structure	30

**TRENTON, UTAH
ZONING ORDINANCE
CHAPTER 16
A-5 AGRICULTURAL ZONE**

- Section 16.01 Purpose**
- Section 16.02 Permitted Uses**
- Section 16.03 Conditional Uses**
- Section 16.04 Height Regulations**
- Section 16.05 Lot Area**
- Section 16.06 Lot Width**
- Section 16.07 Yard-side**
- Section 16.08 Yard-front**
- Section 16.09 Yard-rear**
- Section 16.10 Lot Coverage**
- Section 16.11 Clear View of Intersecting Streets**
- Section 16.12 Area, Width and Yard Regulations**

Section 16.01 PURPOSE

To provide areas for large lot residential estate neighborhood of a rural character for the benefit and enjoyment of the residents of the neighborhood.

Section 16.02 PERMITTED USES

In Agriculture zone A-5, no building or structure or land shall be used and no building or structure shall be erected which is arranged, intended or designed to be used for other than one or more of the following uses:

- A. Agriculture as defined herein;
- B. Household pets;
- C. Home occupation;
- D. Signs:

Type of Sign	Maximum Size in feet	Maximum Height in feet	Illumination
NAME PLATE	1 X 2	8	INDIRECT
PROPERTY	2 X 3	8	NONE
TEMPORARY	8 X 12	16	NONE

- E. Any use permitted in the residential Zone (R-1);
 - 1. Accessory buildings and uses and buildings customarily incidental to the above
 - 2. Agricultural buildings and uses;
 - 3. Agricultural business or industry use as defined herein.

Section 16.03 CONDITIONAL USES “If use not listed then prohibited”

- A. Church;
- B. Public School;
- C. Public Park and Playground;
- D. Public Buildings;
- E. Retail Stores;
- F. Public Stables; riding academies, rodeo grounds; agricultural experiment stations; cemeteries;
- G. Radio television stations and towers;
- H. Golf Courses, golf driving ranges; fun clubs; skeet shooting ranges; and
- I. Signs exceeding specifications as outlined in permitted use.

Section 16.04 HEIGHT REGULATIONS

Building height of dwellings shall be no more than thirty-five feet or two and one-half stories, except as per a conditional use.

Section 16.05 LOT AREA

The minimum lot area shall not be less than five (5) acres for all uses permitted in this chapter, except for conditional uses, which may be located on a lot of less than two acres.

Section 16.06 LOT WIDTH

The minimum width of any lot which is required by this chapter to contain a minimum area of five (5) acres shall be one hundred fifty (150) feet.

Section 16.07 YARD-SIDE

The minimum side yard for any dwelling shall be twenty (20) feet and the total width of the two required side yards shall be not less than forty (40) feet. The minimum side yard for accessory buildings shall be at least ten (10) feet.

Section 16.08 YARD-FRONT

The minimum depth of the front yard for all structures shall be seventy-five (75) feet from the center of the road.

Section 16.09 YARD-REAR

The minimum depth of the rear yard for any dwelling shall be thirty (30) feet and for accessory building ten (10) feet, providing that:

- A. On corner lots which rear upon the side yard of another lot, accessory buildings shall be not located closer than ten feet to such side yard.

Section 16.10 LOT COVERAGE

No building or structure or group of buildings with their accessory buildings shall cover more than seventy (70) percent of the area of the lot.

Section 16.11 CLEAR VIEW OF INTERSECTING STREETS

No obstruction to view in excess of two (2) feet in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points forty (40) feet from the intersection of the street lines except a reasonable number of trees pruned high enough to permit unobstructed vision to automobile drivers and pumps at gasoline service stations.

