

April 17, 2025 - Draft

**ORDINANCE 2025-B
BOULDER TOWN, STATE OF UTAH**

**AN ORDINANCE REGULATING DUPLEXES WITHIN THE INCORPORATED
AREAS OF BOULDER TOWN, GARFIELD COUNTY, STATE OF UTAH.**

WHEREAS Boulder Town Council as the legislative body of Boulder Town, State of Utah, has an interest in promoting more housing in the Town,

NOW THEREFORE BE IT ORDAINED AND ENACTED by the Boulder Town Council, Garfield County, State of Utah to adopt the following ordinance making changes in Boulder Town land use codes to allow for duplexes.

APPROVED and PASSED by the Boulder Town Council, State of Utah, on this _____ day of _____, 2025.

ATTEST:

Boulder Town Clerk _____

Boulder Town Mayor _____

VOTE:

Conrad Jepson, Mayor _____

Josh Ellis, Councilmember _____

Ray Gardner, Councilmember _____

Gladys LeFevre, Councilmember _____

John Veranth, Councilmember _____

INSERT IN THE FOLLOWING SECTION:

§ 153.011 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

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DRIVEWAY. A private roadway, the use of which is limited to persons residing, employed or otherwise using or visiting the parcel on which the driveway is located.

DUPLEX. Duplex" means a single building having two separate living units (as per Utah State Code 38-11-102 (6))

DWELLING. Any building or portion thereof designed or used as the more or less permanent residence or sleeping place of one or more persons, but not including a tent, recreational coach, hotel, motel, hospital or nursing home.

MAKE THE CHANGES AS SHOWN BELOW:

§ 153.116 ZONING DISTRICTS PURPOSE.

The zoning districts are formulated to provide and achieve the following purposes.

(A) *Greenbelt - Multiple Use District (GMU).* The Greenbelt - Multiple Use District (GMU) is established to provide areas for agricultural activities and to allow other uses determined to be compatible with agricultural uses and activities.

(B) *Low Density Residential District (LDR).* This district provides for a ~~single-family~~ large lot, low-density residential living environment with a density of one dwelling unit or duplex for each five acres and other uses that do not require additional public facilities and services than those provided to a low-density residential area. Additionally, this district is established to allow limited development on areas that may possess certain constraints for development.

(C) *Medium Density Residential District (MDR).* The Medium Density Residential (MDR) District, providing a maximum density of one dwelling unit or duplex per two and half acres, is provided by the town to allow an alternative residential living environment than those provided by the LDR and HDR Districts.

(D) *High Density Residential District (HDR)*. The High Density Residential District (HDR) provides higher density residential areas and allows a variety of other uses and services to meet the needs of residents of the town.

(E) *Commercial District (C)*. The town provides the Commercial (C) District to allow a variety of retail commercial, office and light industrial activities within the town to meet the needs of residents and visitors, to provide employment opportunities for residents, and to strengthen and provide diversity to the local economy. As explained in 7.5 of the 2021 amendments to Boulder's General Plan, this Commercial District is no longer in use. It is retained only to provide a regulatory framework for those uses that were approved within it.

(Ord. 46, passed 8-28-2001; Ord. 21D, passed 1-7-2004; Ord. 59, passed 5-8-2008, § 602; Ord. 2021-2, passed - -2021)

INSERT IN THE FOLLOWING SECTION:

§ 153.117 TABLE OF USES.

(A) The Table of Uses (Table 1) identifies the uses allowed within each Zoning District. The Table of Uses identifies uses allowed as a permitted use (identified as "P" in the table), for which only administrative permits are required; uses allowed upon approval of a conditional use permit (identified as "PC, Potentially Compatible"); and uses allowed as a temporary use (identified as "T"). Definitions for various uses may be found in § 153.011.

(B) All uses not specifically identified as permitted, potentially compatible (permitted with a conditional use permit), or temporary within a zoning district are prohibited there, as are all uses that are not specifically identified or listed in Table 1. Cells that are left blank in the Table of Uses indicate the use is prohibited in the particular zoning district, though the use may be allowed in other zoning districts.

<i>Table of Uses</i>					
<i>Use</i>	<i>Zoning District</i>				
	<i>GM</i>	<i>LDR</i>	<i>MDR</i>	<i>HDR</i>	<i>C</i>
Accessory dwelling unit, commercial	PC				
Accessory use or building	P	P	P	P	
Agriculture, agricultural buildings	P	P	P	P	
Bed and breakfast inn	PC	PC	PC	PC	

Borrow pits	PC				
Cemetery	PC	PC			
Church	PC	PC	PC	PC	
Commercial use	PC				
Community market (farmer's market)	T				T
Concrete plant, in existing gravel pit	PC				
Day care/preschool center	PC				
<u>Duplex</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
External accessory dwelling unit	PC	PC	PC	PC	
Farmstand	T				T
Guest ranch	PC				
Home child care	P	P	P	P	
Home business	PC	PC	PC	PC	
Internal accessory dwelling unit	P	P	P	P	
Licensed family child care	P	P	P		
Long-term temporary use	T	T	T	T	T
Mobile food business	PC				
Public uses and utilities	PC	PC	PC	PC	
Residential day care certificate	P	P	P	P	
Residential facility for elderly	P	P	P	P	
Residential short-term rental	PC	PC	PC	PC	
RV or mobile home as temp residence	T				
School	PC	PC	PC	PC	
Single-family on a lot of record	P	P	P	P	
Special events	T	T	T	T	T
Wireless telecommunication facilities	PC	PC	PC	PC	PC
<u>NOTES TO TABLE:</u> A blank cell indicates that the use is prohibited in that zoning district.					

MAKE THE CHANGES AS SHOWN BELOW:

§ 153.120 OFF-STREET PARKING REQUIREMENTS.

The Table of Off-Street Parking Requirements (Table 3) accompanies the Table of Uses. This table identifies the minimum number of off-street parking spaces required to be provided by each use or activity allowed within each zoning district.

<i>Table of Required Off-Street Parking</i>	
<i>Use</i>	<i>Number Of Off-Street Parking Spaces Required</i>
Accessory dwelling unit	1 in addition to the spaces required for the primary dwelling
Bed and breakfast inn	1 space for employee, plus 1 space per guest room
Churches	1 space for every 4 seats in the assembly area
Civic/public buildings/public facilities	1 space for every 400 square feet of floor area or as approved by the Planning Commission
Commercial sales and services	1 space for each 400 square feet of floor area
Corporate offices, professional offices, business offices and financial institutions	2 spaces, plus 1 space for each 300 square feet of gross floor area
Hotels/motels	1 space for each sleeping unit
<u>Duplex</u>	<u>2 spaces for each living unit</u>
Light manufacturing	1 for each person employed during regular working hours and adequate spaces for all company owned vehicles and visitors
Parks and playgrounds	As approved by the Planning Commission
Residential facilities for persons with disabilities	1 per each 4 residents, plus 1 for each 2 employees during regular hours
Residential facilities for elderly persons	1 per each 4 residents, plus 1 for each 2 employees during regular hours
Restaurants	1 space for each 4 seats or 1 space per 100 square feet of gross floor area, whichever is less
Schools	As approved by the Planning Commission
Single-family dwelling	2 per primary dwelling unit
Sports fields, sporting facilities, arenas	1 space for every 5 seats at maximum capacity or as approved by the Planning Commission