

Section 1701 – Table of Uses:

The Tables of Uses identify the uses allowed within each Zoning District and provides a definition for each use. The Tables of Uses identify uses allowed as a Permitted Use (identified as “P” in the Tables of Uses), uses allowed as a Conditional Use (identified as “C” in the Tables of Uses), and uses allowed as a Temporary Use (identified as “T” in the Tables of Uses). Uses, identified as an “X” in the Table of Uses are determined to be a Prohibited Use in the Zoning District. All uses not included in the Table of Uses are determined to be Prohibited Uses within Roy City.

The Tables of Uses are provided as follows:

- 1) Table 17-1 – Residential Zoning Districts
- 2) Table 17-2 – Non-Residential Zoning District
- 3) Table 17-3 – Allowed Screening

TABLE 17-1 - TABLE OF ALLOWED USES - RESIDENTIAL ZONING DISTRICTS

P = Permitted Use; C = Conditional Use; T = Temporary Use; X = Use Prohibited in the Zoning District (Zone) A Use that is not identified in the Table of Uses is hereby determined to be a Prohibited Use within Roy City.

USE	RE-20	R-1-15	R-1-10	R-1-8	R-1-7	R-1-6	R-2	R-3	R-4	RMH-1
<u>Accessory Building.</u> A building customarily incidental and clearly subordinate to the existing primary building and located on the same lot as the primary building, and meeting all requirements of the International Building Code, Zoning Ordinance and Subdivision Ordinance, as adopted by the City.	P	P	P	P	P	P	P	P	P	P
<u>Accessory Use.</u> A use clearly incidental and subordinate to the existing primary use and customarily found in connection with the primary use and located on the same lot as the primary use.	P	P	P	P	P	P	P	P	P	P
<u>Barn, Corral, Stable, Coop, Pen or Animal Run.</u> A structure or fenced area, and its associated buildings and structures, for the feeding, housing, or confinement of domestic animals, as defined herein. Stable includes a building, or a portion thereof, used to shelter and feed horses and ponies.	P	X	X	X	X	X	X	X	X	X
<u>Church.</u> A facility principally used as a location for people to gather for religious worship or other religious activities. One (1) accessory dwelling unit for the housing of the pastor or similar church leader of the church and their family shall be permitted.	P	P	P	P	P	P	P	P	P	P
<u>Day Care Center/Assisted Care Center.</u> A facility which provides less than 24-hour assisted care or supervision for five (5) or more persons, 14 years of age and older and who are not related by blood, marriage or adoption to the owner or operator, with or without compensation for such care, and with or without a stated educational purpose.	X	X	X	X	X	X	X	C	C	X

USE	RE-20	R-1-15	R-1-10	R-1-8	R-1-7	R-1-6	R-2	R-3	R-4	RMH-1
<u>Domestic Livestock and Fowl.</u> Limited to the following: (1) The keeping of not more than two (2) animals of the Equine family (Horses), or two (2) animals of the Bovinae family (Cows), or two (2) animals of the Ovis family (Sheep), or two (2) animals of the Capra family (Goats) or twenty (20) rabbits, or fifty (50) chickens, or fifty (50) pheasants, or ten (10) turkeys, or ten (10) ducks, or ten (10) geese, or ten (10) pigeons, or five (5) beehives. Fractional combinations of domestic livestock and fowl may be kept in amounts that do not exceed a ratio of 1 (e.g. one (1) horse and ten (10) rabbits). The keeping of domestic livestock and fowl requires a minimum lot area of twenty thousand (20,000) square feet. Any offspring shall be included upon attaining the normal age of weaning. Additional domestic livestock or fowl on lots larger than twenty thousand (20,000) square feet may be kept, complying with the number of domestic animals or fowl, identified above, for each one (1) acre of area in addition to the minimum area of twenty thousand (20,000) square feet. In the Country Acres and Venstra Subdivisions additional domestic livestock or fowl on lots larger than twenty thousand (20,000) square feet may be kept, complying with the number of domestic animals or fowl identified above, for each one (1) acre of area, including the minimum area of twenty thousand (20,000) square feet Not more than five (5) times the allowable numbers listed above shall be permitted at any one time. (Ord. 1011, 5-5-2009)	P	X	X	X	X	X	X	X	X	X
<u>Dwelling Unit, Condominium.</u> An individually owned dwelling unit, the ownership of which includes an undivided interest in the land and other common areas and facilities, as provided and recorded in a property deed or other instrument, as required by Utah law, and which are typically maintained by an association of the owners. Must meet allowed Density Requirements of the applicable Zone.	X	X	X	X	X	X	X	C	C	X
<u>Dwelling Unit, Multiple-Family.</u> A building containing three (3) or more dwelling units.	X	X	X	X	X	X	X	C	C	X
<u>Dwelling Unit, Single-Family.</u> A building containing one (1) dwelling unit.	P	P	P	P	P	P	P	P	P	P
<u>Dwelling Unit, Two-Family.</u> A building containing two (2) attached dwelling units.	X	X	X	X	X	X	P	P	P	X
<u>Educational Facility.</u> Public schools, colleges or universities qualified by the State of Utah Board of Regents or State of Utah Board of Education to provide academic instruction. Privately owned buildings and uses for educational or research activities that has a curriculum for technical or vocational training, kindergarten, elementary, secondary or higher education.	P	P	P	P	P	P	P	P	P	P
<u>Home Day Care.</u> The care of children who are family and non-family members in an occupied dwelling unit, and complying with all State standards and licensing, by a resident of the dwelling unit at least twice a week for more than five (5) children, but fewer than nine (9) children. The total number of children being cared for shall include children under the age of four (4) years residing in the dwelling unit, who are under the supervision of the provider during the period of time the childcare is provided. When a caregiver cares for only three (3) children under age two (2), the group size, at any given time shall not exceed six (6). Home Day Care may use the entire residential living area and additionally may use yard space for play purposes. This use is required to comply with all business licensing requirements of Roy City.	P	P	P	P	P	P	P	C	C	C