Section 16.12 AREA, WIDTH AND YARD REGULATIONS

Zone	Area	Width in feet	Front in feet	Side Yards in feet	Rear in feet
A-5	5 Acres	150	75	20 feet on either side of the structure	30

**TRENTON, UTAH
ZONING ORDINANCE
CHAPTER 17
SINGLE FAMILY RESIDENTIAL ZONE R-1**

Section 17.1	Purpose
Section 17.2	Permitted Uses
Section 17.3	Conditional Uses
Section 17.4	Height Regulations
Section 17.5	Lot Area
Section 17.6	Lot Width
Section 17.7	Yard-Side
Section 17.8	Yard-Front
Section 17.9	Yard-Rear
Section 17.10	Area of Accessory Buildings
Section 17.11	Clear View of Intersecting Streets
Section 17.12	Coverage Regulations
Section 17.13	Area, Width and Yard Regulations

Section 17.1 PURPOSE

To provide appropriate locations where low density residential neighborhoods may be established, maintained and protected. The regulations also permit the establishment of, the proper controls, the public and semi-public uses such as churches, schools, libraries, parks and playgrounds, which serve the requirements of families. The regulations are intended to prohibit those uses that would be harmful to a single-family neighborhood.

Section 17.2 PERMITTED USES

- A. Single-family dwellings;
- B. Agriculture: Animals and fowl for recreation or family food production, nurseries and greenhouses, provided sale of goods is limited to materials produced on the premises and there is no retail shop operated in connection therewith;
- C. Household pets;
- D. Name plates and signs as follows;
 1. Name Plate. One name plate for each dwelling unit, not exceeding two (2) square feet in area, indicating the name of the occupant and or permitted home occupation, with indirect lighting being allowed.
 2. Other Signs. One sign, not exceeding six (6) square feet in area and not exceeding eight (8) feet in height with no lighting,
 3. Temporary Signs. One sign not exceeding forty square feet in combined total area with no lighting allowed. Temporary signs shall not be erected for more than sixty (60) days. No temporary signs shall exceed ten (10) feet in height,
 4. Location of signs.
 - a) Signs shall not be located not closer than ten feet to any property line. Name plates may be located anywhere on the property,
 5. Illumination. Signs may be illuminated or floodlighted by direct lighting only and the source of light shall not be visible beyond the property upon which located, nor constitute a nuisance. Visible luminous tubes shall be considered as direct lighting, Animated signs are prohibited,
 6. Sign height. No roof sign shall be erected higher than the height of the main building to which it is attached;
- E. Temporary buildings for uses incidental to construction work, which buildings must be removed upon the completion or abandonment of the construction work, not to exceed six (6) months;
- F. Accessory uses and buildings customarily and normally incidental and subordinate to the above and devoted exclusively to the main permitted use of the premises.

Section 17.3 CONDITIONAL USES

- A. Churches, except temporary revival tents or buildings;
- B. Libraries, museums, art galleries;
- C. Public schools; private educational institutions having a curriculum similar to that ordinarily given in public schools; child day care or nursery;
- D. Public parks. Public recreational grounds and buildings; public utilities; private recreational grounds and facilities not open to the general public and to which no admission charge is made.

Section 17.4 HEIGHT REGULATIONS

No main building shall be erected to a height greater than thirty-five (35) feet or two and one-half (2 ½) stories, whichever is greater, and no accessory building shall be erected to a total height greater than thirty-five (35) feet.

Section 17.5 LOT AREA

The minimum lot area shall not be less than five-eighths (5/8) acres for all uses permitted in this chapter.

Section 17.6 LOT WIDTH

The minimum width of any lot which is required by this chapter to contain a minimum area of five-eighths (5/8) acres shall be one hundred fifty (150) feet

Section 17.7 YARD-SIDE

The minimum side yard for any dwelling shall be twenty (20) feet and the total width of the two required side yards shall be not less than forty (40) feet. The minimum side yard for accessory buildings shall be at least ten feet (10).

Section 17.8 YARD-FRONT

The minimum depth of the front yard for all structures shall be seventy-five (75) feet from the center of the road.

Section 17.9 YARD-REAR

The minimum depth of the rear yard for any dwelling shall be thirty (30) feet and for accessory building ten (10) feet, providing that:

- A. On corner lots which rear upon the side yard of another lot, accessory buildings shall be not located closer than ten feet to such side yard.

Section 17.10 AREA OF ACCESSORY BUILDINGS

No accessory building nor group of accessory buildings in any residential zone shall cover more than twenty-five (25) percent of the rear yard.

Section 17.11 CLEAR VIEW OF INTERSECTING STREETS

No obstruction to view in excess of two (2) feet in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points forty (40) feet from the intersection of the street lines except a reasonable number of trees pruned high enough to permit unobstructed vision to automobile drivers and pumps at gasoline service stations.

Section 17.12 COVERAGE REGULATIONS

In no zone shall a building or group of buildings with their accessory buildings cover more than seventy (70) percent of the area of the lot.

Section 17.13 AREA, WIDTH AND YARD REGULATIONS

Zone	Area	Width in feet	Front in feet	Side Yards in feet	Rear in feet
R-1	5/8 acres	150	75	20 feet on each side of dwelling	30

**TRENTON, UTAH
ZONING ORDINANCE
CHAPTER 18
COMMERCIAL ZONES (C-1 & C-2)**

- Section 18.1 Purpose**
- Section 18.2 Zone Change Requirements**
- Section 18.3 Use Regulations**
- Section 18.4 Permitted and Conditional Uses**
- Section 18.5 Set Back Standards**
- Section 18.6 Parking**
- Section 18.7 Site Plan Required**
- Section 18.8 Compliance with Conditions of Approval**

Section 18.1 PURPOSE

The two zones are created based upon classification of the types of activity and whether the use is complementary and compatible with the zone. The zones are more fully described as follows:

- A. C-1 Zone.
 - 1. Provides for the sale and supply of daily living needs for people in nearby neighborhoods.
 - 2. Promotes uses that have few negative impacts with hours of operation that are compatible with adjacent neighborhoods. The range of uses is such that most people would be willing to live nearby.
- B. C-2 Zone.
 - 1. In addition to the uses contemplated in the C-1 zone, the general commercial zone allows for the full range of office, retail, service and entertainment needs of the town as a whole and the region of which it is a part.
 - 2. Typical uses within the zone have impacts that necessitate substantial buffers to integrate the use within the community. Certain uses may not be compatible with adjacent single-family homes.

Section 18.2 ZONE CHANGE REQUIREMENTS

- A. Each application for a C-1 or C-2 zone shall include conceptual drawings showing the general layout and concept for the proposed use(s). Such drawings should clearly display the proposed architecture and landscape themes, buffering, signs, access and other concepts pertinent to the development. Any zone change requirement shall comply with the current state law.
- B. A description of how the zone change supports the intent and purpose of the Trenton General Plan.
- C. A development agreement may be required committing to the general concepts defined in “A” above or as determined through planning commission and town council hearings.

Section 18.3 USE REGULATIONS

In all C-1 or C-2 zones, only the uses enumerated within this chapter are allowed. Uses not clearly specified but substantially similar or customarily accessory to a listed use or category may be administratively allowed as determined by the Planning Commission. Appeals of such determinations shall be made to the Board of Adjustments within thirty days from the decision.

Section 18.4 PERMITTED AND CONDITIONAL USES.

- A. A permitted use is a use by right in the zone and shall be allowed as long as it meets town standards as specified in the zoning ordinance. A site plan review is required with the Planning Commission.
- B. A conditional use is a use that may only be appropriate if additional conditions beyond the standard requirements in this zoning ordinance are applied. A conditional use may be denied if the planning commission finds that it can not meet the standards of the zoning ordinance or cannot apply reasonable conditions to improve compatibility or that the use is not necessary or desirable at that particular location as per Chapter 8. A conditional use requires a public hearing with the planning commission.
- C. The following table lists categories of use and individual uses. "P" stands for permitted, "C" stands for conditional and "X" stands for not allowed.