USE	RE-20	R-1-15	R-1-10	R-1-8	R-1-7	R-1-6	R-2	R-3	R-4	RMH-1
<u>Home Occupation.</u> Any use or activity conducted entirely within a dwelling and carried on by the 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. The home occupation is limited to members of the family who reside on the premises; no outside help may be hired. The home occupation shall not involve the use of any accessory building, attached garage, or yard space or activity, outside of the primary building, not normally associated with residential use. Home occupations shall include the use of not more than twenty five percent (25%) of the living area of the home.	P	P	P	P	P	P	P	P	P	P
<u>Household Pets.</u> Domesticated animals and birds ordinarily permitted in a dwelling unit and kept for company or pleasure of the owner, including, but not limited to two (2) dogs, cats, and caged birds, Household Pets do not include inherently or potentially dangerous animal, fowl, reptiles, exotic animals, or domestic livestock or fowl as defined herein.	P	P	P	P	P	P	P	P	P	P
<u>Major Facility of a Public Utility.</u> Any electric transmission lines (greater than 115,000 volts), power plants or substations of electric utilities; gas gathering facility, regulator stations, transmission and gathering pipelines and storage areas of utilities providing natural gas or petroleum derivatives; and their appurtenant facilities, water treatment plant, sewage treatment plant.	C	C	C	C	C	C	C	C	C	C
<u>Medical and Dental Clinic.</u> An organization of doctors, dentists, or other health care professional providing physical or mental health service and medical or surgical care of the sick or injured but which does not include in-patient or overnight accommodations.	X	X	X	X	X	X	X	X	P	X
<u>Minor Facility of a Public Utility.</u> A use operated exclusively by a public body or quasi-public body, such use having the purpose of serving the public health, safety or general welfare, and including streets, parks, recreational facilities, administrative and service facilities, and public utilities, and found by the Roy City Planning Commission to conform to the Roy City General Plan, or has been considered by the Roy City Planning Commission and, after receiving the advice of the Planning Commission, the Roy City Council has approved the proposed location and/or Public Use as an amendment to the Roy City General Plan. Public Uses and Utilities do not include "Major Facility of a Public Utility," as defined herein.	P	P	P	P	P	P	P	P	P	P
<u>Nursing Home, Convalescent Care Center.</u> A facility that provides 24-hour residential care to persons who are not related by blood, marriage, or adoption to the owner, operator, or manager of the facility. A Nursing Home or Convalescent Care Center provides some level of skilled nursing or medical service to the residents.	X	X	X	X	X	X	X	C	C	X
<u>Office.</u> A building, room, or other space where executive, management, administrative or professional services are provided, except medical services, and excluding the sale of merchandise, except as incidental to a principal use. Typical uses include real estate brokers, insurance agencies, credit reporting agencies, property management firms, investment firms, employment agencies, travel agencies, advertising agencies, secretarial services, data processing, telephone answering, telephone marketing, paging and beeper services and facsimile transmission services; post offices and express mail offices, excluding major mail processing and distribution; offices for utility bill collection; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; and business offices of private companies, utility companies, public agencies, trade associations, unions and nonprofit organizations.	X	X	X	X	X	X	X	X	P	X
<u>Outside Storage of Recreational Vehicles (Limited).</u> The storage and parking of not more than two (2) recreational vehicles, including motor homes, boats, caravans, trailers, or similar, for a period exceeding forty-eight (48) hours, and owned by the property owner.	P	P	P	P	P	P	P	P	P	P

USE	RE-20	R-1-15	R-1-10	R-1-8	R-1-7	R-1-6	R-2	R-3	R-4	RMH-1
<u>Personal Care Service.</u> An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barbershops, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning and nail salons, and weight loss centers. The term excludes "Tattoo Establishment."	X	X	X	X	X	X	X	X	P	X
<u>Public Park-And-Ride Lots.</u> Parking lots associated with a transit station, where people drive from their homes, park, and transfer to transit lines.	C	C	C	C	C	C	C	C	C	C
<u>Public Commuter and Light Rail Facilities and Station.</u> A rail transit system that covers long distances, usually with less frequent station spacing and train times than light rail that runs on a separate right-of-way from cars, and often sharing an existing freight corridor. Light rail transit systems can run along city streets or in a separate right-of-way. Station areas are located along the transit lines to link park-and-ride lots with the transit system.	C	C	C	C	C	C	C	C	C	C
<u>Residential Facility for Elderly Persons.</u> A single-family or multiple-family dwelling unit that does not operate as a business and is owned by one of the residents, or an immediate family member of one of the residents, or the title is placed in trust for a resident, and that meets the requirements of Sec. 10- 9-103; Sec. 10-9-501; and Sec. 10-9-502, Utah Code Annotated, as amended, meeting all applicable International Building Code, Zoning and Health Code requirements, and is occupied on a 24-hour-per-day basis by eight (8) or fewer elderly persons in a family-type arrangement. Adequate off-street parking shall be provided and the facility must be capable of use as a residential facility for elderly persons without structural or landscaping alterations that would change the structure's residential character. No person being treated for alcoholism or drug abuse shall be placed in a residential facility for elderly persons; and placement in a residential facility for elderly persons is on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility. Elderly Person means a person who is 60 years old or older, who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently. Residential Facility for Elderly Persons does not include a health care facility as defined by §26-21-2, Utah Code Annotated, 1953, as amended.	P	P	P	P	P	P	P	P	P	P
<u>Residential Facility for Persons with a Disability.</u> A residence in which more than one (1) person with a disability resides; and is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities; or is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act. Disability means a physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such impairment or being regarded as having such impairment. (§57-21-2(9)(a) Utah Code Annotated, 1953, as amended). Disability does not include current illegal use of, or addiction to any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802. (§57-21-2(9)(b) Utah Code Annotated, 1953, as amended). Disability does not include placement in lieu of confinement, rehabilitation, or treatment in a correctional facility.	P	P	P	P	P	P	P	P	P	P