<u>LAND USE</u>	<u>C-1 ZONE</u>	<u>C-2 ZONE</u>
Automotive, RV, Mobile Home Sales, Service	X C	C C

Gas Pumps	C	C
Adult Day Care Facility	C	C
Assisted Living Facility	C	C
Bed and Breakfast	C	C
Community Uses	P	P
Convenience Store	C	C
Fast Food Restaurant	C	C
Greenhouses	P	P
Hardware/Building Materials	X	C
Hospital	X	C
Hotel/Motel	X	C
Indoor Recreation/Entertainment	C	C
Major Retail (intensive)	X	C
Medical/Dental Office/Clinic & Vet	C	P
Neighborhood Services	P	P
Nursing Home/Elderly Housing	C	C
Office	C	P
Outdoor Recreation/Entertainment	X	C
Personal & Household Service	C	P
Private Club	X	C
Public Utility Installation	C	C
Rehabilitation/Treatment Facility	X	C
Unlicensed Rehabilitation/Treatment Facility	X	C
Restaurant (sit down):		
Without alcohol	C	P
With alcohol	X	C
Retirement Home	C	C
Self-Storage	X	C
Shelter for the Homeless	X	C
Shopping Center	C	C
Signs:		
Signs on the building (10% of first story face)	P	P
Monument Sign (6' high, max. 75 sq. ft.)	P	P
Pole signs (15' setback, 35' high max., 200 sq. ft. max.)	X	C
Temporary or mobile	X	C
Specialty Retail	C	C
State Store	X	C
Temporary Uses	C	P
Accessory Use to:		
A listed permitted use	P	P
A listed conditional use	C	P

Section 18.5 SETBACK STANDARDS.

- A. Front Yard.
 - 1. The minimum setback for buildings and parking shall be twenty feet. Such areas shall be permanently landscaped except for access drives and pedestrian accommodations.
 - 2. Commercial development located across the street or adjacent to a residential zone shall use the front yard setbacks required in that adjacent zone.
- B. Side Yard
 - 1. No set back is required unless,
 - a. The use lies adjacent to a residential use or zone. In that case, a twenty-foot setback is required.
 - b. The use is located on a corner lot where in addition to the standard front yard setback, the side of the use facing another street shall have a twenty-foot set back also.

- C. Rear Yard.
 1. Twenty feet where a commercial use lies adjacent to a residential zone. Such setback area is to be permanently landscaped.
 2. Ten feet in all other cases.
- D. Height Standards.
 1. In all C-1 zones, two- and one-half stories or thirty-five feet unless adjacent to a residential use or zone. Structures in a C-1 zone adjacent to residential use or zone shall be setback an additional two feet for every foot of height over twenty feet from residential area. In C-2 zones, that formula shall be three feet.
 2. In all C-2 zones, the maximum height shall be five stories or sixty-five feet.
- E. Screening.
 1. A minimum six-foot concrete or masonry wall shall be required in rear or side yards adjacent to residential zones or uses. Where future commercial use is contemplated in the Trenton General Plan, a waiver or substitute may be and approved, modified, or denied by the planning commission.
 2. Dumpsters shall be enclosed on three sides with a solid concrete or masonry wall that architecturally relates to the primary structure and shall be located at least thirty feet from residential zones. No dumpster shall be located in a required setback
- F. Landscape.
 1. A minimum of fifteen percent of the gross area of the site shall be attractively and permanently landscaped.
 2. All landscaped areas shall have a combination of ground cover, shrubs, trees and may include art, street furniture, patios, fountains and up to twenty-five percent impermeable materials. One tree for every three hundred square feet is require
 3. The entire site including landscaped areas shall be maintained in a healthy, neat and orderly condition, free of weeds and litter.

Section 18.6 PARKING

- A. Access.
 1. On a corner lot, no curb cut shall be located closer than sixty feet from the intersection of the curb lines from both streets.
 2. No curb cut shall be located closer than twenty feet to a side lot line unless common curb cuts are used between uses.
 3. In general, there shall be one curb cut for every three hundred feet of frontage. This requirement may be modified by written report from a professional transportation engineer or on recommendation from the town engineer.
- B. Parking shall meet the following general standards:
 1. Intensive retail- four spaces per one thousand square feet of gross floor area.
 2. Low impact retail- three spaces per one thousand square feet of gross floor area.
 3. Restaurants- ten per one thousand square feet of gross floor area plus on half spaces for each employee on the highest employment shift (five spaces minimum for employees).
 4. Office- four spaces per one thousand square feet of gross floor area.
 5. Hotels/motels- one space per room if no in-room cooking provided, otherwise two spaces per room.
 6. Automotive repair, service or parts- three spaces per bay and three per one thousand square feet of gross retail space.
 7. Listed and unlisted uses may provide alternate data from a traffic engineer or other appropriate source which may be considered by the planning commission for use in a site plan.
- C. Parking stall size.
 1. All parking stalls shall have a nine foot by eighteen (9 x 18) foot minimum dimension except for stalls that do not include a two-foot area for bumper overhang, where a twenty-foot length shall be required. In addition, compact stalls may be a minimum of nine feet by sixteen (9 x 16) feet and parallel parking stalls shall be ten feet by twenty-two (10 x 22) feet.
 2. Any use may have up to twenty-five percent compact parking stalls.
 3. Aisle width should be a minimum of twenty-four (24) feet for ninety (90) degree parking and may decrease with one-way angled parking to twenty (20) feet for sixty (60) degree, fifteen (15) feet for forty-five (45) degree and thirty (30) degree and twelve (12) feet for zero degree (parallel) parking.
 4. Compact spaces shall be labeled accordingly on the plan and on the pavement.
 5. Handicap stalls shall be provided, sized, and labeled as per the most current version of the Americans with Disabilities Act.

- D. Any area that requires stacking shall accommodate a minimum of three (3) cars without infringing on access to the site.
- E. Parking lot lighting shall be required for any lot over ten (10) spaces in size. Such lighting shall be directed away from residential areas and only toward the ground.
- F. Any parking lot adjacent to a residential use or zone shall be screened with an opaque fence or wall and landscaping to include trees.
- G. All parking lots shall be hard surfaced with asphalt, or concrete or other substitute as approved by the Planning and Zoning Commission. Such lots shall be appropriately graded to retain storm water and yet not become a hazard to the user.
- H. Lots with over twenty-five (25) spaces shall include at least fifteen (15) percent internal landscaping which shall include trees.
- I. Landscaped areas adjacent to streets and parking shall include a two and one half (2½) foot berm to reduce the visual impact of the parked cars, except for automotive sales.

Section 18.7 SITE PLAN REQUIRED

For all permitted and conditional uses, detailed site, grading, drainage, landscape and utility plans are required. A checklist of requirements for the site plan shall be maintained by the town but the general intent is that any plan submitted shall be sufficiently detailed so that all issues pertaining to the development of the site can be clearly understood. Such plans shall be to scale.

Section 18.8 COMPLIANCE WITH CONDITIONS OF APPROVAL

All conditions of approval are permanent and binding. Failure to maintain improvements in a condition similar to their original approved condition shall subject the owner or lessee to a fine of up to one hundred dollars for each day of noncompliance. Such violations may result in revocation of the business license and/or the conditional use. After written notice, if the violation is not brought into compliance within ten days, the fines and/or procedures specified above shall begin.

CHAPTER 19
C-1 Zone

Section 19.1	Use Regulations
Section 19.2	Special Provisions
Section 19.3	Lot Area and Width
Section 19.4	Yard-Side
Section 19.5	Yard-Front
Section 19.6	Yard-Rear
Section 19.7	Building Height
Section 19.8	Lot Coverage
Section 19.9	Area, Width and Yard Regulations

Section 19.1 USE REGULATIONS

In commercial zone C-1, no building or structure or land shall be used and no building or structure shall be erected which is arranged intended or designed to be used for other than one or more of the following uses:

- A. Art shop and artists' supplies; athletic goods store; art needlework shop; Adult Oriented business;
- B. Automobile service station, excluding the repairing, painting or upholstering of motor vehicles;
- C. Bakery; baby formula service; barber shop; beauty parlor; bicycle shop; bird store; book store;
- D. Candy store; catering establishment; clothes cleaning or dyeing agency or pressing establishment, but not including cleaning or dyeing plants; confectionery; café or refreshment stand; cafeteria; Christmas tree sales; china and silver shop; coal and fuel sales office;
- E. Drug store; delicatessen; dramatics school, music and dancing instruction; diaper service;
- F. Florist; fruit or fruit juice store; frozen food lockers, incidental to a main grocery store or food business; fish store; fruit and vegetable stand;
- G. Gift shop; grocery; greenhouse; glass and china store;
- H. Hardware store, not including sale of powered vehicles using motors greater than five horsepower; health food store;
- I. Ice cream shop; ice storage of not more than five tons capacity;
- J. Kindergarten; key and lock service;
- K. Laundry, automatic family self-help type; laundry agency; lending library; lunch service, commercial;
- L. Manufacture of goods to be sold at retail on the premises, provided such manufacture is conducted within a completely enclosed building and is clearly incidental to and operated in connection with a use permitted in this chapter;
- M. Medical and dental clinics and laboratories; milk distributing stations and sale of dairy products, but not including processing or bottling;
- N. Newsstand; notions; nurses, or baby sitters' agency;
- O. Office, business or professional; optometrist or oculist;
- P. Parking lot; public buildings and services; public utilities; photographer or sale of photography supplies; private schools; popcorn or nut shop;
- Q. Radio and television sales and repair;
- R. Stationery and greeting card sales; shoeshine shop; shoe repair shop; studios;
- S. Taxi stand; tailor shop;
- T. Accessory uses and buildings customarily incidental to the above.

Section 19.2 SPECIAL PROVISIONS

The stores, shops or businesses specified in the above section shall be retail establishments only and shall be permitted only under the following conditions:

- A. Such businesses shall be conducted wholly within an enclosed building except for the parking of automobiles, and service to persons in automobiles,
- B. All products, whether primary or incidental, shall be sold at retail on the premises, no beer shall be sold for consumption on the premises,
- C. All uses shall be free from objections because of odor, dust, smoke, noise, vibration or other causes,
- D. Signs as follows:
 - 1. Permitted Signs.
 - a. Any signs or name plate permitted in residential zone R-1,

- b. Business signs, pertaining only to the use conducted, or service performed upon the premises, or business of occupants located on the premises;
 - 2. One or more signs not exceeding in total area three square feet for each one linear foot of street frontage occupied by a commercial or industrial use. No one sign shall exceed two hundred fifty square feet in area and the combined total area of business signs for each separate use shall not exceed three hundred square feet. Where such use does not occupy frontage on a street, the use may have one or more signs not exceeding fifty square feet in combined total area;
 - 3. Lighting of Signs--Exterior Lighting. Signs may be illuminated by indirect lighting, floodlights or luminous tubes which shall not be less than twelve millimeters in diameter and total electrical input shall not exceed thirty milliamperes. No floodlights shall be installed in any way which will permit direct rays of such light to penetrate into any property used for residential purposes. Animated signs are prohibited;
 - 4. Location of Signs. Business signs shall not be located in any required yard, except that signs attached to a building may project not more than six feet into a required yard, and not less than ten feet above ground or sidewalk. Signs shall not project across any property line. Property, identification and service signs shall not be located closer than ten feet to any property line. Name plates may be located anywhere on the property;
 - 5. Height of Signs. No sign shall be erected higher than the height of main building to which it is attached;
- E. Site Plan.
- 1. Prior to the issuance of any building permit for any use permitted in this chapter, a complete site plan drawn to scale and in accordance with requirements of Chapter 9 shall be submitted for approval of the planning commission.
 - 2. Such site plan shall show the total area planned for development, the location of existing and proposed buildings or structures, and including open space, streams or waterways, or land reservations whereon no buildings or structures shall be located.
- F. No building shall be constructed within the boundaries of any natural waterways or watercourse as determined by the town engineer wherein no buildings shall be constructed, or land subdivided. Where buildings are to be constructed within fifty feet of the exterior boundaries of a flood channel existing at the effective date of the ordinance codified in this title, adequate measures must be taken as determined by the board of adjustment so as to protect the building or structure from damage due to floods and so as not to increase the hazard to surrounding lands and buildings.
- G. The required yard space shall be kept free of debris, refuse and hazardous waste. The required yard space shall be kept free of any material which may constitute a fire hazard.