USE	RE-20	R-1-15	R-1-10	R-1-8	R-1-7	R-1-6	R-2	R-3	R-4	RMH-1
<p><u>Residential Facility for Persons with a Disability (Substance Abuse Facility located within 500 feet of a School).</u> A residence in which more than one (1) person with a disability resides; and is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities. Disability means a physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such impairment or being regarded as having such impairment. (§57-21-2(9)(a) Utah Code Annotated, 1953, as amended). Disability does not include current illegal use of, or addiction to any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802. (§57-21-2(9)(b) Utah Code Annotated, 1953, as amended). Disability does not include placement in lieu of confinement, rehabilitation, or treatment in a correctional facility.</p>	C	C	C	C	C	C	C	C	C	C
<p><u>Swimming Pool.</u> An artificial body of water having a depth in excess of eighteen inches, designed, constructed and used for swimming, dipping or immersion purposes by men, women or children, and located on a same lot or parcel as a dwelling, or dwellings.</p>	P	P	P	P	P	P	P	P	P	P
<p><u>Telecommunications Site/Facility.</u> A facility used for the transmission or reception of electromagnetic or electro-optic information, which is placed on a structure. This use is not required to be located on a building lot or to comply with the minimum lot size requirement for the district in which it is located, but is required to meet location requirements, as established for such uses, as provided by this Ordinance. Telecommunications Site/Facility does not include Amateur Radio equipment that complies with the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952 (1985)" or amateur radio service adopted under 47 C.F.R. Part 97. A facility may be located on any property owned by the City.</p>	X	X	X	X	X	X	X	X	X	X
<p><u>Temporary Use.</u> A special event or use established for a maximum period of 45 days, such event, or use being discontinued after the expiration of 45 days, and conducted in compliance with all the requirements of this Ordinance. Such use shall be permitted only after the issuance of a temporary use permit as established by the provisions of this Ordinance.</p>	T	T	T	T	T	T	T	T	T	T
<p><u>Tennis Court/Sports Court.</u> An improved area used for the playing of tennis or other sports activities, including, but not limited to, basketball and volleyball, and located on a same lot or parcel as a dwelling, or dwellings.</p>	P	P	P	P	P	P	P	P	P	P

TABLE 17-2 - TABLE OF ALLOWED USES - NON-RESIDENTIAL ZONING DISTRICTS

P = Permitted Use; C = Conditional Use; T = Temporary Use; X = Use Prohibited in the Zoning District (Zone) A Use that is not identified in the Table of Uses is hereby determined to be a Prohibited Use within Roy City.

CC = Community Commercial
M = Manufacturing

RC = Regional Commercial
BP = Business Park

LM = Light Manufacturing
R = Recreational

USE	CC	RC	LM	M	BP	R
<u>Accessory Building.</u> A building customarily incidental and clearly subordinate to the existing primary building and located on the same lot as the primary building, and meeting all requirements of the International Building Code, Zoning Ordinance and Subdivision Ordinance, as adopted by the City.	P	P	P	P	P	P
<u>Accessory Caretaker Dwelling Unit.</u> An attached or detached dwelling unit for an employee or owner and incidental and clearly subordinate to an existing primary building or use and located on the same lot as the primary building or use.	X	C	C	C	C	C
<u>Accessory Use.</u> A use clearly incidental and subordinate to the existing primary use and customarily found in connection with the primary use and located on the same lot or in the same building as the primary use.	P	P	P	P	P	P
<u>Adult Arcade.</u> Any place to which the public is permitted or invited wherein coin operated or slug operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image producing devices are regularly maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by their emphasis upon matter exhibiting or describing specified sexual activities or specified anatomical areas. An Adult Arcade shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Adult Bookstore, Adult Novelty Store, Adult Video Store.</u> A commercial establishment which has significant or substantial portion of its stock in trade or derives a significant or substantial portion of its revenues or devotes a significant or substantial portion of its interior business or advertising, or maintains a substantial section of its sales or display space to the sale or rental, for any form of consideration, of any one or more of the following: A. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, slides, or other visual representations which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas; B. Instruments, devices or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others. Adult Bookstores, Adult Novelty Stores, and Adult Video Stores shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Adult Cabaret.</u> A nightclub, bar, juice bar, restaurant bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features: A. Persons who appear seminude; B. Live performances which are characterized by the exposure of specified anatomical areas or specified sexual activities; or C. Films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas. An Adult Cabaret shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X

USE	CC	RC	LM	M	BP	R
<u>Adult Motel.</u> A motel, hotel or similar commercial establishment which: A. Offers public accommodations, for any form of consideration, and which regularly provides patrons with closed circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas and which regularly advertises the availability of such material by means of a sign visible from the public right of way, or by means of any off premises advertising, including, but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television; and B. Offers a sleeping room for rent for a period of time less than ten (10) hours. An Adult Motel shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Adult Motion Picture Theater.</u> A commercial establishment where films, motion pictures, videocassettes, slides or similar photographic reproductions which are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas are regularly shown for any form of consideration. An Adult Motion Picture Theater shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Adult Theater.</u> Theater, concert hall, auditorium or similar commercial establishment which, for any form of consideration, regularly features persons who appear in state of semi nudity or live performances which are characterized by their emphasis upon the exposure of specified anatomical areas or specified sexual activities. An Adult Theater shall be conducted in compliance with all requirements for the operation of sexually oriented businesses, as provided by Title 3-7 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Animal Hospital (Veterinary Clinic), With Holding Facilities.</u> A facility for the diagnosis, treatment, hospitalization, and boarding of animals that does not include outdoor holding facilities But which may include indoor holding and boarding facilities.	C	C	X	C	X	X
<u>Animal Hospital (Veterinary Clinic), Without Holding or Boarding Facilities.</u> A facility for the diagnosis, treatment, hospitalization, and boarding of animals that does not include indoor or outdoor holding or boarding facilities.	P	P	X	P	X	X
<u>Bank, Credit Union or other Financial Institution.</u> A financial company or corporation providing the extension of credit, and the custody, loan or exchange of money. A bank, credit union or other financial institution proposing to provide drive-through service shall be required to secure a Conditional Use Permit approval for such drive through facility as provided herein.	P	P	X	X	P	X
<u>Billboard.</u> A freestanding sign designed or intended to direct attention to a business, product, or service that is not provided, sold, offered, or existing on the property where the sign is located.	X	X	X	X	X	X
<u>Car Wash.</u> A structure with machine- or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles. A facility of this type may be able to accommodate more than one vehicle at the same time.	C	C	X	C	X	X
<u>Church.</u> A facility principally used as a location for people to gather for religious worship or other religious activities. One (1) accessory dwelling unit for the housing of the pastor or similar church leader of the church and their family shall be permitted.	C	C	X	X	C	X
<u>Class A Beer Licenses - Off Premises Consumption.</u> A Class A retail license shall entitle the licensee to sell beer on the licensed premises in the original containers for consumption off the premises only, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City, and to deliver the same to the residence of the purchaser; provided, however, that it is unlawful for the licensee to sell or distribute beer in any container larger than two (2) liters. A Class A License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	C	C	X	X	X	X

USE	CC	RC	LM	M	BP	R
<u>Class B Beer Licenses - On Premises Consumption, Restaurants.</u> 1. A Class B retail license shall entitle the licensee to sell beer in the original containers or on draft for consumption on the premises. 2. Only bona fide restaurants whose food sales constitute at least seventy percent (70%) of the gross dollar value of licensee's business shall be entitled to Class B licenses. (Utah Code Annotated section 32A-4-106(30)). A Class B License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	C	C	X	X	C	C
<u>Class C Beer Licenses - On Premises Consumption, Taverns:</u> A Class C retail license shall entitle the licensee to sell on the premises beer on draft or in original container for consumption on the premises, and to all the privileges granted the holders of Class B retail licenses, all to be exercised in accordance with the Utah Alcoholic Beverage Control Act and the ordinances of the City. A Class C retail license shall be issued only to an applicant engaged in good faith in the business of dispensing and selling beer at retail over a bar, and where such business is the principal business conducted on the licensed premises. A Class C License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Class D Beer Licenses; Temporary.</u> A Class D retail license shall entitle the licensee to sell beer in the original containers only upon such premises during such times as the Council, upon application of the licensee, may designate from time to time by resolution. Such sales may be made for consumption on or off the designated premises. The Council shall designate only those premises upon which public fairs, stock and other animal shows, celebrations, fiestas, occasional athletic contests, and similar events occur. A copy of the Council's resolution designating the premises upon which sales may be made under a Class D license shall be posted and conspicuously displayed with the license at such premises. A Class D License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	T	T	X	X	T	T
<u>Class E Beer Licenses - On Premises Consumption, Private Club.</u> A Class E retail license shall entitle the licensee to all of the privileges of a Class C license upon any premises licensed as a club pursuant to the Utah Nonprofit Corporations Act and the Utah Alcoholic Beverage Control Act, and all authority to be exercised shall be pursuant to the same and the ordinances of the city. A Class E License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Class A Liquor Licenses – Private Club.</u> A Class A liquor license shall entitle the licensee to serve, sell, and store liquor, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City. All sales under a private club license shall be to bona fide members of the licensed club, guest members or their visitors accompanied by members or guest members, and not to the general public.. A Class A License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Class B Liquor Licenses - Restaurants.</u> 1. A Class B liquor license shall entitle the licensee to provide liquor to patrons for consumption on the premises, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City. Liquor is to be provided only in conjunction with a meal. A Class B License shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	C	C	X	X	C	C
<u>Class C Liquor Licenses - Temporary:</u> A Class C liquor license shall entitle the licensee to provide liquor to patrons for consumption on the premises, in accordance with the Utah Alcoholic Beverage Control Act and the Ordinances of the City. A Class C liquor license shall be issued for a period not to exceed three (3) days, to be determined by the Council. No person under the age of twenty-one (21) years shall sell or serve liquor under a Class C liquor license and shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	T	T	X	X	T	T

USE	CC	RC	LM	M	BP	R
<u>Commercial Day Care/Preschool Center.</u> A facility, operated by a person qualified and licensed by the State of Utah, which provides children with day care and/or preschool instruction as a commercial business and complying with all applicable State standards and licensing and having regularly scheduled, ongoing enrollment for direct or indirect compensation that provides child care for less than twenty four (24) hours per day. Commercial Day Care/Preschool Center excludes the following: (a) Kindergartens or nursery schools or other daytime programs operated by public or private elementary or secondary schools or institutions of higher learning; (b) Facilities operated in connection with a fitness center, shopping center or other activity where children are cared for temporarily while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and readily available; or (c) Special activities or programs, including athletics, crafts instruction and similar activities, conducted on a periodic basis by civic, charitable, private, or governmental organizations; (d) or clearly identified as an Accessory Use.	C	C	X	X	C	X
<u>Commercial Plant Nursery.</u> A use wholly, or partially, contained within one or more greenhouses where trees, shrubs, flowers, or vegetable plants are grown and sold to retail customers. Commercial Plant Nursery does not include wholesale nurseries or greenhouses.	C	P	X	C	X	X
<u>Commercial Recreation (Indoor).</u> Any use, either public or private, providing amusement, pleasure, or sport, which is operated entirely within an enclosed building, including but not limited to live theater, and movie houses, indoor tennis, bowling, and skating, baseball batting cages, paintball, horse riding or similar activities. This use may include associated eating and drinking areas, retail sales areas and staff offices.	C	C	X	C	X	X
<u>Commercial Recreation (Outdoor).</u> An area or facility that offers entertainment or recreation outside. This use is limited to a golf driving range, baseball batting cages, riding arena, tennis facility, miniature golf, and swimming pool, and may include, as accessory uses, associated eating and drinking areas, retail sales areas and staff offices. This use specifically excludes shooting range, go-cart, motor vehicle and/or motorbike tracks, or similar activities that may create noise, dust, or other nuisances to adjoining and surrounding uses.	X	C	X	X	X	C
<u>Construction Sales and Service.</u> An establishment engaged in the retail or wholesale sale of materials and services used in the construction of buildings or other structures, as well as the outdoor storage of construction equipment or materials on lot or parcel other than a construction site. Typical uses include lumberyards, home improvement centers, lawn and garden supply stores, construction equipment sales and rental, electrical, plumbing, air conditioning and heating supply stores, and swimming pool sales.	C	C	X	C	X	X
<u>Contractor's Office/Contractor's Storage Yard.</u> A facility providing building construction and maintenance, including carpentry, plumbing, roofing, electrical, air conditioning and heating, within a totally enclosed building, and which may include the open storage of any building materials, equipment, or vehicles.	X	X	X	C	X	X
<u>Convenience Store.</u> A retail establishment selling consumer products including prepackaged food and drink. A convenience store may also provide associated retail sale of gasoline and other petroleum products.	C	P	X	X	X	X
<u>Day Care Center/Assisted Care Center.</u> A facility which provides less than 24-hour assisted care or supervision for five (5) or more persons, 14 years of age and older and who are not related by blood, marriage or adoption to the owner or operator, with or without compensation for such care, and with or without a stated educational purpose.	C	C	X	X	X	X
<u>Drive through/Drive up Facility.</u> A facility where goods and services are provided to customers within a vehicle.	C	C	X	X	C	X
<u>Educational Facility.</u> Privately or publicly owned buildings and uses for educational or research activities that has a curriculum for technical or vocational training, kindergarten, elementary, secondary or higher education, and including Charter Schools. Public schools, colleges or universities qualified by the State of Utah Board of Regents or State of Utah Board of Education to provide academic instruction.	P	P	X	X	C	X
<u>Emergency Care Facility.</u> A health care facility providing primarily outpatient emergency care for the diagnosis and treatment of individuals.	C	C	X	C	C	X

USE	CC	RC	LM	M	BP	R
<u>Golf Course</u> . A an area used for the purposes of playing golf, but which may include associated restaurant, commercial retail sales areas, staff offices and course maintenance facilities.	X	X	X	X	X	C
<u>Hospital</u> . A facility licensed by the State of Utah Department of Health providing clinical, temporary or emergency service of a medical, obstetrical or surgical nature to human patients.	C	C	X	X	C	X
<u>Hotel</u> . A building offering temporary lodging accommodations, or overnight accommodations for guests, with access provided through a common entrance, lobby or hallway to four (4) or more guestrooms, and which may include additional services, such as restaurants, meeting rooms, entertainment, and recreational facilities.	C	P	X	X	X	X
<u>Kennel</u> . A commercial establishment having three (3) or more dogs for boarding, breeding, buying, grooming, letting for hire, training for profit, or selling.	X	X	X	C	X	X
<u>Laundry, Self Serve or Dry Cleaning</u> . An establishment providing home-type washing, drying, and/or ironing machines, household laundry and dry cleaning services, classified as low hazard in applicable codes, with customer drop-off and pick-up.	C	P	X	X	X	X
<u>Liquor Store – State Owned</u> . An establishment owned and operated by the State of Utah and primarily engaged in the sale of alcoholic beverages.	X	C	X	X	X	X
<u>Manufacturing, Major</u> . Includes the processing and fabrication of finished products, predominantly from previously prepared materials, and includes the assembly, fabrication or processing of goods and materials using processes that do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and where such assembly, fabrication or processing takes place entirely within a building. Excludes gravel pit, quarry, extractive industries.	X	X	X	C	X	X
<u>Manufacturing, Minor</u> . Includes the processing and fabrication of finished products that do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building and where such assembly, fabrication or processing takes place entirely within a building with a maximum building size of 15,000 square feet.	X	X	C	P	C	X
<u>Major Facility of a Public Utility</u> . Any electric transmission lines (greater than 115,000 volts), power plants or substations of electric utilities; gas gathering facility, regulator stations, transmission and gathering pipelines and storage areas of utilities providing natural gas or petroleum derivatives; and their appurtenant facilities, water treatment plant, sewage treatment plant.	X	X	C	C	X	X
<u>Medical and Dental Clinic</u> . An organization of doctors, dentists, or other health care professional providing physical or mental health service and medical or surgical care of the sick or injured but which does not include in-patient or overnight accommodations.	P	P	X	X	C	X
<u>Medical or Dental Laboratory</u> . An establishment that conducts basic medical or dental research and analysis. This term does not include a facility providing any type of in-house patient services typically provided by hospitals and clinics.	C	P	C	P	C	X
<u>Minor Facility of a Public Utility</u> . A use operated exclusively by a public body or quasi-public body, such use having the purpose of serving the public health, safety or general welfare, and including streets, parks, recreational facilities, administrative and service facilities, and public utilities, and found by the Roy City Planning Commission to conform to the Roy City General Plan, or has been considered by the Roy City Planning Commission and, after receiving the advice of the Planning Commission, the Roy City Council has approved the proposed location and/or Public Use as an amendment to the Roy City General Plan. Public Uses and Utilities do not include "Major Facility of a Public Utility," as defined herein.	C	C	C	C	C	C
<u>Mortuary, Funeral Home</u> . An establishment in which the dead are prepared for burial or cremation. The facility may include a chapel and other rooms to conduct funeral services.	C	P	X	X	X	X

USE	CC	RC	LM	M	BP	R
<u>Motel.</u> A building or group of buildings containing four (4) or more guest rooms, some or all of which may have a separate entrance leading directly from the outside of the building with a garage or parking space located on the lot and designed, used or intended wholly or in part for the accommodation of persons usually traveling by private automobile or motor coach and which may include additional services, such as restaurants, meeting rooms, entertainment and recreational facilities.	C	P	X	X	X	X
<u>Nightclub.</u> A place of entertainment open at night usually serving food and liquor, having a floor show, and providing music and space for dancing. A Nightclub that serves liquor shall maintain a valid Class E License and shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Nursing Home, Convalescent Care Center.</u> A facility that provides 24-hour residential care to persons who are not related by blood, marriage, or adoption to the owner, operator, or manager of the facility. A Nursing Home or Convalescent Care Center provides some level of skilled nursing or medical service to the residents.	C	X	X	X	X	X
<u>Office.</u> A building, room, or other space where executive, management, administrative or professional services are provided, except medical services, and excluding the sale of merchandise, except as incidental to a principal use. Typical uses include real estate brokers, insurance agencies, credit reporting agencies, property management firms, investment firms, employment agencies, travel agencies, advertising agencies, secretarial services, data processing, telephone answering, telephone marketing, paging and beeper services and facsimile transmission services; post offices and express mail offices, excluding major mail processing and distribution; offices for utility bill collection; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; and business offices of private companies, utility companies, public agencies, trade associations, unions and nonprofit organizations.	P	P	X	X	P	X
<u>Pay-day Lending:</u> Lenders engaging primarily in the business of small, short term loans provided against a prearranged line of credit, post-dated check, deposits, vehicle titles or other instruments. The number of such facilities licensed within the City limits may not exceed one (1) per five thousand (5,000) or portion thereof, of the most recent United States Census Bureau estimated population of Roy City. (Ord. 1018, 8-4-2009)	X	C	X	X	X	X
<u>Pawnshop.</u> Any person or establishment engaged in any of the following (a) Lending money on deposit of personal property; (b) Dealing in the purchase, exchange, or possession of personal property on condition of selling the same back again to the pledgor or depositor; (c) Lending or advancing of money on personal property by taking chattel mortgage security thereon and taking or receiving possession of such personal property; or (d) Selling unredeemed pledged personal property together with such new merchandise as will facilitate the sale of such property. The number of such facilities licensed within the city limits may not exceed one (1) per ten thousand (10,000), or portion thereof, of the most recent United States Census Bureau estimated population of Roy City. Such facilities shall not be located closer than six hundred (600) feet to any residential zone or to another Pawn Shop. (Ord. No 1071; 11/18/14)	X	C	X	X	X	X
<u>Personal Care Service.</u> An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barbershops, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning and nail salons, and weight loss centers. The term excludes "Tattoo Establishment."	C	P	X	X	X	X
<u>Personal Instruction Service.</u> An establishment primarily engaged in the provision of informational, instructional, personal improvement and similar services of a nonprofessional nature. Typical uses include art and music schools, driving and computer instruction, gymnastic and dance studios, handicraft or hobby instruction, health and fitness studios, massage therapist instruction, martial arts training, and swimming clubs.	P	P	X	X	C	X

USE	CC	RC	LM	M	BP	R
<u>Private Club.</u> Any nonprofit corporation operating as a social club, recreational, fraternal or athletic association, or kindred association organized primarily for the benefit of its stockholders or members. A Private Club that serves liquor shall maintain a valid Class E License and shall be conducted in compliance with all requirements for the issuance of such license, as provided by Title 3-2 et. seq. Roy City Municipal Code, as applicable.	X	C	X	X	X	X
<u>Public Park-And-Ride Lots.</u> Parking lots associated with a transit station, where people drive from their homes, park, and transfer to transit lines.	C	C	C	C	C	C
<u>Public Commuter and Light Rail Facilities and Station.</u> A rail transit system that covers long distances, usually with less frequent station spacing and train times than light rail that runs on a separate right-of-way from cars, and often sharing an existing freight corridor. Light rail transit systems can run along city streets or in a separate right-of-way. Station areas are located along the transit lines to link park-and-ride lots with the transit system.	C	C	C	C	C	C
<u>Reception Hall, Reception Center.</u> A facility for the holding of events including but not limited to weddings, wedding receptions, community meetings, and group gatherings.	C	P	X	X	X	X
<u>Recycling Collection Center.</u> A center for the acceptance and temporary storage of recyclable materials to be transferred to a recycling processing facility. Recycling Collection Centers involve no more than 3 collection containers up to 40 cubic yards in total size. Collection centers located in parking lots may not occupy required parking spaces. A collection center must be arranged to not impede traffic flow. The operator of the collection enter shall remove products stored at the site at least once a week. The operator of the collection center shall keep the collection center in proper repair and the exterior must have a neat and clean appearance. Automated can recycling machines are limited to two (2) per site.	C	C	C	C	C	X
<u>Restaurant.</u> A building or facility for the preparation, retail sale, and on- site consumption of food and beverages, sells food and beverages over a counter, packages its food in wrappers, boxes or cartons regardless if the food is consumed on or off the restaurant premises; and may provide a drive through/drive up facility.	C	P	X	X	C	X
<u>Retail Sales and Services.</u> Establishments engaged in the retail sale of goods and services, except those uses as otherwise clearly defined herein.	P	P	X	X	X	X
<u>Salvage yard.</u> The use of any lot, portion of a lot, or land for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery and/or the storage and sale of dismantled or damaged vehicles or their parts.	X	X	X	X	X	X
<u>Seasonal Use.</u> A Seasonal Use shall not exceed ninety (90) days. Such uses include fireworks stands, fruit or vegetable stands, beverage or snow cone vendors, and Christmas tree lots. This use and requirements to establish this use by Chapter 16, herein, shall become effective on January 01, 2006. All other seasonal uses not listed above are prohibited.	T	T	X	X	X	X
<u>Seminude Model Studio.</u> Any place where a person, who regularly appears in a state of semi nudity, is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons, except as may be allowed by Title 3-7 et. seq. Roy City Municipal Code.	X	C	X	X	X	X
<u>Tattoo & Body Art.</u> Establishments engaged primarily in the practice of physical body adornment or modification, including but not limited to body piercing, tattooing, branding or scarification. All Tattoo & Body Art establishments shall obtain and maintain in good standing a proper license from the Weber-Morgan Health Department. Tattoo & Body Art establishments may not be located closer than six hundred (600) feet to any other such establishment as defined, or to any church, school or other community gathering place. The number of such facilities licensed within the city limits may not exceed one per every ten thousand (10,000) or portion thereof of the most recent United States Census Bureau estimated population of Roy City. The hours of operation are limited to between 10:00 a.m. and 10:00 p.m. No minors shall be allowed on the premises without an accompanying adult guardian. (Ord. 1060, 11-19-2013)	X	C	X	X	X	X

USE	CC	RC	LM	M	BP	R
<u>Tavern</u> : An establishment licensed by the Utah Alcoholic Beverage Control Commission for serving beer by the drink to the general public.	X	C	X	X	X	X
<u>Telecommunications Site/Facility</u> . An unmanned structure consisting of antennas, antenna support structures, or other equipment used to provide personal wireless services as set forth in Section 704 of the Telecommunications Act of 1996, as amended. This use is not required to be located on a building lot or to comply with the minimum lot size requirement for the district in which it is located but is required to meet the locational requirements, as established for such uses, as provided by this Ordinance. Telecommunications Site/Facility does not include Amateur Radio equipment that complies with the ruling of the Federal Communications Commission in "Amateur Radio Preemption, 101 FCC 2nd 952 (1985)" or amateur radio service adopted under 47 C.F.R. Part97. A facility may be located on any property owned by the City.	X	X	X	C	X	C
<u>Temporary Use</u> . A special event or use established for a maximum period of 45 days, such event, or use being discontinued after the expiration of 45 days, and conducted in compliance with all the requirements of this Ordinance. Such use shall be permitted only after the issuance of a temporary use permit as established by the provisions of this Ordinance.	T	T	T	T	T	T
<u>Theater, Indoor Picture</u> . A building or part of a building devoted to the showing of moving pictures on a paid admission basis.	X	P	X	X	X	X
<u>Tobacco Oriented Retail</u> . A commercial establishment with less than 10,000 square feet of total sales area, where the sale and/or display of tobacco and/or tobacco related products accounts for greater than 10% of the sales floor and display areas, or where the sale of tobacco and/or tobacco related products accounts for more than 30% of gross sales receipts, or any commercial establishment of any size declaring itself through name or advertising to be oriented specifically to the selling of tobacco and/or tobacco related products. Tobacco Oriented Retail uses may not be located within 600 feet of one another as measured at the closest property lines. (Ord. 1032, 9-7-2010)	X	C	X	X	X	X
<u>Trailer Camp Or Trailer Court</u> . Any area or tract of land used or designed to accommodate two (2) or more travel trailers, recreational vehicles, motor homes or camping parties.	X	X	X	X	X	C
<u>Vehicle and Equipment Rental or Sale, New or Used, Major</u> . An establishment engaged in the retail or wholesale sale or rental, from the premises, of equipment or motorized vehicles, except motorcycles, automobiles, and light trucks, along with incidental service or maintenance. Typical uses include new and used heavy truck sales and rental, boat sales, recreational vehicles, construction equipment rental yards, moving truck and trailer rental, and farm equipment and machinery sales and rental. [also see § 1109]	X	C	X	P	X	X
<u>Vehicle and Equipment Rental or Sale, New or Used, Minor</u> . An establishment engaged in the retail sale or rental, from the premises, of new or used motorcycles, automobiles, and/or light trucks, with a Manufacturer's Gross Vehicle Weight Rating not to exceed 14,000 pounds, with incidental service or maintenance. Typical uses include dealers of motorcycles, automobiles, and light trucks. [also see § 1109]	X	P	X	P	X	X
<u>Vehicle and Equipment Repair, Major</u> . An establishment primarily engaged in the major repair or painting of motor vehicles or heavy equipment, including auto body repairs, installation of major accessories and transmission and engine rebuilding services. Typical uses include major automobile repair garages, farm equipment repair, paint, and body shops.	X	C	X	P	X	X
<u>Vehicle and Equipment Repair, Minor</u> . An establishment providing motor vehicle repair or maintenance services within completely enclosed buildings, but not including paint and body shops or other general vehicle repair services. Typical uses include businesses engaged in the following activities: electronic tune-ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, front-end alignments, battery recharging, lubrication, and sales, repair and installation of minor parts and accessories such as tires, batteries, windshield wipers, hoses, windows, etc.	C	P	X	P	X	X

USE	CC	RC	LM	M	BP	R
<u>Warehouse, Self-Service Storage.</u> An enclosed storage facility of a commercial nature containing independent, fully enclosed bays, which are leased to persons exclusively for storage of their household goods or personal property. (Ord. 1063, 4-1-2014)	X	X	C	P	X	X
<u>Wholesale and Warehousing, Major.</u> An establishment that is primarily engaged in the storage and sale of goods to other firms for resale, as well as activities involving significant movement and storage of products or equipment. Uses include major mail distribution centers, frozen food lockers, moving and storage firms, and warehousing and storage facilities.	X	X	X	C	X	X
<u>Wholesale and Warehousing, Minor.</u> An establishment that is engaged in the small scale storage and sale of goods to other businesses for resale, excluding self-storage warehouses, major distribution centers, motor freight terminals, moving and storage firms and similar high volume, high turnover facilities. Limited wholesale and warehouse area will generally be less than 30,000 square feet in area and operate during conventional business hours.	X	X	C	P	C	X

Section 1702 – Exceptions to the Table of Uses:

- 1) Outdoor Display: Permitted or Conditional uses within the CC, RC and BP may include the outdoor display of merchandise for sale as part of Site Plan approval, only if all of the following conditions are met:
 - a) The outdoor display of merchandise shall not be located upon any sidewalk, walkway, driveway, or within any public right-of-way nor shall it interfere with pedestrian or vehicular movement or with safe and proper ingress and egress of pedestrian traffic.
 - b) The outdoor display of merchandise shall not reduce the amount of off-street parking below that which is required for the associated commercial uses on the premises.
 - c) No item shall be displayed outdoors except for those lawfully displayed and sold inside the business. No hazardous and/or flammable materials (such as antifreeze, kerosene, poisons, pesticides and other similar items) may be displayed outdoors.
 - d) The aggregate outdoor display area shall not exceed twenty-five percent (25%) of the linear frontage of the store front or ten (10) linear feet, whichever is greater. Businesses located on a corner shall be considered as having two (2) store fronts.
 - e) No outdoor display shall exceed six (6) feet in height.
 - f) Items shall be displayed outdoors only during the hours when the business conducting the display is open to the public. Live plant material shall be exempt from this requirement.
 - g) Additional signs, beyond those normally allowed for the subject business, shall not be allowed as part of the outdoor display and sales area.
 - h) Outdoor displays for special sales or for one of a kind items which would exceed any of these requirements may be granted a special permit by the Zoning Administrator for a period not to exceed fourteen (14) days provided such special displays do not create parking, access, or traffic hazards.
- 2) Outdoor Storage: Permitted or Conditional uses within the CC, RC, BP, LM and M may include the outdoor storage as part of Site Plan approval, only if all of the following conditions are met:
 - a. The outdoor storage area is located to the side or rear of the building.
 - b. All outdoor storage is screened from public view
 - c. All outdoor storage does not exceed the height of the screening, when viewed at ground level at any location within one hundred feet (100') of any required screening.
 - d. All materials stored outdoors shall be contained so that wind will not carry the items to adjacent properties.
 - e. Outdoor storage of vehicles that are being repaired or are in queue for repairs longer than 72 hours must be screened. (Ord. No 1071; 11/18/14)

TABLE 17-3 - TABLE OF ALLOWED SCREENING (Ord. No 1071; 11/18/14)

<p>A minimum 6 foot tall solid fence of either wood, vinyl or chainlink with interlocking opaque vinyl or a minimum 6 foot tall decorative masonry wall with textured surfacing facing the street</p>	<p>Screens ground level lights, noise, objectionable views, provides privacy and access restriction, and texturing provides aesthetic relief. "Decorative masonry" shall include split face block or brick, brick, fluted block, or masonry wall with stucco finish, but shall not include openings in the wall surface below a height of 6 feet. Bumper guards set back a minimum of 2½ feet from the fence shall be required when fence abuts parking.</p>
<p>Minimum 6 foot chainlink fence with inserts in the fence fabric</p>	<p>Provides security and access restriction. Inserts help screen objectionable views. Inserts shall be of a durable opaque material and shall be kept in good repair. Bumper guards, set back a minimum of 2½ feet from the fence, shall be required when fence abuts parking.</p>
<p>6 foot open fence with evergreen trees and shrubs</p>	<p>Screens ground level and higher level lights, provides security and access restriction. Vegetative screen provides additional noise mitigation and screens objectionable views. Trees and shrubs shall be of a locally adapted evergreen species such as arborvitae, juniper, pyracantha, evergreen euonymus, pines or spruces, with a planted size of at least 15 gallons for trees and 5 gallons for shrubs, and shall be expected to reach a height of at least 5 feet within 5 years of planting. Trees shall be planted at 20 feet on center and shrubs at 5 feet on center.</p>