Section 19.3 LOT AREA AND WIDTH

The same area and width requirements apply as for single-family dwellings in residential zone R-1, including all side, front, rear and all side yards and all other regulations found in the R-1 zone.

Section 19.4 YARD-SIDE

Side yard regulations are the same as for residential zone R-1 for dwellings; for other buildings 10 feet side yards.

Section 19.5 YARD-FRONT

The minimum depth of the front yard for all buildings, walls or fences more than two (2) feet in height shall be twenty (20) feet on all streets less than eighty (80) feet in width, and fifty (50) feet on all state or federal highways.

Section 19.6 YARD-REAR

The minimum depth of the rear yard for any dwelling shall be thirty (30) feet and for accessory building ten (10) feet, providing that:

- A. On corner lots which rear upon the side yard of another lot, accessory buildings shall be not located closer than ten feet to such side yard.

Section 19.7 BUILDING HEIGHT

No building or structure shall be erected to a height greater than two and one-half (2½) stories, or thirty-five (35) feet.

Section 19.8 LOT COVERAGE

No building or structure or group of buildings with their accessory buildings shall cover more than seventy (70) percent of the area of the lot.

Section 19.9 AREA, WIDTH AND YARD REGULATIONS

Zone	Area	Width in feet	Front in feet	Side Yards in feet	Rear in feet
C-1	5/8 acres	150	75	20 feet on each side of dwelling	30

**TRENTON, UTAH
ZONING ORDINANCE
CHAPTER 20
C-2 ZONE**

Section 20.1	Use Regulations
Section 20.2	Special Provisions.
Section 20.3	Lot Area, Width, Coverage and Yard Regulations
Section 20.4	Building Height
Section 20.5	Area, Width and Yard Regulations

Section 20.1 USE REGULATIONS

In commercial zone C-2, no building, structure or land shall be used, and no building or structure shall be erected which is arranged, intended or designed to be used for other than one or more of the following uses:

- A. Any use permitted in the commercial zone C-1, no residential structures will be allowed;
- B. Automobile and/or trailer sales or rental, or parts sales; automobile service stations; automobile sales and repair, including only incidental body and fender work, painting, upholstering and welding; addressograph shop; athletic club; awnings sales and repair; advertising signs; billboards; business signs provided they conform to Section 19.2 D.
- C. Bank; bath and massage; bus terminal; blueprinting or photostating; bird and pet shop; bowling alley;
- D. Clothing stores; clothes cleaning and dyeing; china and silver shop; carbonated water sales; costumes rental;
- E. Department store; drapery and curtain store; drive-it-yourself agency or business; dressmaking; drive-in restaurants and refreshment stands, but not including sale of beer to be consumed on the premises; dry-goods store;
- F. Electrical and heating appliances and fixtures, sales and repairs; express office; employment agency; embroidery store;
- G. Fountain equipment supply; fur sales, storage or repair; frozen food lockers; fix-it shop; film exchange; furniture sales and repair; flooring or floor repair;
- H. Gunsmith; gymnasium; golf courses, miniature; golf driving ranges;
- I. Hardware; hobby shop; hemstitching shop; house and garden equipment display; health club; house-cleaning and repair; hospital supplies;
- J. Interior decorating store; insulation sales; ice skating;
- K. Jewelry store;
- L. Leather goods sales; luggage sales; linen shop; laboratories;
- M. Monument sales, retail; motel; motorboat sales; millinery;
- N. Nursery, plant materials, soil and lawn service; novelty store;
- O. Office supply; oil burner shop; ornamental iron, sales or repair;
- P. Painter or paint store; plumbing shop; printing, lithographing or publishing; pest extermination and control; paper hanger or wallpaper store;
- Q. Railway express; radio station, FM, and television stations; roofing sales; roller skating rink;
- R. Second-hand store and antique shop if conducted wholly within a completely enclosed building; shoe store; sewing machine shop; seed and feed stores, retail; sign painting shop; soft water service and sale; commercial swimming pools; swimming pool equipment display and sales, retail;
- S. Tobacco shop; travel bureau; taxidermist; towel and linen supply service; trade school; typewriter and adding machine repairs; temporary revival churches; tire shop; theater, indoor; transfer company; provided trucks no larger than two tons capacity are used; tourist courts;
- T. Upholstering shop;
- U. Variety store;
- V. Weather-stripping shop; window-washing service;
- W. Accessory uses and buildings customarily incidental to the above.

Section 20.2 SPECIAL PROVISIONS

The uses specified in above Section shall be permitted only under the following conditions: All manufacturing shall be done wholly within a completely enclosed building and shall be incidental to and operated in connection with a use permitted in this chapter.

- A. All uses shall be free from objections because of odor, dust, smoke, noise, vibration or other causes.
- B. Site Plan.
 - 1. Prior to the issuance of any building permit for any use permitted in this chapter, a complete site plan drawn to scale and in accordance with requirements of Chapter 9 shall be submitted for approval of the planning commission.
 - 2. Such site plan shall show the total area planned for development, the location of existing and proposed buildings or structures, and including open space, streams or waterways, or land reservations whereon no buildings or structures shall be located.
- C. No building shall be constructed within the boundaries of any natural waterway or watercourse as determined by the Town engineer wherein no buildings shall be constructed, or land subdivided. Where buildings are to be constructed within fifty feet of the exterior boundaries of a flood channel existing at the effective date of the ordinance codified in this title, adequate measure must be taken as determined by the board of adjustment so as to protect the building or structure from damage due to floods and so as not to increase the hazard to surrounding lands and buildings.
- D. The required yard space shall be kept free of debris, refuse and hazardous waste. The required yard space shall be kept free of any material which may constitute a fire hazard.

Section 20.3 LOT AREA, WIDTH, COVERAGE AND YARD REGULATIONS

Lot area, width and coverage and yard regulations are the same as for commercial zone C-1 for other buildings.

Section 20.4 BUILDING HEIGHT

The maximum height shall be five (5) stories or sixty-five (65) feet.

Section 20.5 AREA, WIDTH AND YARD REGULATIONS

Zone	Area	Width in feet	Front in feet	Side Yards in feet	Rear in feet
C-2	5/8 acres	150	75	20 feet on each side of dwelling	30

ORDINANCE 23-01-01
ORDINANCE ADOPTING THE TRENTON TOWN ZONING ORDINANCE
REVISED DECEMBER 2022

WHEREAS, the Trenton Town Planning and Zoning Commission prepared and recommended proposed Amended Zoning Ordinance to the Trenton Town Council; and

WHEREAS, after giving the matter the legally required notice, the Trenton Town Council held a public hearing regarding the proposed Zoning Ordinance; and

WHEREAS, the Trenton Town Council has determined that it is in the best interests of the Town to adopt the proposed Zoning Ordinance as finally approved by the Town Council;

NOW, THEREFORE, the Town Council of Trenton, Utah hereby adopts, passes and publishes the following:

BE IT ORDAINED BY THE TOWN COUNCIL OF TRENTON, UTAH AS FOLLOWS:

ORDINANCE ADOPTING THE ZONING ORDINANCE

1. The Zoning Ordinance dated December, 2022, is hereby adopted, the full text of which is attached to this adopting Ordinance and incorporated herein as though stated in full in this adopting ordinance.

2. This adopting Ordinance and the attached Zoning Ordinance shall become effective upon their first posting in three public places within the town.

ADOPTED AND PASSED by the Town Council of the Town of Trenton, Utah this ____ day of _____, 20____.

TRENTON TOWN

By _____
Mayor

ATTEST:
