



TOWN OF PORTAGE - LAND USE ORDINANCES

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101.0 GENERAL PROVISIONS

101.1 Short Title

This Ordinance shall be known as the Zoning Ordinance of the Town of Portage, Utah and may be so cited and pleaded

101.2 Purpose

This Ordinance is designed and enacted for the purpose of promoting the health, safety, morals and general welfare of present and future inhabitants of Portage, Utah. The zoning regulations of this Ordinance are also intended to conserve and protect property values, to secure the most appropriate use of land, to control the density of population, to prevent undue traffic congestion, to secure economy in governmental expenditures, to secure safety from fire and other hazards, and to implement the goals of the Portage Master Plan.

101.3 Interpretation and Conflicts

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements.

Wherever the requirements of this Ordinance are at variance with any other lawful adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive or that imposing the highest standards shall govern.

101.4 Territory Annexed to the Town

All land hereafter annexed to the Town of Portage shall be classified for zoning purposes as RR, Rural Residential.

101.5 Validity Clause

Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared invalid.

101.6 Effects on Previous Ordinances and Maps

The existing ordinances covering zoning, in their entirety, and including the maps heretofore' adopted and made a part of said ordinances are hereby superseded and amended to read as set forth herein; provided, however, that this Ordinance, including the attached map, shall be deemed a continuation of previous ordinances and not a new enactment, insofar as the substance of revisions of previous ordinances is included in this Ordinance, whether in the same or in different language; and this Ordinance shall be so interpreted upon all questions of construction relating to tenure of officers and boards established by



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previous ordinances and to questions of conforming or nonconforming uses and buildings and structures, and to questions as to the dates upon which such uses, buildings, or structures became conforming or nonconforming.

102.0 DEFINITIONS

102.1 Applicability

The words and terms defined in this Ordinance shall have the meaning indicated. Words used in the present tense include the future and words in the singular number include the plural and words in the plural include the singular. Words not included herein but defined elsewhere in this Ordinance shall be construed as termed therein. The word "shall" is mandatory.

102.2 Terms

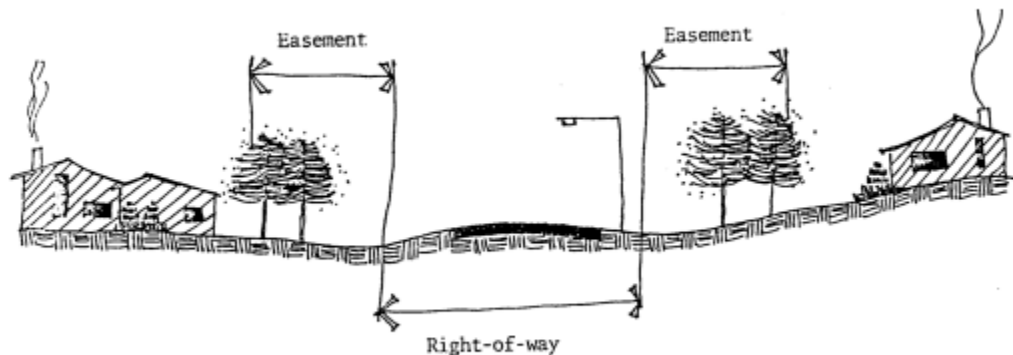
1. **Agriculture** - The tilling of the soil, the raising of crops, horticulture and gardening, but not including any agricultural industry or business, such as fruit packing plants, fur farms, animal hospitals or similar uses.
2. **Boarding House** - A house where rooms and meals are provided for pay. Individual rooms in a boarding house shall not contain cooking facilities. No more than 4 paying guests unrelated to the owner or owners of the boarding house shall be accommodated at any one time.
3. **Building** - Any structure built or erected for the support, shelter, or enclosure of persons, animals, chattel or property of any kind.
4. **Building, Accessory** - A detached subordinate building clearly incidental to and located upon the same lot occupied by the main building.
5. **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 of the lot.
6. **Building, Height** - The vertical distance from the grade elevation to the highest point of the coping of a flat roof, or to the deck line of a mansard roof a roof with 2 slopes on each of the 4 sides, or to a point midway between the lowest part of the eaves or cornice the ridge of a pitch or hip roof. Grade elevation shall be the average level of the finished surface of the ground adjacent to the centers of all exterior walls of the building.
7. **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, or of the Town of Portage.
8. **Cluster Development** - A residential development project in which the areas, widths and setbacks of residential lots are reduced below the minimum area, width and setback requirements of the zone in which the development is located. That land which is saved by reducing the



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minimum area and width requirements shall be set aside for the public for open space use of residents of the development.

9. **Comprehensive Plan** - The Portage Master Plan.
10. **Conditional Use** - A use of land for which a conditional use permit is required as specified in the Land Use Chart. Section 111 specifies procedures to be used in applying for and the granting of a Conditional Use Permit.
11. **Dairy** - A commercial establishment with 30 or more milking cows for the manufacture, processing or sale of dairy products.
12. **Child Day Care** - An establishment for the care and/or instruction of 5 or more children, for compensation, other than members of the family residing on the premises, but not including a public school.
13. **Corral** - An enclosed area for the keeping of livestock where feed must be brought in on a regular basis. See Animal and Fowl Regulations, Section 107.
14. **Dwelling** - Any building or portion thereof which is designed for residential use, except hotels, motels, boarding houses, lodging houses, and tourist courts.
15. **Dwelling Unit** - A building or portion of a building, which is arranged, designed, occupied or intended to be occupied by 1 family. A dwelling unit contains living quarters, sanitary facilities, sleeping and food preparation facilities.
16. **Dwelling, Single Family** - A building designed or arranged to be occupied by one family.
17. **Easement** - A non-possessory interest in real property which gives the holder of such property the right to use some part, or all, of the real property of another.



18. **Exotic Animals** - Undomesticated animals or fowl kept as pets or livestock which are not native to the U.S. or which are not customarily kept as pets or livestock.



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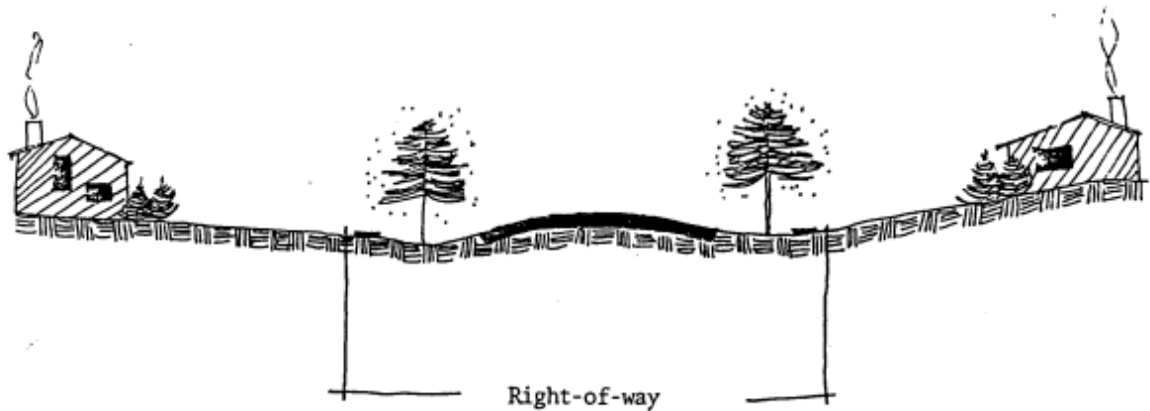
19. **Family** - One or more persons related by blood, marriage or adoption, or a group of not more than 4 unrelated persons living together as a single nonprofit housekeeping unit.
20. **Feedlot** - An open area where domesticated livestock are grouped together for intensive feeding purposes prior to their sale for slaughter. See Animal and Fowl regulations, Section 107.
21. **Fence** - A tangible barrier or obstruction of any material, with the purpose or intent, or having the effect of preventing passage or view across the fence line. It includes hedges and walls.
22. **Fractional Numbers or Measurements** - In determining the requirements of this Ordinance, whenever a fraction of a number or a unit is one-half or more, said fraction of a number or a unit resulting from a computation is considered as a whole number or a unit; where the fraction is less than 1/2, said fraction shall not be included in determining requirements.
23. **Front Lot Line** - The property line of the lot toward which the front of a main building faces or may face, and which abuts a public dedicated street, a right-of-way approved by the Board of Adjustments, on a street made public by right of use. For a corner lot, the property line adjoining either street, as selected by the lot owner.
24. **Frontage** - All property fronting on one side of the street between intersecting or intercepting streets, or between a street and a 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.
25. **Home Occupation** - Any use conducted entirely within a dwelling and carried on by persons residing in the dwelling. Such use shall be clearly incidental and secondary to the use of the building for residential dwelling purposes. In addition, a home occupation shall meet the following criteria:
 - a. No more than 20% of the floor area of the dwelling unit shall be used for the home occupation.
 - b. No more than one person, not part of the family residing on the premises, shall be employed by the home occupation.
 - c. No structural alterations to the exterior of the dwelling shall be permitted.
 - d. No accessory building or use of land not customarily associated with and incidental to the main residential use shall be used for a home occupation.
26. **Kennel** - The land or buildings used in the keeping of 3 or more dogs at least 4 months old.
27. **Landscaping** - The area maintained in live plants.
28. **Lot** - A parcel of land, held in separate ownership, occupied or capable of being occupied by a permitted or conditional use, building or group of buildings (main and accessory), together, with such yards, open spaces, lot widths and lot areas as are required by this Ordinance and having



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frontage upon or access easement to a street. Not more than one dwelling structure shall occupy any one lot.

29. **Lot, Corner** - A lot abutting on two intersecting streets where the interior angle of intersection or interception does not exceed one hundred thirty-five (135) degrees.
30. **Lot, Interior** - A lot other than a corner lot.
31. **Mobile Home** - A movable living unit designed to be transported after fabrication on its own wheels, attached wheels or low boy, and suitable for year-round occupancy. Mobile homes shall meet ANSI standards and Utah Motor Vehicle Standards but need not meet building code requirements of Portage for other structures. See Mobile Home Regulations, Section 106.
32. **Modular, Prefab or Sectionalized Home** - A manufactured dwelling unit, designed to be transported after fabrication, which meets the building code requirements of Portage and which is placed on a permanent foundation.
33. **Natural Waterways** - Those areas, varying in width, along streams, creeks, springs, gulleys, or washes which are natural drain- age channels as determined by the Utah State Geological and Mineralogical Society, in which areas no buildings shall be constructed.
34. **Public Facilities** - Structures for the use and benefit of the community, including but not limited to schools, hospitals, churches, parks or cultural buildings.



35. **Right-of-way** - A strip of land dedicated or acquired for use as a public thoroughfare, which normally includes streets, sidewalks, and other public utilities or service areas.
36. **Setback** - The shortest distance between the property line and the foundation, wall, or main frame of the building.
37. **Sign** - Any device used for visual communication to the general public and displayed out of doors.



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38. **Sign, Animated** - A sign which involves motion or rotation of any part created by artificial means or displays flashing or intermittent lights.
39. **Sign, Business** - A sign which directs attention to a use conducted, a commodity sold, or service performed on the premise.
40. **Sign, Free Standing** - A sign which is supported by one or more columns, uprights or braces in or upon the ground.
41. **Sign, Information** - A sign indicating directions to and the character of businesses, public facilities, private institutions, points of interest, and other communities.
42. **Sign, Name Plate** - A sign indicating the name and/or occupation of a person or persons residing on the premises or legally occupying the premises or indicating a home occupation legally existing on the premises.
43. **Sign, Temporary** - Temporary signs shall include any sign, banner pennant or advertising display constructed of cloth, canvas, light plastic, cardboard, wallboard, or other light materials with or without frames, intended to be displayed for 30 days or less and for the purpose of announcing a special event, advertising or directing persons.
44. **Sign, Wall** - A sign which is affixed to an exterior wall of a building or structure and which projects not more than 18 inches from the building or structure wall and which does not extend above the parapet, eaves or building facade of the building on which it is located.
45. **Nonconforming Building or Structure** - A building or a structure which does not conform to the regulations for height, coverage, setbacks or yards of the zone in which it is situated, but which was in conformity, with applicable regulations, if any, at the time of its erection.
46. **Nonconforming Lot** - A parcel of land in separate ownership at the time of the adoption of this Ordinance and which did not then meet the lot area or lot width requirements and whose size has not been diminished or changed by sale or lease since the time of the adoption of this Ordinance.
47. **Nonconforming Use** - The prior lawful use of land or of a building or structure which subsequently is prohibited by zoning regulations pertaining to the zone in which the building or land is situated.
48. **Nursery** - See Child Day Care.
49. **Off-street Parking** - The parking area located on the same property as the dwelling or business, which does not intrude on to the road right-of-way.
50. **Open Space** - An open space suitable for relaxation or landscaping. It shall be unoccupied and unobstructed by buildings and/or hard surfaces such as asphalt, cement and packed gravel, except that such open space may be traversed by necessary sidewalks.
51. **Pasture** - An area of land maintained in permanent grasses and used for the grazing of animals. See Animal and Fowl Regulations, Section 107.



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52. **Planned Unit Development** - A development in which the regulations of the zone in which the development is located are modified or waived to allow flexibility and initiative in site and building design, land use and housing density and mix in accordance with an approved plan.
53. **Planning Commission** - The Planning Commission of Portage, Utah.
54. **Single Family Home** - See Dwelling, Single Family.
55. **Street** - A public thoroughfare, which affords principle, means of access to abutting property, and is more than twenty-four (24) feet wide.
56. **Structure** - Anything constructed or erected, the use of which requires location on ground, or attachment to something having location on the ground.
57. **Structural Alterations** - Any change in supporting members of a building, such as bearing walls, columns, beams or girders.
58. **Town Council** - The Portage Town Council.
59. **Use** - The specific purpose, for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained.
60. **Use, Accessory** - A subordinate use customarily incidental to and located upon the same lot occupied by the main use and devoted to the main use of the premises.
61. **Use, Permitted** - Any use lawfully occupying land or buildings as authorized in the zone regulations and for which no Conditional Use Permit is required.
62. **Width of Lot** - The distance between the side lot lines measured along the minimum front yard setback line.
63. **Yard** - An open space on a lot unoccupied and unobstructed from the ground upward by permanently parked vehicles, buildings, or structures except as otherwise provided herein.
64. **Yard, Front** - An open space on the same lot with a building between the front setback line for the building (exclusive of steps) and the front lot line and extending across the full width of the lot. The depth of the front yard is the minimum distance between the front lot line and the front setback line of the building. On a corner lot, the front yard may be applied to either street.
65. **Yard, Rear** - An open, unoccupied space on the same lot with a building between the rear setback line for the building (exclusive of steps) and the rear lot line and extending the full width of the lot. In the case of a corner lot where the building faces on the side street, the rear yard may be established from the side of the house to the side property line.
66. **Yard, Side** - An open, unoccupied space on the same lot with a building between the side setback line for the building (exclusive of steps) and the side lot line and extending from the front yard to the rear yard.
67. **Zone** - The geographical area of the Town within which the zoning regulations are uniform.



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68. Zoning Ordinance - The Zoning Ordinance of the Town of Portage, Utah.

103.0 ADMINISTRATION

103.1 Zoning Administrator - Authority and Duties

(CHANGE JUNE 2002)

The Zoning Administrator shall be the Planning and Zoning Commission as a whole.

The zoning administrator is hereby authorized to enforce this Ordinance and all provisions thereof and shall do so by any legal means available, including but not limited to the following:

1. Advise the building inspector on the issuance of building permits. (If the zoning administrator gives written notification to the building inspector that an intended use, building, or structure would be in violation of this Ordinance, such written notification shall be a presumption of illegality and the building inspector shall not issue a building permit for such use, building, or structure. If the offices of building inspector and zoning administrator are held concurrently by one person, this person shall detail the violation in writing on the permit refusal notification.)
2. Issue a permit of occupancy to the effect that the proposed use, building or structure will conform to all ordinances of the Town of Portage.
3. Inspect the uses of building, structure or land to determine compliance with the Ordinance. Such inspections shall be made at reasonable times.
4. Issue Notices of Violation wherever building or land is being used contrary to the provisions of this Ordinance. (This shall be done by serving notice in writing on any person engaged in said use and posting such notice on the premises.)
5. Inform the Town Council of all Ordinance violations and recommend specific courses of action with regard to each violation.
6. Maintain a file of Ordinance violations and action to be taken by the Town Council on such violations.

103.2 Amendments to Zoning Ordinance and Map

The Town Council may amend this Ordinance, including the zoning map, but only in accord with the following procedure:

1. The Town Council may initiate Ordinance amendment recommendations. When the proposed amendment originates with the Town Council, it shall be submitted to the Planning Commission for review and comment. The Planning Commission may initiate Ordinance amendment recommendations to the Town Council. Any other person seeking to amend this Ordinance or



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map shall make application for such amendment by filing the following material with the Planning Commission:

- a.** For annexation requests, a written petition containing the signatures of at least 50 percent of the property owners and the signatures of the owners of at least 30 percent of the assessed valuation of the property proposed for annexation shall be presented to the Planning Commission. The petition shall give a legal description of the property proposed for annexation.
 - b.** For rezone requests, a written petition designating the change desired and the reasons therefore shall be presented to the Planning Commission.
 - c.** For any zoning amendment, the petitioner shall complete and submit an application form to the Planning Commission at a regularly scheduled meeting of the Planning Commission.
 - d.** A nonreturnable amendment review fee shall be made in an amount determined by resolution by the Town Council.
- 2.** The Planning Commission shall review the amendment application and submit its recommendations in writing concerning the proposed amendment to the Town Council within 30 days from receipt of the amendment application. If the Planning Commission fails to make a recommendation at the end of 30 days, it shall be presumed that the proposed amendment is approved.

The Planning Commission shall recommend adoption of a proposed amendment where the following findings are made:

- a.** The proposed amendment is in accord with the goals of the Master Plan of the Town of Portage.
 - b.** Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes of this Ordinance.
- 3.** After receipt of the written recommendations of the Planning Commission, the Town Council shall give notice of a public hearing to consider such amendment as provided by law for zoning amendments. Written notification of a public hearing to consider rezone or annexation amendments shall be mailed by certified mail to all property owners within 300 feet of the property proposed for rezone or annexation.
- 4.** After the required public hearing on the proposed amendment, the Town Council may adopt or reject such amendment.
- 5.** If the Town Council proposes to make any substantive change in the amendment as submitted to it by the Planning Commission, or as advertised, it shall refer such change back to the Planning Commission for its recommendation before adoption of such amendment.



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Where an application for zoning amendment has been denied, the Planning Commission and the Town Council shall not review the same zoning amendment application within six (6) months of such denial, but may consider the proposal thereafter, but only if there is substantial change of conditions since the earlier application. A resubmitted application shall be processed in accordance with the procedure outlined above.

103.3 Building Permits - Site Plan Required

An application for a building or use permit shall be made to the local building inspector and the zoning administrator and shall include a site plan and such other information as may be required by ordinance in the Town of Portage.

Once approved, a building permit is valid for 180 days (6 months). If work is progressing but not complete at the time of permit expiration, an extension may be applied for at no additional cost.

Building permit becomes null and void if work or construction authorized is not commenced within 180 days (6 months), or if construction work is suspended or abandoned for a period of 180 days (6 months) at any time after work is commenced.

103.4 Building and Occupancy Permits Required

No building or structure shall be constructed, reconstructed, altered, or moved except after the issuance of a building permit by the building inspector and an occupancy permit by the zoning administrator of the Town of Portage.

103.5 Building and Occupancy Permits to Comply with this Code

Building and occupancy permits shall not be granted for the construction or alteration of any building or structure, or for the moving or removing of a building onto or from a lot or for the use or occupancy of a building or land if such structure, construction, alteration, moving, use, or occupancy would be in violation of any of the provisions of this Ordinance. Permits issued in violation of any provision of this Ordinance, whether intentional or otherwise, shall be null and void.

103.6 Fees for Permits and Amendments

In order to cover the costs incidental to processing permits required by this Ordinance, considering amendments to this Ordinance or map, and considering appeals to the Board of Adjustments, the Town Council shall establish by resolution such fees directly related to processing fees, permits, amendments or appeals.

The building permit fee shall be as follows:

(Changed October 2006)



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- a. For any building less than 200 sq. feet, no building permit shall be required unless electricity is to be installed in the building. If electricity is to be installed, then there will be inspection fees and no building permit fees.
- b. For any building, not for human habitation (such as sheds and garages), over 200 sq. feet to 500 sq. feet, the building permit shall cost \$25.00 plus inspection fees.
- c. For any building, not for human habitation (such as sheds and garages), over 500 sq. feet to 1000 sq. feet, the building permit shall cost \$50.00 plus inspection fees.
- d. For any building, not for human habitation (such as sheds and garages), over 1000 sq. feet, the building permit shall cost \$100.00 plus inspection fees.
- e. For all inhabitable dwellings, the building permit shall cost \$200.00 plus inspection fees.

(Change April 2012) Resolution 2012-6

A resolution eliminating town assessed fees for all standard design, kit packaged buildings, and/or other pre-engineered buildings, constructed within the town boundaries where such buildings do not require a county building permit and which will not have water and/or power connected to them.

103.7 Inspection and Approval Required Prior to Occupancy

Buildings and structures' requiring a building permit pursuant to the provisions of this Ordinance shall not be occupied or put into use until the local building official has inspected such building or structure, finds compliance with this Ordinance and gives a written certificate of occupancy and use to the owner or his agent to occupy and/or use the building or structure in the manner approved by the issuance of a valid building permit.

103.8 Penalties

Any person, group, firm or corporation, whether a principal, agent, employee or otherwise, violating, causing, or permitting the violations of the provisions of this Ordinance shall be guilty of a misdemeanor. Such person, group, firm or organization shall be deemed to be guilty of a separate offense for each day during which any portion of any violation of this Ordinance is permitted or continued by such person, group, firm or corporation.

In addition, the Town of Portage by action of the Town Council may also institute injunction, mandamus, abatement or any other appropriate action or actions, proceeding or

proceedings to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, or maintenance or use.



TOWN OF PORTAGE - LAND USE ORDINANCES

104.0 SUPPLEMENTARY AND QUALIFYING REGULATIONS APPLICABLE WITHIN ALL ZONES

104.1 Intent and Effect

The intent of this section is to accumulate under one heading regulations which apply to two or more zones rather than to repeat them several times. The regulations hereinafter set forth in this section qualify or supplement the zone regulations appearing elsewhere in this Ordinance.

104.2 Lots in Separate Ownership

(Change 1-9-2019)

No residential building may be built on a lot smaller than the required size.

104.3 Yard Space for One Building Only

(Change 1-9-2019)

The required yard or open space for any building shall be located on the same lot as the building. No part of any building constructed can cross another property line even if the lot in question belongs to the same person, then lots must be legally joined to create one lot.

104.4 Every Dwelling Unit to be on a Lot

Every dwelling unit shall be located and maintained on a lot as defined in this Ordinance. Such lot shall have the required frontage on an existing or dedicated public street or on a right-of-way which has been approved by the Board of Adjustment.

104.5 Yards to be Unobstructed - Exceptions

Every part of a required yard shall be open to the sky and unobstructed except for accessory buildings in a rear yard.

104.6 Only One Dwelling per Lot

Only one dwelling structure shall be located on any lot.

104.7 Sale or 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 leased away from such lot or building.

104.8 Area of Accessory Buildings

No accessory building or group of accessory buildings in any residential zone shall cover more than 25% of the rear yard.



TOWN OF PORTAGE - LAND USE ORDINANCES

104.9 Accessory Buildings Prohibited as Living Quarters

Living or sleeping quarters in any building other than the main residential building are prohibited.

104.10 Additional Height Allowed for Public Buildings

Public buildings and churches may be erected to any height provided the building is set back from the required building setback lines a distance of at least 11 feet for each additional foot of building height above the maximum height otherwise permitted in that zone.

104.11 Fence Height Regulations

For the purpose of this subsection, solid fence is any fence, hedge, or wall which substantially blocks vision. An open, see-through fence is any fence, hedge, or Wall Which permits substantially unobstructed vision.

1. Front Yard - A 4'-high solid fence, or a 7'-high open, see-through fence is permitted.
2. Street Side Yard - A 4'-high solid fence or a 7'-high open, see-through fence is permitted.
3. Interior Side Yard
 - a. Front property line back 30'- A 4' solid fence or a 7' open, see-through fence is permitted.
 - b. 30' from front property line to back property line. A 7' solid or open, see-through fence is permitted.
4. Rear Yard - A 7' solid or open, see-through fence is permitted. Regardless of other fence height regulations, there shall be no obstruction to clear view of intersecting streets as defined in the next subsection.

104.12 Clear View of Intersecting Streets

No fence; hedge, wall, landscaping or other structure which obstructs clear view shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points 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.

104.13 Effect of Street Plan

Wherever a front or side yard is required for a building, which abuts on a proposed street designated by the Planning Commission as a future street, the depth of such front or side yard shall be measured from the planned street lines.

104.14 Storage of Junk and Debris in Residential Zones Prohibited

No yard or other open space surrounding an existing building in any residential zone or which is hereafter provided around any building in any residential zone shall be used for the storage of junk, debris, or inoperable vehicles. No land in any zone shall be used for such purposes except as specially permitted herein or allowed by Conditional Use Permit. Any vehicle which has not been in operation for 180 days shall be considered inoperable.



TOWN OF PORTAGE - LAND USE ORDINANCES

104.15 Lighting Regulations

No spotlight or floodlight shall be installed in any way which will permit the direct rays of such light to penetrate into any other property. No light, sign, or advertising structure as regulated by this Ordinance shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision; or at any location where by reason of position, shape, or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.

104.16 Sign Regulations

- 1. Purpose** - The purpose of the sign regulations is to encourage well-designed and visually compatible signs with their surroundings. It is desirable to promote and encourage the use of freestanding identification signs, which are of a low-profile, planter-type design.
- 2. Setback** - All business signs shall be setback from public streets a distance of at least five (5') feet from the property line.
- 3. Height** - No free-standing sign shall be permitted with a maximum height of more than six (6') feet above the street level immediately adjoining the sign. The maximum width shall be ten (10') feet.
- 4. Information on Signs** - All business signs shall display only information pertaining to products or services sold on premises.
- 5. Animated Signs** - Animated signs are prohibited in all zones.
- 6. Signs in Residential Zones** - No business signs shall be allowed in any residential zone with the following exceptions:
 - a.** Signs pertaining to the sale or lease of residential property,
 - b.** Name plates,
 - c.** Signs indicating the office of a professional person or home occupation, and
 - d.** Such signs shall not exceed four square feet in area.
- 7. Signs in General Commercial, Neighborhood Commercial, and Future Industrial Zones** -
 - a.** Free-standing signs of up to 60 sq. ft. in area are a conditional use.
 - b.** No signs are permitted that are greater than 60 square feet in area.
 - c.** Wall signs of up to 30 square feet in area are a conditional use.
 - d.** No wall signs are permitted that are greater than 30 square feet in area.
 - e.** Temporary signs of up to 30 square feet in area and which are used for no more than 30 days are conditional use.



TOWN OF PORTAGE - LAND USE ORDINANCES

105.0 PARKING

105.1 Off-street Parking Required

At the time any building or structure is erected or enlarged or increased in capacity or any use is established, there shall be provided off street parking spaces for automobiles in accordance with the following requirements.

105.2 Size

The dimensions of each off street parking space shall be at least 9 feet by 20 feet for diagonal or perpendicular spaces, or 9 feet by 22 feet for parallel spaces exclusive of access drives or aisles.

105.3 Access to Individual Parking Space

Access to each parking space in a parking lot shall be from a private driveway and not from a public street.

105.4 Number of Parking Spaces

The minimum number of off street parking spaces required shall be as follows:

1. Business or professional office - one parking space for each 100 square feet of floor area.
2. Church - one parking space for each 3.5 fixed seats.
3. Dwelling - two parking spaces for each dwelling unit.
4. Hotel, motel, motor inn - one space for each sleeping unit.
5. Day care or nursery - one parking space for each staff member plus one space for each 5 children at maximum capacity.
6. Nursing home - four parking spaces plus one space for each five beds.
7. Restaurant, private club or other similar dining and eating establishment - one parking space for each 3.5 seats or one parking space for each 100 square feet, whichever is greater.
8. Retail store - one parking space for each 100 square feet.
9. Wholesale establishment, warehouse, manufacturing establishment, industrial use - one parking space for each 1 1/2 employees on the highest employment shift.
10. Boarding or rooming house - two parking spaces plus one space for each 2 paying guests.
11. All other uses not listed - to be determined by the zoning administrator based on the nearest comparable standards.



TOWN OF PORTAGE - LAND USE ORDINANCES

105.5 Access Requirements

Adequate ingress and egress shall be provided to all uses at the following minimum standards:

1. No more than 2 driveways shall be allowed for each 100 feet or fraction thereof of frontage on anyone street.
2. No driveway in a residential zone shall be closer than 3 feet to any property line.
3. No driveway which enters a state highway shall be closer than 10 feet to any property line.
4. No two driveways on the same property shall be closer than 12 feet to each other.
5. No driveway shall be located closer than 20 feet to any corner.
6. Parking spaces for all uses except residential uses shall be so located that parking or debarking vehicles do not back onto public streets.
7. Where a parking area adjoins an existing curb and gutter and/or sidewalk, a safety island or buffer zone shall be provided to prevent the entrance or exit of vehicles except via established driveways. The safety island or buffer zone may consist of a concrete curb or a landscaped strip of no less than 8 feet in width, depending on the site conditions and the decision of the Planning Commission.

105.6 Screening and Landscape

1. Where a parking lot for a non-residential use is located within 50 feet of a residential zone or residential property, at least 8 feet of screening shall be provided at the residential boundary. The screening may consist of solid fencing material or landscaping such as tightly spaced shrubs or low branching trees, depending on the site conditions and the decision of the Planning Commission.
2. Parking lots for non-residential uses shall be separated from the paved area of the roadway or the curb and gutter by a buffer zone of no less than 8 feet in width. The buffer zone shall be landscaped and maintained in live plant materials to enhance the appearance of the development.
The buffer zone may contain a sidewalk.

106.0 MOBILE HOME REGULATIONS

106.1 Mobile Homes Permitted

Mobile homes may be used as single family dwelling units on single lots.

106.2 Mobile Homes on Single Lots

Mobile homes located on single lots shall comply with the following requirements:

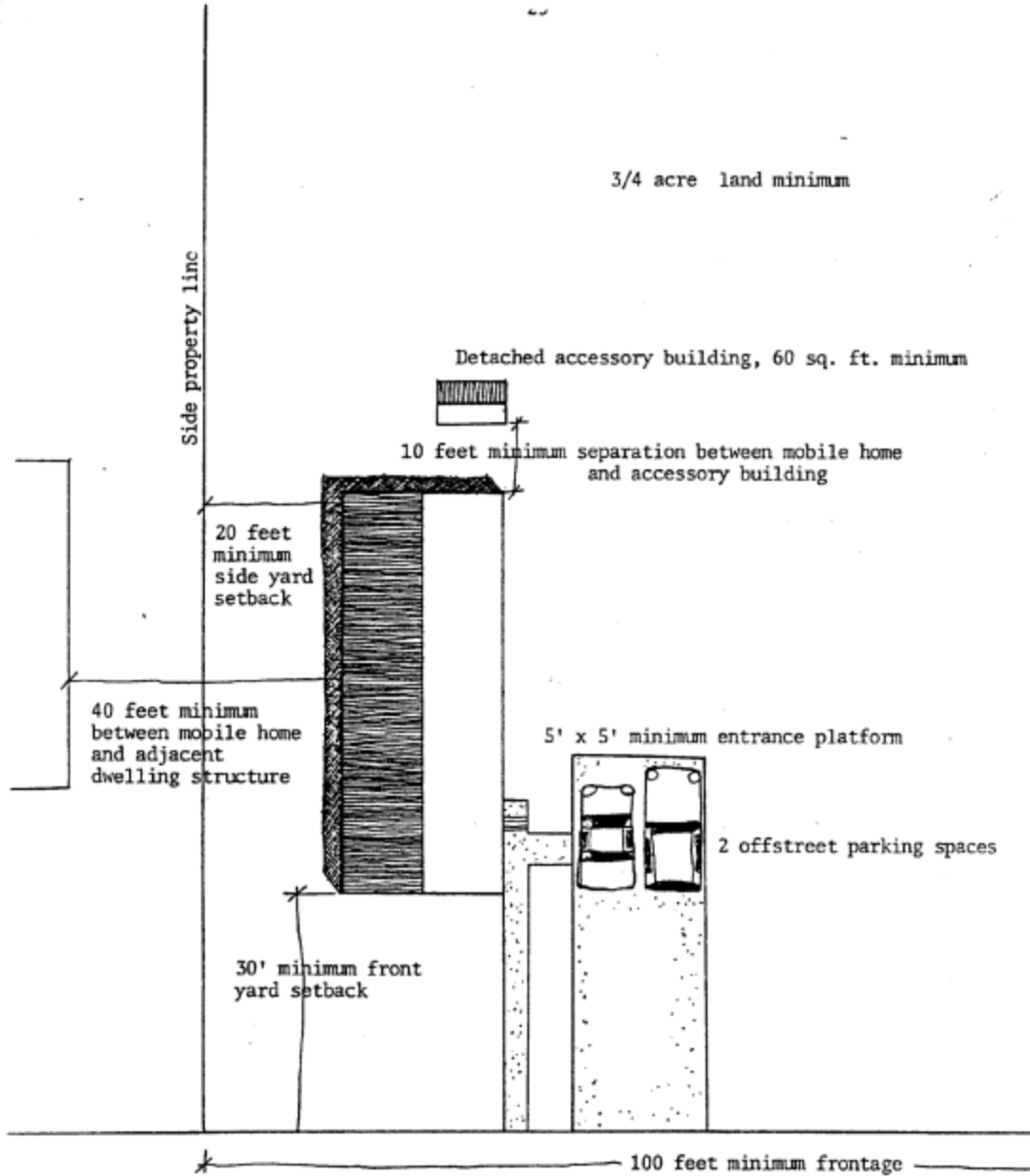


TOWN OF PORTAGE - LAND USE ORDINANCES

- 1.** A plot plan indicating the location of water lines, sewage disposal system, off-street parking, utility connections and any accessory buildings shall be presented to and approved by the Planning Commission.
 - a.** New mobile homes must supply the manufacturer's instructions for installation, certification, and warranty with the application to the Planning Commission.
- 2.** Mobile homes shall be no less than 980 square feet.
- 3.** All mobile homes shall be set and permanently anchored to the ground according to the manufacturer's instruction to resist wind damage, earth tremor, and frost heave.
 - a.** Used or second-hand mobile homes shall comply with one of the following methods for anchoring mobile homes.
 - b.** All mobile homes shall be supported under the structural I-beam.
 - c.** Where mobile homes are set on continuous concrete strips, the concrete strips shall extend 10" below the surface of the ground, be 24" wide, and be reinforced with rebar. The anchors shall be attached ~ to the continuous concrete strip.



TOWN OF PORTAGE - LAND USE ORDINANCES



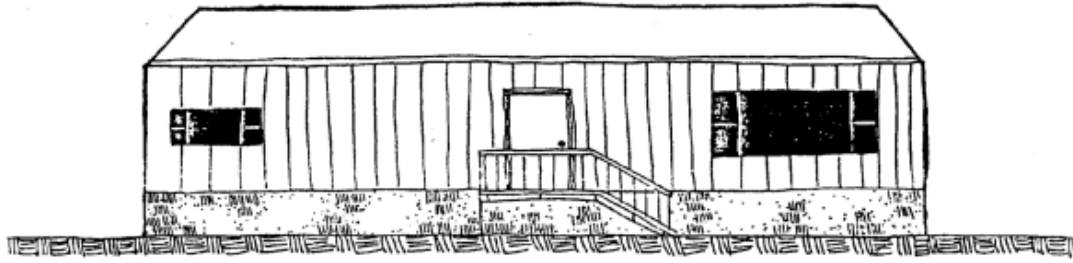
MINIMUM SPACE REGULATIONS FOR MOBILE HOMES ON SINGLE LOTS



TOWN OF PORTAGE - LAND USE ORDINANCES

MOBILE HOME ELEVATION

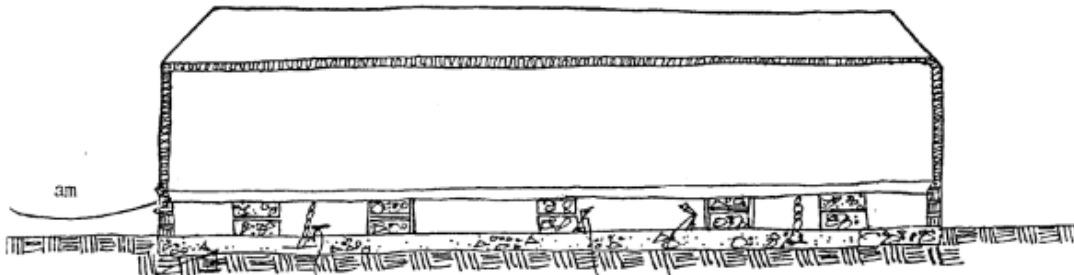
30



Masonry skirting

Entrance platform 5' x 5'
and guardrail

MOBILE HOME SECTION



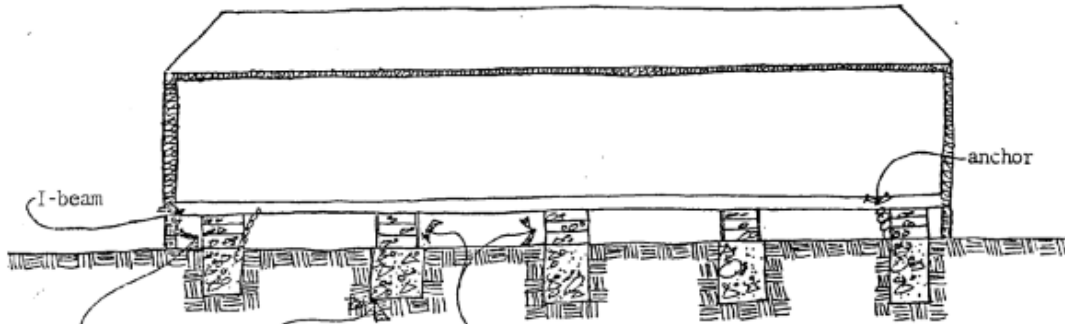
am

anchor

Continuous concrete strip reinforced with rebar

Concrete block, alternate
direction on every other
row of block to prevent
tipping of home.

MOBILE HOME SECTION



I-beam

anchor

Concrete blocks

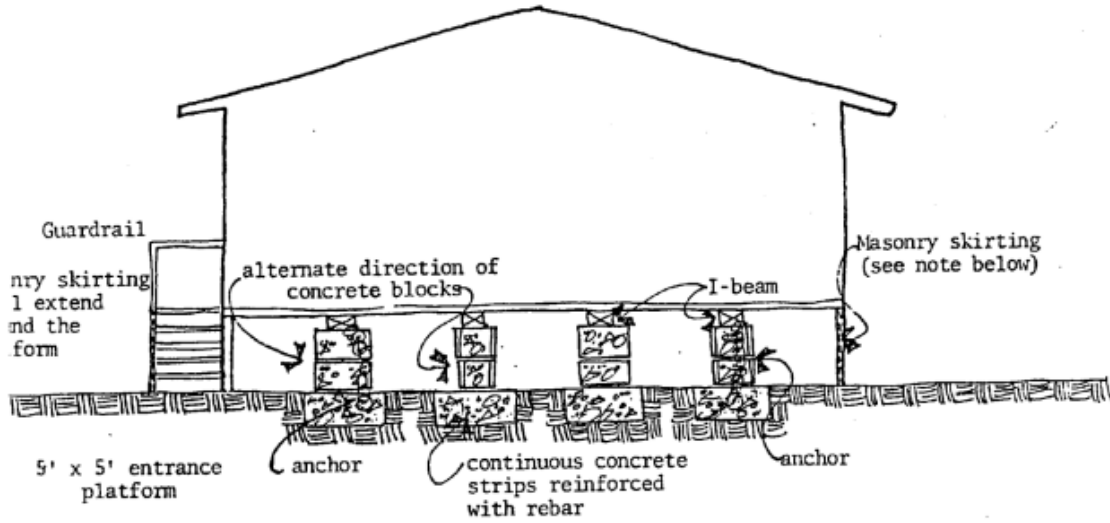
Concrete piers

Alternate direction of concrete blocks on
alternate rows to prevent tipping of home.

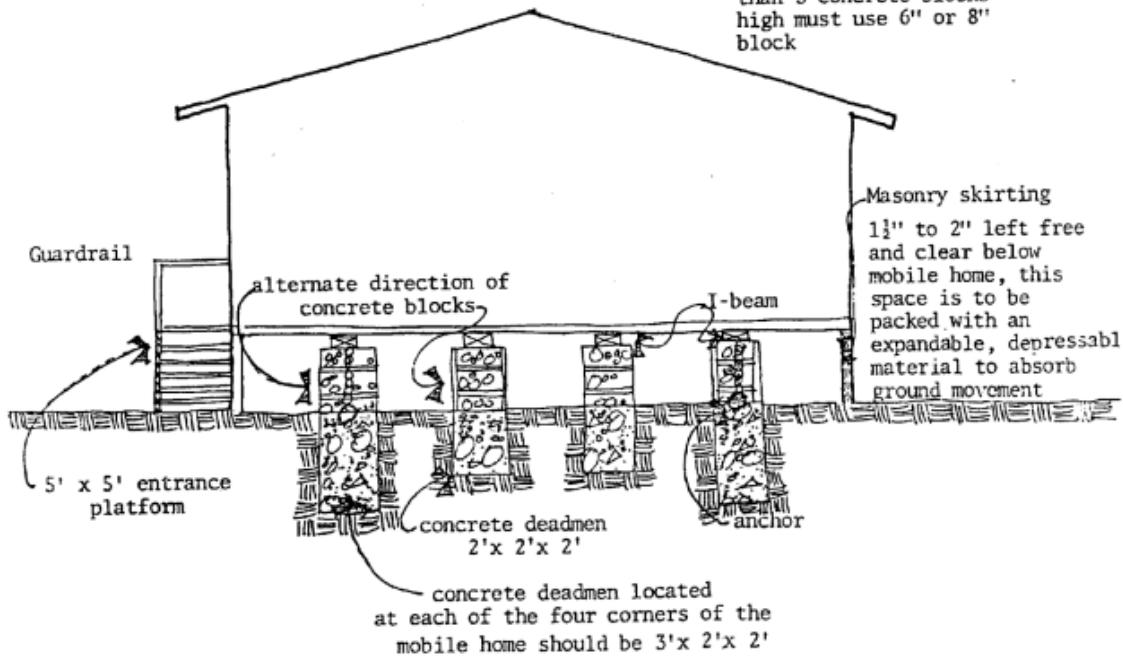


TOWN OF PORTAGE - LAND USE ORDINANCES

SUGGESTED METHODS FOR SETTING AND ANCHORING MOBILE HOMES



Mobile homes set higher than 3 concrete blocks high must use 6" or 8" block



All mobile homes must provide service access to facilities

- d. Where mobile homes are set on concrete deadmen the deadmen shall be 2' x 2' x 2' below the surface of the ground and shall be of poured concrete. The four exterior corner deadmen shall be larger, 3' x 2' X 2' deep, and the mobile home shall be anchored to these underground deadmen.

- 4. Wheels shall be removed at the time the mobile home is set and anchored.



TOWN OF PORTAGE - LAND USE ORDINANCES

5. Mobile homes shall be skirted with a masonry skirting, preferably a skirting which blends with the mobile home. Such skirting shall be installed and fireproofed within 30 days after being located on a lot within Portage. Skirting shall extend around the tongue of the mobile home. The skirting shall also extend around the 5' x 5' front door platform to provide access to services under the mobile home.
6. A platform at least 5' x 5' shall be located outside the main entrance to the mobile home. When the platform is more than 30 inches above the ground level, sturdy handrails or guardrails shall be provided. The platform shall be installed within 30 days after the mobile home is located in Portage.
7. At the time a mobile home is located in Portage, the owner is encouraged to secure funding for and provide at least one accessory storage building. Such building shall contain at least 60 square feet for storage.
8. No accessory building shall be located closer than 10 feet to any mobile home.
9. Where no outside hose bib is provided on the mobile home, an outside water faucet shall be provided.
10. No mobile home shall be located closer than 40 feet to any adjacent dwelling structure.
11. No modifications shall be made to mobile homes which result in the mobile home failing to meet ANSI standards.
12. Mobile homes shall comply with all other regulations for the zone in which they are located.

107.0 ANIMAL AND FOWL REGULATIONS (107.0 - 107.8 UPDATED FEB.2012)

107.1 Purpose

The purpose of animal and fowl unit regulations is to protect the health and general welfare of residents of Portage. To this end, the number of livestock and the location of structures housing livestock shall be governed in the residential zones by the following definitions and regulations.

107.2 Definitions

1. Animal Unit - The keeping of not more than the below stated number of adult animals. (An adult animal shall be considered to be an animal one year or older or of breeding age, whichever is less. Juvenile animals which are not the offspring of adult animals kept on the premises shall be considered as adult animals in counting animal units.)
 - a. one head of any of the following: horse, cow,
 - b. or three head of any of the following: sheep, goats,



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- c. Or two non-breeding pigs, or
 - d. Five head of the following non-carnivorous animals: rabbits or other similar small animals.
2. Fowl Unit - The keeping of not more than the below stated number of adult fowl. An adult fowl shall be considered to be a fowl of breeding age.
- a. twenty-five each of the following classes of fowl: chickens, pheasants, and pigeons provided that there may be a combination of said fowl not to exceed twenty-five, or
 - b. five each of the following classes of fowl: ducks, geese and turkeys provided that there may be a combination of said fowl not to exceed five.

107.3 Regulations by Acreage

Up to $\frac{3}{4}$ acre of property, one animal unit plus one fowl unit shall be permitted. For each additional $\frac{1}{2}$ acre of pasturable land, one additional animal unit plus one additional fowl unit shall be permitted. Where animals are being kept on existing lots at the time of passage of this Ordinance, the keeping of such animals shall be permitted to continue subject to the requirement of Section 112, Nonconforming Uses of Land.

Regardless of the number of animal units permitted, no more than two exotic animals shall be kept on any lot.

107.4 Corral Regulations

A corral is an enclosed area for the keeping of livestock where feed must be brought in on a regular basis. No more than four (4) animals one year or older shall be kept in any corral in the residential (R) zone.

107.5 Required Setbacks for Agricultural Uses and Structures in Residential Zones

Dwelling Unit	Side Lot Line	Front Lot Line
Fenced Pasture	-	-
Barns, Stables, Coops	20	150
Buildings for the accommodations of animals and fowls (except household pets, manure piles, manure pits, lounging sheds)	30	75
Corrals	35	-



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107.6 Restraint of Livestock and Pets

In all zones, livestock and pets shall be so restrained that they shall not damage, destroy or intrude upon any property.

107.7 Prohibited Animals

Mink are prohibited in the residential zones.

107.8 Agricultural Production Exception

Livestock may exceed the allowable numbers established above, on a short term basis, when animals are needed to harvest excess standing herbage in smaller pastures, hold animals for shipping, and other normal agricultural practices.

108.0 DEVELOPMENT STANDARDS FOR COMMERCIAL AND FUTURE INDUSTRIAL ZONES

108.1 Lot Coverage

Maximum building coverage	40%
Maximum parking or paved areas	40%
Minimum landscaped areas	20%
	100%

108.2 Building Design

1. A unified architectural style shall be used for all buildings on the site. Architectural drawings shall be submitted to the Planning Commission together with the application for a Conditional Use Permit.
2. Buildings shall receive design considerations on all sides. Backsides will be visible from areas of Portage and must be as well designed as the front.
3. Objects such as water and cooling towers, storage tanks, processing equipment, fans, vents and other structures and equipment must be architecturally compatible or shielded from public view. Flues, vents, gutters, downspouts and other projections shall be painted or treated to coordinate with the design of the building.



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108.3 Drainage

1. Site grading shall be designed to retain runoff on site from one-inch rainfall.
2. Drainage for anything over a one-inch rainfall shall flow into an approved drainage channel.

108.4 Landscaping Requirements

1. Twenty-five trees shall be planted for each gross project acre. At least 40% of the trees shall be at least 2' Caliper and 15' tall; the remaining trees shall be no less than 1 1/2" caliper and 8' tall.
2. All trees must be nursery grown, in containers or balled and burlapped. Tree species shall be approved by the Box Elder County Extension Service as specie hardy in northern Box Elder County.
3. A site plan and planting plan shall be prepared by a qualified landscape architect and submitted to the Planning Commission together with the application for a Conditional Use Permit.
4. An automatic irrigation system shall be installed before completion of the main building.
5. All landscaping shall be completed within 30 days of completion of the main building or as soon as weather permits.

108.5 Loading and Storage

1. Loading docks and storage areas shall be located behind the main building.
2. Loading docks shall be accessible for loading and turn-around from within the lot. No loading or turn-around shall be made from the public rights-of-way.
3. Storage areas shall be screened from adjacent properties.
4. Trash dumpsters and other related facilities shall be located behind the main building and screened.

108.6 Parking Areas

1. Two hundred feet of landscaped area shall be included in the parking lots for every 10 parking stalls. The landscaped area shall include at least one 2" caliper tree for every 10 parking stalls.
2. A landscaped median of a minimum 10' wide shall be provided for every two contiguous double-loaded parking aisles.
3. Parking rows shall not exceed 20 parking spaces.

108.7 Prohibited Uses

1. No use shall be permitted on any site that constitutes a nuisance, causes the emission of odors, fumes, dust, smoke, or which is hazardous by reason of excessive danger of fire or explosion, or



TOWN OF PORTAGE - LAND USE ORDINANCES

injures the reputation of any site or neighboring property, or is in violation of the laws of the United States or the State of Utah or any sub-division thereof.

- 2.** Buildings are limited to uses, which produce no adverse effects discernible at property line or affecting adjacent property. These adverse effects include noise, Smoke, noxious odors, dust, fumes, and fire hazards.
- 3.** Nuisance and Hazardous Uses
 - a.** Products shall not be manufactured, stored, distributed or sold in a manner, which creates a fire hazard on the site or to adjoining properties.
- 4.** Smoke and Air Pollution
 - a.** Processes, installations, or facilities which produce smoke, fog, mist, or any obscuring or polluting of the clearness or purity of the air will not be permitted.
 - b.** Ground area conditions, which will produce dust, will not be permitted and shall either be paved or planted with grass.
 - c.** Visible emissions of smoke will not be permitted (outside any building), other than the exhausts emitted by motor vehicles or other transportation facilities. This requirement shall also be applicable to the disposal of trash and waste materials. Wind-borne dust, sprays, and mists originating in manufacturing plants will not be permitted.
 - d.** No fumes, odors, gasses, vapors, acids, or other substances shall be permitted to escape or to be discharged into the atmosphere which may be detrimental to health, safety, or welfare of persons, or may interfere with the comfort of persons within the area, or which may be harmful to property or vegetation.
- 5.** Water Pollution
 - a.** No refuse, trash, sewage, gray water, industrial, and commercial waste water, or other liquid or solid waste shall be deposited or discharged or allowed to enter any open waterway or infiltrate into the groundwater.
- 6.** Vibration
 - a.** Buildings and other structures shall be constructed and machinery and equipment installed and insulated on each site so that the ground vibration inherently and recurrently generated is not perceptible with instruments at any point along any of the exterior site lines.
- 7.** Glare and Heat
 - a.** Any operation producing intense glare or heat shall be performed only within an enclosed or screened area and then only in such manner that the glare or heat emitted Will not be discernible from any exterior site line.



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8. Noise

- a. At no point on any exterior lot line shall the sound pressure level of any individual plant or operation (other than the operation of motor vehicles or other transportation facilities, or isolated and non-continuing sounds such as whistles, bells, or sirens) exceed the decibel levels in the designated octave bands shown below:

Octave Band Cycles Per Second	Maximum Permitted Sound Level in Decimals
0 - 300	75
300 - 1,200	55
1,200 - 4,800	45
4,800 - and above	40

(Change 1-9-2019) Emergency sirens are allowed in any zone regardless of octave band, cycles or decibels.

9. Temporary Structures

- a. No temporary structure shall be installed or maintained on any lot without the specific written approval of the Planning Commission. All applications for approval of any temporary structure will include its being dismantled and removed from the lot in question.

109.0 PLANNED UNIT DEVELOPMENTS

109.1 Purpose

The intent of the Planned Unit Development shall be to establish a better relationship between open space and buildings, greater harmony between the development and the surrounding area, a wider variety of residential settings, more economical development and a better living environment than is possible by developing on a lot by lot basis.

To this end, the requirements of this Ordinance which affect density, land use, setback requirements, area requirements and building size may be waived or modified by the Town Council providing such waivers



TOWN OF PORTAGE - LAND USE ORDINANCES

or modifications shall not conflict with the intent of the zone in which the Planned Unit Development is located.

109.2 Conditional Use Permit Required

Planned Unit Developments are a Conditional Use in all zones and shall be subject to the requirements for Conditional Uses listed in Section 111. In addition, the requirements of this Section must be met.

109.3 Uses Allowed

Any use listed as a permitted or conditional use in the zone in which the Planned Unit Development is to be located may be approved in a Planned Unit Development.

109.4 Minimum Area

The minimum area, which may be considered as a Planned Unit Development, is ten acres.

109.5 Density Bonus

The number of dwelling units in a Planned Unit Development may be increased by 10% over the number permitted by area requirements of the zone in which the Planned Unit Development is located. The 10% density increase is a bonus to be awarded by the Planning Commission based on the following considerations:

1. Land designated for public facilities such as schools, churches and utilities shall not be included in the area used to determine the number of dwelling units permitted.
2. The amount of bonus, if any, shall be determined by the Planning Commission after considering the proposed site in relation to the public services and facilities, surrounding residential density and land use, adequacy of traffic access, topographic considerations, amenities proposed, and other related conditions. For details of the bonus evaluation procedure, see subsection 109.13, Point Evaluation for Density Bonus Grant.

109.6 General Requirements

The Planned Unit Development should be compatible with surrounding land uses, building types and physical features of the site. Specific requirements are included below:

1. The development shall be in a single or corporate ownership at the time of development or the subject of an application filed jointly by all owners of the property.
2. The property adjacent to the Planned Unit Development shall not be adversely affected and to this end the Planning Commission may require that uses of least intensity or greatest compatibility be arranged around the boundaries of the project. Yard, height, and use requirements of the adjacent district shall apply within 50' of the boundary of the proposed Planned Unit Development



TOWN OF PORTAGE - LAND USE ORDINANCES

3. The Town Council, upon recommendation of the Planning Commission, shall require the preservation, maintenance, and the ownership of open space utilizing at the town's option one of the following methods:

- a. Dedication of the land as a public park or parkway system, or
- b. Complying with the provisions of Condominium Ownership Act of 1963, Title 57, Chapter 8, Utah Code Annotated, 1953, as amended, which provides for the payment of common expenses for the upkeep of common areas and facilities. Recreation uses and facilities may be developed within the common open space as part of the approved final development plan of the Planned Unit Development.

Note: If the second method, as set forth above, is utilized to maintain the open spaces, but the organization established fails to maintain the open space in reasonable order and condition the Town may, at its option, do or contract to have done the required maintenance and shall assess ratably the open space and individually owned properties within the Planned Unit Development. Such assessment shall be a lien against property and shall be filed with the County Recorder, or the Town may bring suit to collect the maintenance fees together with reasonable attorney's fees and costs.

4. The developer shall be required to provide a surety of cash bond in an amount determined by the Town guaranteeing the completion of the development of the open space, or a phase thereof.

When completed in accordance with the approved plan the bond shall be released. If uncompleted at the end of two years, the Town will review the progress and may proceed to use the bond funds to make the improvements to the open space areas in accordance with the approved plan.

5. If the Planned Unit Development is to be subsequently divided either as a subdivision into phase development parcels or separately owned and operated units, such division boundaries shall be indicated on the development plan. Preliminary subdivision approval shall be concurrently obtained in the case of a "subdivision".
6. Any part of a Planned Unit Development which is proposed as a subdivision is subject to the provision of the Subdivision Ordinance, except for references to lot dimensions and size, which are to be determined as part of the Planned Unit Development review process.
7. Where access roads create corner lots of adjoining parcels of land, the location of the paved area of the access road shall be located so as to maintain the minimum street side yard requirements of the zone in which the corner lot is located.
8. In Planned Unit Developments that are proposed as condominiums or other forms of multiple, separate ownership, agreement shall be reached between the Planning Commission and developer as to a schedule of installation of all development amenities. Such agreement shall be a condition of approval of the preliminary plan. Amenities shall include all recreational facilities.
9. Written approval by the State Division of Health must be presented for the proposed sewage disposal system and culinary water supply if a non-municipal water source is used.



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109.7 Planning Commission Review

1. Five copies of a preliminary application and preliminary site plan shall be submitted to the Planning Commission. After receipt of the preliminary application and preliminary site plan, the Town Clerk shall notify by mail all property owners within 300 feet of the proposed Planned Unit Development. Such notice shall indicate the date when the Planned Unit Development will be considered by the Planning Commission, and that a public hearing will be held by the Town Council prior to consideration for approval by the Town Council.
2. A complete copy of the preliminary application and preliminary site plan shall be submitted to the town engineer for review and comment. Recommendations for approval, in whole or in part, with or without modifications, or for denial, shall be returned to the Planning Commission within 30 days.
3. The Town Clerk shall publish notice of the Planning Commission Meeting to consider the preliminary application for the Planned Unit Development at least 21 days prior to the meeting. Such notice shall be published in a newspaper of general circulation in Portage and posted in 3 places in Portage.
4. The Planning Commission shall consider the preliminary application and preliminary site plan, together with any recommendations made by the town engineer and any comments made by interested citizens, at a regularly scheduled meeting within 60 days of receipt of the preliminary application and preliminary site plan.
5. The Planning Commission may recommend approval in whole or in part, with or without modifications, or may recommend denial. Where the Planning Commission recommends denial, the reasons shall be explained in writing.
6. Following approval of the preliminary application and preliminary site plan, five copies of final application and final site plan shall be submitted to the Planning Commission.
7. Where the final application and final site plan differ from the preliminary application and preliminary site plan, the final application and final site plan shall be resubmitted to the town for review and comment. Recommendations shall be returned to the Planning Commission within 30 days.
8. The Planning Commission shall review the final application and final site plan within 45 (change May 2002) 90 days and make its recommendation for approval in whole or in part, with or without modifications, or for denial to the Town Council. Such recommendation shall be made in writing.
9. The Planning Commission recommendation shall be based on the following guidelines:
 - a. The relationship of the proposed development, including its character, density and design, to the surrounding area and to the site itself.
 - b. The demonstrated ability of the applicant to financially carry out the project. In either total or phased development within the time established.



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c. Considerations of Section 111, Conditional Uses.

109.8 Town Council Action

1. After receipt of the written recommendation of the Planning Commission, the Town Council shall hold a public hearing, notice of which shall be published in a newspaper of general circulation at least 15 days prior to the public hearing.
2. Following the public hearing, the Town Council may approve, in whole or in part, with or without modifications, or deny the Planned Unit Development. The decision of the Town Council shall be final.
3. After approval of a Planned Unit Development, the Town Council shall indicate approval, together with any conditions attached, on the site plan and shall instruct the Town Clerk to note the approval of the Planned Unit Development on the official zoning map.

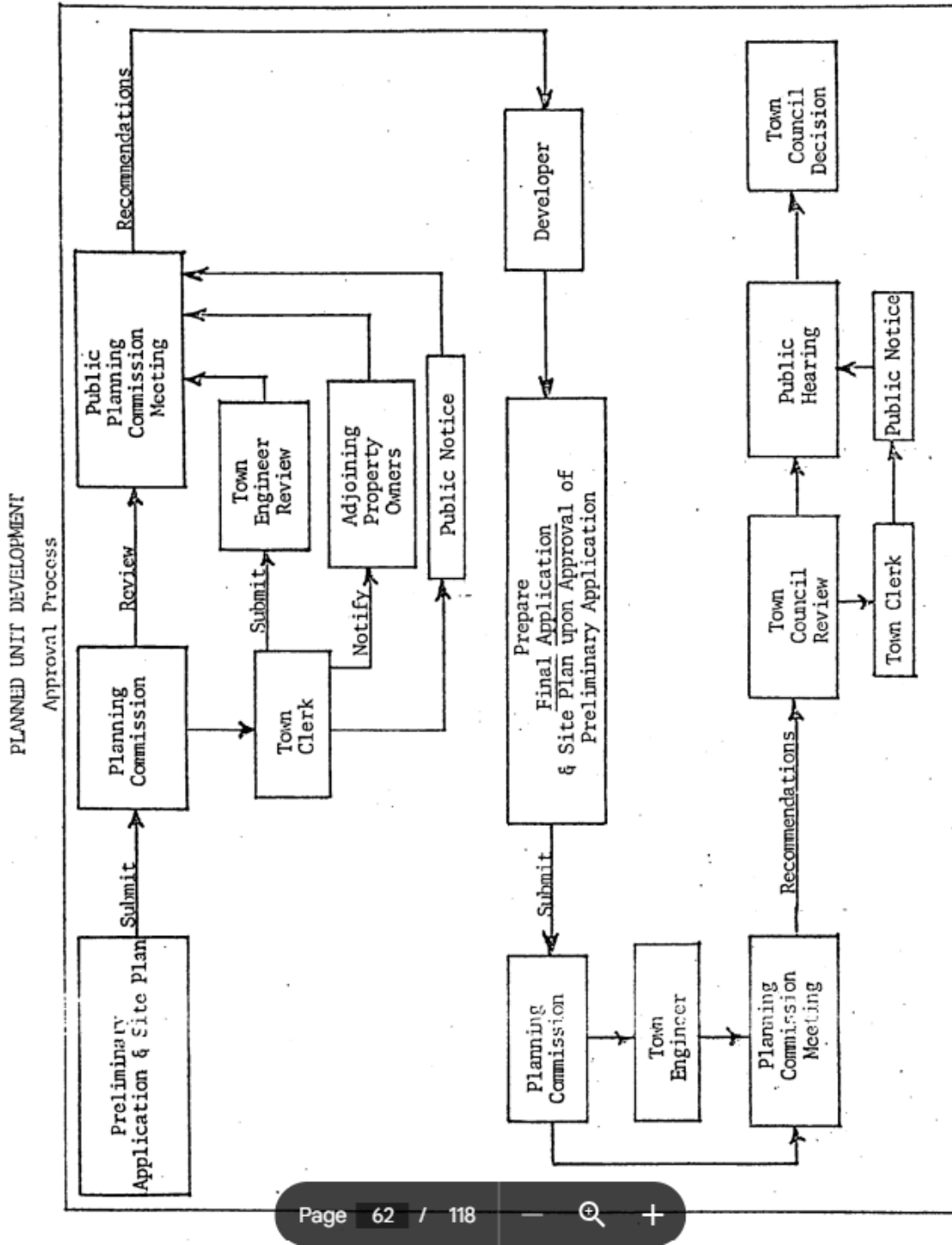
109.9 Preliminary Application

The preliminary application and site plan shall contain the following information:

1. General map of physical features and topography of site.
2. Legal description of parcel and acreage.
3. Schematic development plan showing general location of land uses and structures; density of uses shall also be indicated.
4. General circulation plan showing vehicular and pedestrian circulation, parking areas, service and loading areas, and access to public rights-of-way.
5. General open space plan showing location and character of open space areas together with a brief discussion of the proposed ownership and method of maintenance of open spaces.
6. General statement explaining the objectives to be achieved by developing as a Planned Unit Development rather than on a traditional lot by lot basis.
7. Names of all owners of land in the Planned Unit Development.
8. List of names and addresses of all property owners within 300 feet of the planned Unit Development.
9. A nonrefundable review fee in an amount to be determined by Resolution by the Town Council.
10. An improvement plan consistent with the requirements set forth in this Ordinance.



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109.10 Final Application

The final application and final site plan shall contain the following information:



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1. Complete site and building plans prepared by a professional designer or team of designers with competence in the area of planned developments. The site plan shall be drawn at a scale of no less than 1" = 100' and contain the following information:
 - a. Topographic map of the site indicating contours at no more than 2-foot intervals.
 - b. All proposed land uses.
 - c. Location and size of all existing and proposed buildings and structures.
 - d. Height of all existing and proposed buildings.
 - e. Density and type of buildings. (sketches and elevations of all buildings may be required at the discretion of the Planning Commission in order to demonstrate the character of the development.)
 - f. Internal traffic and circulation systems, including:
 - 1) off street parking,
 - 2) service and loading areas,
 - 3) access points to public rights-of-way,
 - 4) pedestrian walkways, and
 - 5) bicycle routes.
 - g. Location, height and size of signs and lighting.
 - h. Areas which are to be conveyed, dedicated or reserved for recreation or public facilities.
 - i. Areas subject to natural hazards such as flooding, erosion or earthquake faulting
 - j. General landscaping plan indicating spacing, sizes and types of landscaping material.
 - k. Location, size, height and use of all structures within 100 feet of the boundary of the Planned Unit Development.
 - l. Uses of land within 300 feet of the boundary of the Planned Unit Development.
2. Written statement explaining the following:
 - a. The objectives to be achieved by developing as a Planned Unit rather than on a traditional lot by lot basis.
 - b. Development schedule indicating the approximate dates when construction will begin and will be completed on either the entire Planned Unit Development or phases of the Planned Unit Development.



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- c. Copies of any special agreements, conveyances, restrictions, or covenants, which will govern the use, maintenance and continued protection of the Planned Unit Development and any of its common park areas.

109.11 Development in Stages and Time of Approval

1. The applicant must begin and substantially complete the development of the Planned Unit Development within a time specified by the Town Council and Town Engineer. The developer shall post a bond to guarantee completion of the Planned Unit Development or an approved phase of the Planned Unit Development within the approved time limit.
2. If the applicant does not begin and substantially complete the Planned Unit Development, or any stage of the Planned Unit Development, within the time limits imposed by the preceding subsection, the Town Council shall review the Planned Unit Development and may recommend that the time for completion of the Planned Unit Development be extended, that the penalty in the construction contract be enforced, that the approval of the Planned Unit Development be revoked, or that the Planned Unit Development be amended. The recommendation of the Town Council for an amendment to the Planned Unit Development shall be subject to the procedures of subsection 109.7 and 109.8.

109.12 Changes

1. In the event a final site plan requires revision, the site plan and its revision shall be resubmitted to the Planning Commission for consideration of approval. The Planning Commission shall approve, modify or deny minor revisions. Minor revisions are changes which result in less than 10 feet, provided none of these changes exceeds the minimum or maximum requirements of this Ordinance.
2. For all other revisions, including changes in the site plan and the development schedule, the Planning Commission shall review and recommend to the Town Council, under the procedures applicable to initial approval as specified in subsection 109.7 and 109.8.
3. Where the revision is to a final site plan, all new property owners in the development shall be notified in writing of the proposed revision by the Town Clerk.

109.13 Point Evaluation For Density Bonus Grant

Maximum Evaluation Points (may be positive or negative)	Evaluation Criteria
2	a. Is the physical design of the development superior to what could develop under normal subdivision and zoning requirements?



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1	b. Does the development blend well with complimentary adjacent land uses, either existing or proposed in the Comprehensive Plan?
1	c. Are the building elevation designs outstanding from an aesthetic viewpoint and, where appropriate, in harmony with adjacent building design?
1	d. Does the development successfully cope with the physical limitations of the site?
2	e. Does the project relate well to the traffic problems are not created or intensified? Is internal circulation adequate
1	f. Does the open space on the site exceed 40% of the site? Is it usable? Is it well integrated with the overall site design so as to be convenient for use by residents?
1	Total Points = Percent Density Bonus to be Granted

110.0 PLANNING COMMISSION

110.1 Appointment

(Change 1-9-2019)

The Planning Commission shall consist of seven (7) members. The applicant(s) receiving the majority votes shall then be appointed by the Mayor. One member shall be from the Town Council and shall serve as the chairman, as well as a nonvoting member of the Planning Commission except in the case of a tie vote or when he/she is needed to make a quorum. The chairman shall be utilized before the alternate to make a quorum and vote. All new members shall be voted on by the Planning Commission/ Town Council with the exception of the Town Council member who shall be elected by a public vote or appointed by a majority vote from the Town Council to fill the remainder of the term vacated by the said member. There will be one (1) alternate member. The alternate member(s) shall be appointed by the Mayor after he/she receives a majority vote from the Planning Commission/ Town Council. The alternate member shall attend all meetings, so that he/she can be up to date on all matters of the Planning Commission. The alternate member shall automatically be placed on the commission board when a vacancy occurs.

An advertisement will then be posted to fill the alternate member position opening. The new alternate member application(s) will be reviewed and voted on by the Planning Commission and Town Council after a majority vote the new alternate shall be appointed by the Mayor.



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110.2 Term and Vacancies

The terms of members of the original Planning Commission, excluding the Town Council representative to the Planning Commission, shall expire in consecutive years from January 1, 1981 to January 1, 1985. The term of the Town Council representative to the Planning Commission shall coincide with his/her elected term of office. Appointments made to fill vacancies created by expiring terms, excluding the Town Council representative, shall be for a period of five years. Any vacancy occurring during the term of any Planning Commission member shall be promptly filled for the unexpired portion of the term.

110.3 Removal for Cause

The Town Council may remove any member of the Planning Commission for cause, after a public hearing upon written charges.

110.4 Compensation

The members of the Planning Commission shall serve without compensation except for such reasonable expenses as are approved by the Town Council.

110.5 Organization and Meetings

The Planning Commission shall adopt rules and regulations as necessary subject to the laws of the State of Utah, the laws of Portage and the Portage Zoning Ordinance. The Planning Commission may amend the rules and regulations as necessary. All rules and regulations shall be filed with the Town Clerk. Meetings shall be held at least once a month at a time to be decided in January of each year. Notification of the regularly scheduled meeting time and place for the Planning Commission shall be published once each year in a newspaper of general circulation and posted at the Town Hall and Post Office.

110.6 Contracts and Employment

The Planning Commission may appoint such employees and staff as it may deem necessary for its work, and may contract with city planners and other consultants for such services, as it requires, providing the expenditures of the commission shall not be in excess of such sums as may be appropriated by the Town Council and/or be placed at the disposal of the Planning Commission through gift or otherwise.

110.7 Record of Proceedings

The Planning Commission shall keep a written record of proceedings, which shall be filed with the Town Clerk.

110.8 Functions and Duties of Planning Commission

The Planning Commission shall have such powers and duties as prescribed by Sections 10-9-4, 10-9-5, 10-9-19, 10-9-20, 10-9-21, 10-9-22, 10-9-23 and 10-9-25, Utah Code Annotated, 1953, as amended.

In addition, the Planning Commission shall review and make recommendations on all conditional uses and all proposed changes to the Zoning Ordinance.



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110.9 Quorums and Decisions

(Change 1-9-2019)

Four members shall constitute a quorum for the Planning Commission. Recommendations to the Town Council shall be based on a majority vote of the Planning Commission. If no majority decision can be reached the matter will be taken to the Town Council for vote. Four votes are required for a majority vote. The chairman/nonvoting council member and/or an alternate member may be utilized when necessary to make a quorum/majority vote. The chairman will be utilized first followed by the alternate. The alternate member shall automatically be placed on the commission when a vacancy needs to be filled.

111.0 CONDITIONAL USES

111.1 Intent and Purpose

The intent of conditional uses is to allow uses not normally permitted in a zone to occur if certain conditions and specifications are met. These conditions and specifications ensure that the use fits in with the intent of the zone, is a desirable use related to the permitted uses for that zone, and does not cause hardships for neighboring properties.

111.2 Conditional Use Permit

A conditional use permit is required for all uses listed as conditional uses in the Land Use Chart. A conditional use permit may be revoked by the Town Council upon failure of the applicant to comply with the conditions imposed with the original approval of the permit.

111.3 Review Procedure

1. Application for a conditional use permit shall be made to the Planning Commission. Appropriate forms may be secured from the Town Clerk.
2. Detailed location map and site and building plans shall be part of the completed application forms.
3. The application, together with all information required by the Planning Commission, shall be considered by the Planning Commission at its next regularly scheduled meeting.
4. The Planning Commission may call a special public hearing on any conditional use permit application if they determine the hearing to be in the public interest. The public hearing shall be held after two weeks of public notice. The record of the public hearing, if held, and the recommendation of the Planning Commission, together with any conditions of approval or reasons for denial, shall be forwarded in writing to the Town Council within thirty (30) days after the application is first reviewed by the Planning Commission.



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111.4 Determination

The Planning Commission shall recommend approval or denial to the Town Council of any use listed as a conditional use in the applicable zone. In recommending approval of a conditional use, the Planning Commission shall suggest in writing any requirements and/or conditions, which are necessary to protect adjacent properties and the public welfare.

The Town Council shall permit or deny applications for conditional uses within thirty (30) days after the application and the Planning Commission's recommendation are received at a regularly scheduled meeting. In approving any conditional use, the Town Council shall impose any requirements and/or conditions, which it deems necessary. The decision of the Town Council shall be final.

111.5 Basis for Issuance of a Conditional Use Permit

The Planning Commission shall not recommend and the Town Council shall not permit a conditional use unless the following conditions are met:

1. The proposed use of the particular location is necessary and/or desirable to provide a service or facility, which will contribute to the general well-being of the community.
2. The use will not, under the particular circumstances and conditions imposed, be detrimental to the health, safety and general welfare of persons, nor be injurious to property improvements in the community.
3. The proposed use will be compatible with and complimentary to the existing surrounding uses, buildings and structures. The following list presents questions to be considered by the Planning Commission. Other items determined to be relevant by the Planning Commission shall also be considered.
 - a. Does the development have an approved water supply?
 - b. Does the development have an approved sewage disposal system?
 - c. Have arrangements been made for the collection and disposal of wastes produced by the development?
 - d. Will the construction of the project be accomplished in a timely manner so as to produce minimal disruptions to neighboring properties?
 - e. Do the developers have sufficient financial backing to complete the project as proposed?
 - f. If the proposed use is a non-residential use, will the hours of operation or use adversely affect neighboring properties?
 - g. Will the proposed use generate traffic which will be detrimental to the surrounding neighborhood in terms of traffic character and volume?
 - h. Will internal traffic circulation and parking adversely affect adjacent property?



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- i. Will entrances and exits be able to handle intended traffic?
- j. Will parking facilities be adequately screened from adjacent residential properties?
- k. If a hard surface parking lot is developed, will irrigation water, storm water runoff or snow-melt drain onto adjacent properties? .
- l. Do the structures and design of the development enhance the existing neighborhood?
- m. Is the architectural style of proposed buildings compatible with existing architecture in the area?
- n. Will any proposed signs adversely affect the development itself or surrounding properties?
- o. Will proposed landscaping improve the appearance and acceptability of the development?
- p. Will the proposed development adversely affect air or water quality or ambient noise levels?
- q. Does the site design provide adequate drainage of storm water?
- r. Will site construction methods be used to minimize erosion?

111.6 Inspection

Following the approval of a conditional use permit by the Town Council, the building inspector shall issue an application for a building permit. The building inspector shall ensure that the development is undertaken and completed in compliance with the conditions attached to the conditional use permit.

111.7 Time Limit

Unless there is substantial action as determined by the Town Council under a conditional use permit within one year of its issuance, the conditional use permit shall expire.

112.0 NONCONFORMING BUILDINGS AND USES

112.1 Maintenance Permitted

A nonconforming building or structure may be maintained.

112.2 Repairs and Alterations

Repairs and structural alterations may be made to a nonconforming building or to a building housing a nonconforming use.



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112.3 Additions, Enlargements, Moving

1. A building or structure occupied by a nonconforming use or a building or structure nonconforming as to height, area, or yard requirements shall not be added to or enlarged in any manner or moved to another location on the lot 'except as provided by subsections 2 and 3 below.
2. A building or structure occupied by a nonconforming use or a building or structure nonconforming as to height, area, or yard regulations may be added to or enlarged or moved to a new location on the lot upon a permit authorized by the Board of Adjustment, which may issue, provided that said Board, after hearing, shall find that:
 - a. The addition, or enlargement of, or moving of the building will be in harmony with one or more of the purposes of this Ordinance.
 - b. That the proposed change does not impose any unreasonable burden upon the lands located in the vicinity of the nonconforming use or structure.
3. Additions or extensions may be made to a residential building which is nonconforming as to height, area or yard requirements providing such additions conform to all requirements of the district in which it is located and do not increase the number of dwelling units.

112.4 Alteration Where Parking Insufficient

A building or structure lacking sufficient automobile parking space in connection therewith as required by this 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.

112.5 Restoration of Damaged Buildings

A nonconforming building or structure which is damaged or destroyed by fire, flood, wind, earthquake, or other calamity or act of God or the public enemy may be restored and the occupancy or use of such building, structure or part thereof, which existed at the time of such destruction, may be continued or resumed, provided that such restoration is started within a period of one year and is diligently prosecuted to completion.

112.6 One Year Vacancy

A building or structure or portion thereof occupied by a nonconforming use, which is, or hereafter becomes, vacant and remains unoccupied by a nonconforming use for a continuous period of one year, except for dwellings, shall not thereafter be occupied except by a use, which conforms to the use regulations of the district in which it is located.

112.7 Continuation of Use

The occupancy of a building or structure by a nonconforming use existing at the time this Ordinance became effective, may be continued.



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112.8 Occupation Within One Year

A vacant building or structure may be occupied by a use for which the building or structure was designed or intended, if so occupied within a period of one year after the use became nonconforming.

112.9 Change of Use

The nonconforming use of a building or structure may not be changed except to a conforming use; but where such change is made, the use shall not thereafter be changed back to a nonconforming use.

112.10 Expansion Permitted

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.

112.11 Nonconforming Use of Land

The nonconforming use of land, existing at the time this Ordinance became effective, may be continued, provided that no such nonconforming use of land shall in any way be expanded or extended either on the same or on adjoining property, and provided that if such nonconforming use of land, or any portion thereof, is abandoned or changed for 1 year or more, any future use of such land, shall be in conformity with the provisions of this Ordinance.

113.0 BOARD OF ADJUSTMENT

113.1 Appointment, Term, Removal, Vacancies

In order to avail itself of the powers provided in this Ordinance, the Town Council shall provide by resolution for the appointment of a Board of Adjustment. The Board of Adjustment shall consist of five members, each to be appointed by the Town Council for a term of five years provided that the terms of the members of the first Board so appointed shall be such that the term of one member shall expire each year. Any member may be removed for cause by the appointing authority upon written charges and after public hearing, if such public hearing is requested. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. One member, but not more than one, of the Planning Commission shall be a member of the Board of Adjustment.

113.2 Organization, Meetings, Duties of Members

The Board of Adjustment shall organize and elect a chairman and adopt rules in accordance with the provisions of any ordinance adopted pursuant to this Ordinance. Meetings of the Board shall be held at the call of the chairman and at such other times 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 member upon each question, or if absent or failing to vote indicating such fact, and shall



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keep records of its examinations and other official actions; all of which shall be immediately filed in the office of the Board and shall be a public record.

113.3 Appeals

Appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time as provided by the rules of the Board by filing with the officer from whom the appeal is taken and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.

113.4 Stay of Proceedings Pending Appeal

An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life or property.

In such case proceedings shall not be stayed otherwise than by restraining order which may be granted by the Board of Adjustment or by the district court on application and notice and on due cause shown.

113.5 Notice of Hearing on Appeal

The Board of Adjustments shall fix a reasonable time for the hearing of the appeal, give public notice thereof as well as due notice to the parties in interest, and shall decide the same within a reasonable time. Upon the hearing any party may appear in person or by agency or by attorney.

113.6 Powers of Board on Appeal

The Board of Adjustment shall have the following powers:

1. To hear and decide appeals where it is alleged that there is error in any order, requirement, decision, or determination made by the administrative officer in the enforcement of this Ordinance or of any ordinance adopted pursuant thereto.
2. To hear and decide special exceptions to the terms of this Ordinance upon which such Board is required to pass under such Ordinance.
3. To authorize upon appeal such variance from the terms of this Ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship; provided, that the spirit of this Ordinance shall be observed and substantial justice done. Before any variance may be authorized, however, it shall be shown that:
 - a. The variance will not substantially affect the comprehensive plan of zoning of Portage and that adherence to the strict letter of the Ordinance will cause difficulties and



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hardships, the imposition of which upon the petitioner is unnecessary in order to carry out the general purpose of the plan.

- b. Special circumstances are attached to the property owned by the applicant which do not generally apply to the other property in the same district.
 - c. That because of said special circumstance, property covered by the application is deprived of privileges possessed by other properties in the same district; and that the granting of the variance is essential to the enjoyment of a substantial property possessed by other property in the same district.
4. To interpret the Zoning Map.
 5. To permit, in a residential zone, for a period not to exceed one year, a temporary building permit or use of a commercial or industrial nature which is incidental and necessary to the construction of the residential development.

113.7 Decision on Appeal

In exercising the above mentioned powers such Board may, in conformity with the provision of this Ordinance, reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

113.8 Vote Necessary for Reversal

The concurring vote of three members of the Board shall be necessary to reverse any order, requirement or determination of any such administrative official, or to decide in favor of the appellant on any matter upon which it is required to pass under such ordinance, or to effect any variation in such ordinance.

113.9 Judicial Review of Board's Decision

The city or any person aggrieved by any decision of the Board of Adjustment may have and maintain a plenary action for relief there from in any court of competent jurisdiction; provided, petition for such relief is presented to the court within 30 days after the filing of such decision in the office of the Board.

113.10 Time Limitations on Variance

Once the Board of Adjustment grants a variance, alterations in accordance with the variance must be completed within 6 months after the date of the variance is granted or the variance shall expire. At the request of the applicant, the Board of Adjustment may grant one 6-month extension if the Board determines the extension to be in the public interest.



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114.0 ZONES

114.1 Establishment of Zoning Districts

For the purpose of this Ordinance, the following zoning districts pertain to the Town of Portage.

RR Rural Residential Zone

R Residential Zone

C1 Neighborhood Commercial Zone

C2 General Commercial Zone

I Future Industrial Zone

114.2 Filing of Ordinance and Map

This Ordinance and map shall be filed in the custody of the Town Clerk of Portage and may be examined by the public subject to the reasonable regulations established by the Town Clerk.

114.3 Rules for Locating Boundaries

Where uncertainty exists as to the boundaries of any zone, the following rules shall govern.

1. 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 the zone.
2. Wherever the zone boundary is indicated as being parallel to or an extension of features on the map, such parallel line or such extension shall be deemed to be the boundary of such zone.
3. Where such zone boundaries cannot be determined by the above rules, their location may be found by the use of the scale appearing upon the map.
4. Where the application of the above rules does not clarify the zone boundary location, the Board of Adjustment shall interpret the map.

114.4 Zoning Districts

1. **Rural Residential Zone Minimum of Two (2) Acres Required**

Purpose: The purpose of the rural residential zone is to provide for and protect residential development in a semi-rural environment. The keeping of limited numbers of livestock and the raising of crops can be considered a normal activity in this zone.



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- a. Use Regulations - See Section **115**
 - b. Area and Setback Regulations - See Section **115**
 - c. Parking Regulations - See Section **105**
 - d. Sign Regulations - See Section **104**
 - e. Animal and Fowl Regulations - See Section **107**
 - f. Pre-existing Uses - See Section **112**
- 2. Residential Zone Minimum of 3/4 (.75) of an Acre Required**
Purpose: The purpose of the residential zone is to encourage, maintain and protect low density residential neighborhoods. Uses in and adjacent to residential zones should be compatible with family oriented neighborhoods.
- a. Use Regulations See Section **115**
 - b. Area and Setback Regulations - See Section **115**
 - c. Parking Regulations - See Section **105**
 - d. Sign Regulations - See Section **104**
 - e. Animal and Fowl Regulations - See Section **107**
 - f. Pre-existing Uses - See Section **112**
- 3. Neighborhood Commercial Zone Minimum of 3/4 (.75) of an Acre Required**
Purpose: The purpose of the neighborhood commercial zone is to provide areas for retail commercial activities, service activities, business, entertainment and related activities to serve residents of Portage and which are compatible with the small town character of Portage.
- a. Use Regulations - See Section **115**
 - b. Area and Setback Regulations - See Section **115**
 - c. Parking Regulations - See Section **105**
 - d. Sign Regulations - See Section **104**
 - e. Animal and Fowl Regulations - See Section **107**
 - f. Pre-existing Uses - See Section **112**
 - g. Development Standards - See Section **108**
- 4. General Commercial Zone Minimum of 3/4 (.75) of an Acre Required**
Purpose: The purpose of the general commercial zone is to provide areas for retail, wholesale, and service activities, which are incompatible with the residential character of the town center.



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- a. Use Regulations - See Section **115**
- b. Area and Setback Regulations - See Section **115**
- c. Parking Regulations - See Section **105**
- d. Sign Regulations - See Section **104**
- e. Animal and Fowl Regulations - See Section **107**
- f. Pre-existing Uses - See Section **112**
- g. Development Standards - See Section **108**

5. Future Industrial Zone Minimum Five (5) Acres Required

Purpose: THE FUTURE INDUSTRIAL ZONE SECTION IS A REGULATORY PLAN FOR FUTURE INDUSTRIAL ZONES: The purpose of the future industrial zone is to provide for non-offensive industrial uses, which will provide jobs and increase the tax base of Portage. In order to insure that industry does not detract from the quality residential setting, the following standards shall apply.

- a. Use Regulations - See Section **115**
- b. Area and Setback Regulations - See Section **115**
- c. Parking Regulations - See Section **105**
- d. Sign Regulations - See Section **104**
- e. Pre-existing Uses - See Section **112**
- f. Animal and Fowl Regulations - See Section **107**
- g. Development Standards - See Section **108**

(Added 1-9-2019)

6. Water Protection “Zone”

This is not a Portage zone but is a protection zone with The State of Utah Division of Drinking Water

LOCAL MUNICIPAL WATER SOURCES AND PROTECTION ZONES

Water sources are arguably the most critical amenity for any community for obvious reasons. Portage has three main water sources. The primary sources of water are two springs, commonly referred to as the “upper and lower springs” located several miles up Portage Canyon, the secondary water source is a well on the western end of the municipal boundary.

As rain or snowfall accumulates in the upper watershed, water percolates into the ground and fills these water sources. The State of Utah Division of Drinking Water has delineated source water



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protection zones for many community water sources statewide. This data exists for Portage Town and includes 4 source water protection zone designations (Zone 1 through Zone 4). As recommended by division staff, zones 1 and 2 are areas where land use and activities should be regulated to prevent pollution from entering the town's water sources. Development that utilizes septic systems, intense agricultural activities, or others that allow pollution within these zones should not be allowed (E-mail correspondence with Utah Division of Drinking Water staff, 2017). See **existing hydrology and town infrastructure maps**.

115.0 LAND USE

115.1 Land Use Regulations

No building, structure or land shall be used and no building or structure shall be constructed, altered, enlarged or maintained except as provided in this Ordinance.

115.2 Classification of New and Unlisted Uses

For uses not listed in the Land Use Regulations Section, the applicant for such use shall take the request for classification to the Planning Commission. The Planning Commission shall determine the appropriate classification based on the following guidelines:

1. Should the Planning Commission determine the new or unlisted use is the same as a use listed under another name in the Land Use Regulations Section, the Planning Commission shall document this information. The applicant may then proceed under the regulations applicable to that use.
2. Should the Planning Commission determine the use is not considered by the Land Use Regulations Section, the applicant shall petition the Town Council to amend the Zoning Ordinance to specify and locate an appropriate zone or zones for the new use.

Abbreviations

The following abbreviations shall apply:

P Permitted Use

C Conditional use (conditional use permit required)

NP Use not permitted



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115.3 Land Use Charts

Land Use	Rural Residential	Residential	Neighborhood Commercial	General Commercial	Future Industrial
Accessory building or use customarily incidental to permitted uses	P	P	P	P	P
Accessory building or use customarily incidental to conditional uses	C	C	C	C	C
Public park or recreational facility	C	C	C	C	C
Public Uses: Quasi-public uses, essential services, including schools, churches, utility stations, municipal facilities.	C	C	C	C	C

Agricultural Uses	Rural Residential	Residential	Neighborhood Commercial	General Commercial	Future Industrial
Tilling of soil, raising crops, horticulture, gardening	P	P	P	P	P
*Grazing, pasturing or keeping animals	P	P	NP	C	C
*Riding stables	C	NP	NP	NP	NP
Kennel, on 2.5 acres or more	C	NP	NP	NP	NP
Diary, on 5 acres or more	C	NP	NP	NP	NP
Apiary	C	NP	NP	NP	NP
Commercial greenhouse or nursery	C	NP	NP	C	NP
Business or industry related to agricultural uses	C	NP	C	C	C

* See 107 animal and fowl regulations



TOWN OF PORTAGE - LAND USE ORDINANCES

Commercial Uses: (Planning Commission review and approved is required for all uses located in commercial zones)	Rural Residential	Residential	Neighborhood Commercial	General Commercial	Future Industrial
**Retail sales and service	NP	NP	C	C	NP
**Wholesale activities	NP	NP	NP	C	NP
**Hotel, motel, motor inn	NP	NP	NP	C	NP
**Service activities	NP	NP	C	C	NP
**Day care, nursery	C	C	C	NP	NP
**Professional office or clinic	NP	NP	C	C	NP

** See section 108, Development standards for commercial and future industrial zones

Future Industrial Uses:	Rural Residential	Residential	Neighborhood Commercial	General Commercial	Future Industrial
**Light manufacturing and industrial activates	NP	NP	NP	NP	C
**Warehouse	NP	NP	NP	C	C
**Construction equipment and materials storage yard	NP	NP	NP	NP	C

** See section 108, Development standards for commercial and future industrial zones



TOWN OF PORTAGE - LAND USE ORDINANCES

Residential uses:	Rural Residential	Residential	Neighborhood Commercial	General Commercial	Future Industrial
Detached single family house (conventional, modular, or prefab home placed on permanent foundation which meets Portage building code requirements)	P	P	C	NP	NP
*** Mobile home on ¾ acre or more	P	P	NP	NP	NP
Temporary secondary dwelling unit (used during construction of permanent dwelling unit)	C	C	C	NP	NP
*** Mobile home use as second dwelling unit on a temporary basis: for the housing of a person or persons requiring intensive care by reason of incapacitating illness or injury or physical or mental condition. Conditional use permits for this use shall be issued for no more than 1 year, but may be reissued if necessary.	C	C	NP	NP	NP
Nursing homes	C	NP	NP	NP	NP
Household pets	P	P	P	NP	NP
Home occupation	C	C	C	NP	NP

***See section 106 mobile home regulations

Area requirements	Rural Residential	Residential	Neighborhood Commercial	General Commercial	Future Industrial
Minimum lot area in acres	2	3/4	3/4	3/4	5
Minimum lot width, measured at front setback line	200'	100'	100'	100'	300'



TOWN OF PORTAGE - LAND USE ORDINANCES

Setback requirements, main building	Rural Residential	Residential	Neighborhood Commercial	General Commercial	Future Industrial
Front yard	30'	30'	30'	30'	100'
Side yard, interior	20'	20'	10' unless abutting residential zone or use; then 20'		10' unless abutting residential zone or use; then 60'
Side yard, street	30'	30'	30'	30'	75'
Rear yard	20'	20'	20'	20'	60'

Setback requirements: accessory building	Rural Residential	Residential	Neighborhood Commercial	General Commercial	Future Industrial
Front yard	30'	30'	30'	30'	100'
Side yard, interior	10' in all zones where accessory building is located less than 10' behind principle building. 5' in all zones where accessory building is located 10' or more behind principle building.				
Side yard, street	30'	30'	30'	30'	75'
Rear yard	3'	3'	10'	10'	10' unless abutting residential zone or use; then 60'

Height regulations	Rural Residential	Residential	Neighborhood Commercial	General Commercial	Future Industrial
Maximum height in feet	35'	35'	35'	50'	100'

See Portage ordinances sections that may apply

102 Definitions

103 Administration

104 Supplementary and qualifying regulations applicable within all zones

105 Parking



TOWN OF PORTAGE - LAND USE ORDINANCES

106 Mobile home regulations

107 Animal and fowl regulations

108 Development standards for commercial and future industrial zones

109 Planned unit developments

111 Conditional uses

112 Nonconforming buildings and uses

114 Zones

115 Land use

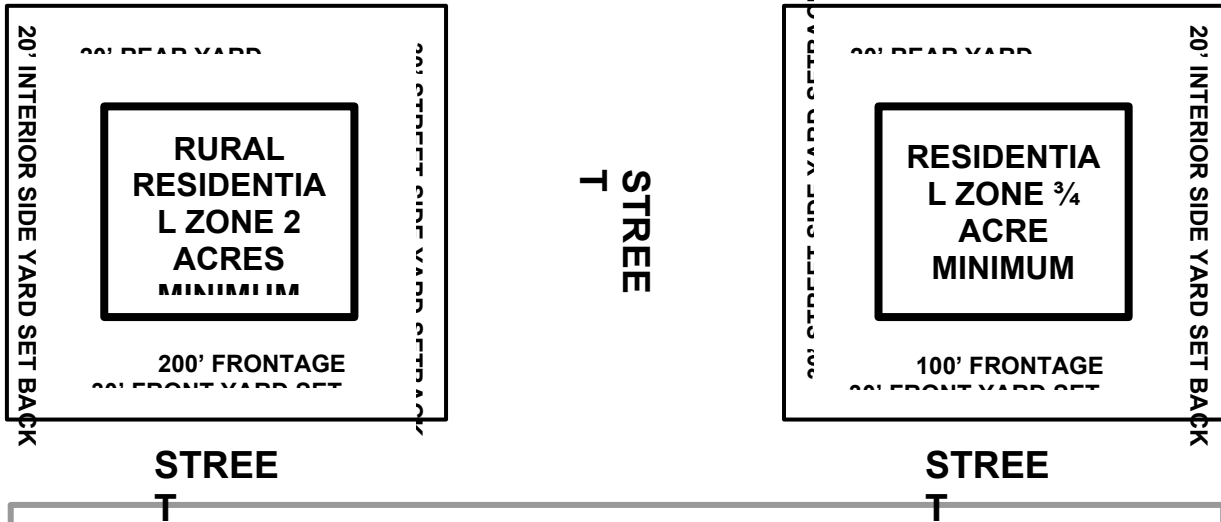
122 Zoning map



TOWN OF PORTAGE - LAND USE ORDINANCES

115.4 Setback And Minimum Lot Size Diagrams

**TOWN OF PORTAGE
ZONING MINIMUM LOT AREA AND YARD SETBACK
REQUIREMENTS**
SEE ORDINANCES LISTED BELOW FOR MORE DETAILED INFORMATION

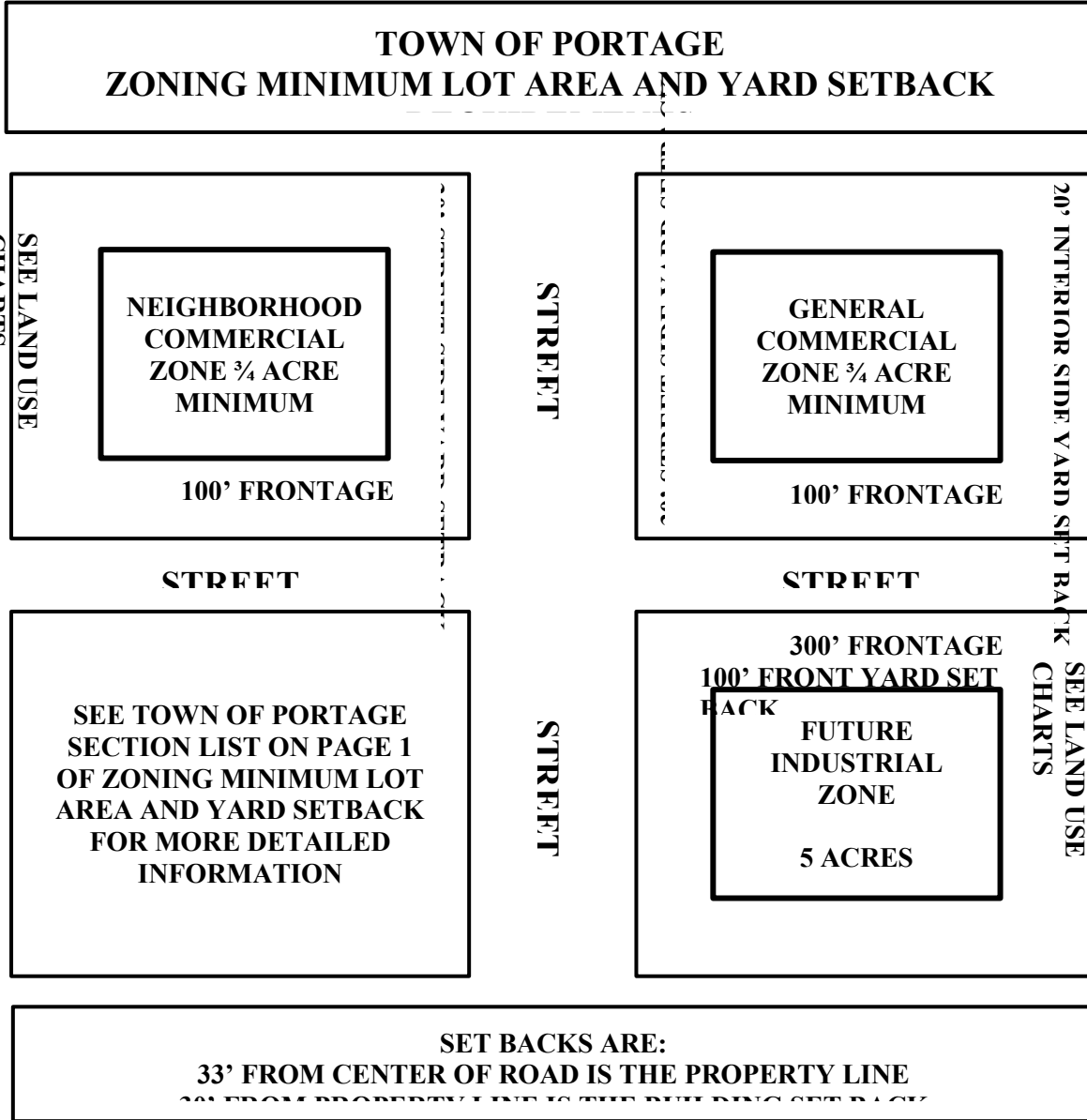


ALL ZONES SEE TOWN OF PORTAGE ORDINANCE SECTIONS:
 102.0 DEFINITIONS
 104.0 SUPPLEMENTARY AND QUALIFYING REGULATIONS APPLICABLE WITHIN ALL ZONES
 105.0 PARKING ~ 106.0 MOBILE HOME REGULATIONS
 107.0 ANIMAL AND FOWL REGULATIONS
 108 DEVELOPMENT STANDARDS FOR COMMERCIAL AND FUTURE INDUSTRIAL ZONES

FRONT YARD SET BACKS ARE:
 33' FROM CENTER OF ROAD IS THE PROPERTY LINE
 30' FROM PROPERTY LINE IS THE BUILDING SET BACK TOTAL OF 63'
 FROM CENTER LINE OF ROAD WITH EXCEPTION FOR FUTURE INDUSTRIAL



TOWN OF PORTAGE - LAND USE ORDINANCES



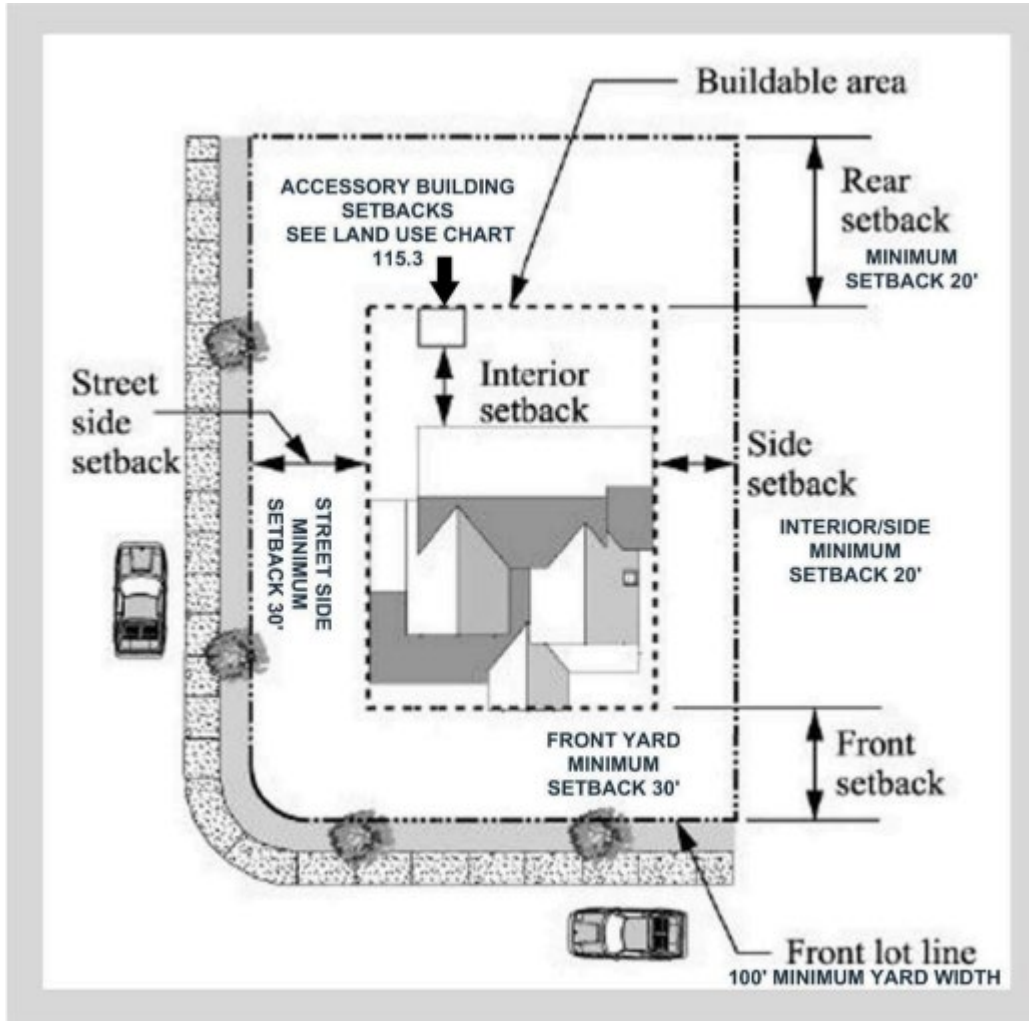
115.5 Setback Regulations For Main And Accessory Buildings Overhead View Diagram



TOWN OF PORTAGE - LAND USE ORDINANCES

RESIDENTIAL ZONE MINIMUM LOT SIZE $\frac{3}{4}$ ACRE MAIN AND ACCESSORY BUILDING SETBACK REQUIREMENTS

SEE ORDINANCES/CODES:
LAND USE AND SETBACK REGULATIONS 115
PARKING 105, SIGNS 104
ANIMAL/FOWL 107, FENCES 114.11
PRE-EXISTING USES 112
PROPERTY LINE 33' FROM CENTER OF ROAD
BUILDING SETBACK 30' FROM PROPERTY LINE



ALSO SEE KENNEL INFORMATION IN TERM: 102.2 AND LAND USE CHARTS 115.3

RURAL RESIDENTIAL ZONE MINIMUM LOT SIZE 2 ACRES MAIN AND ACCESSORY BUILDING SETBACK REQUIREMENTS

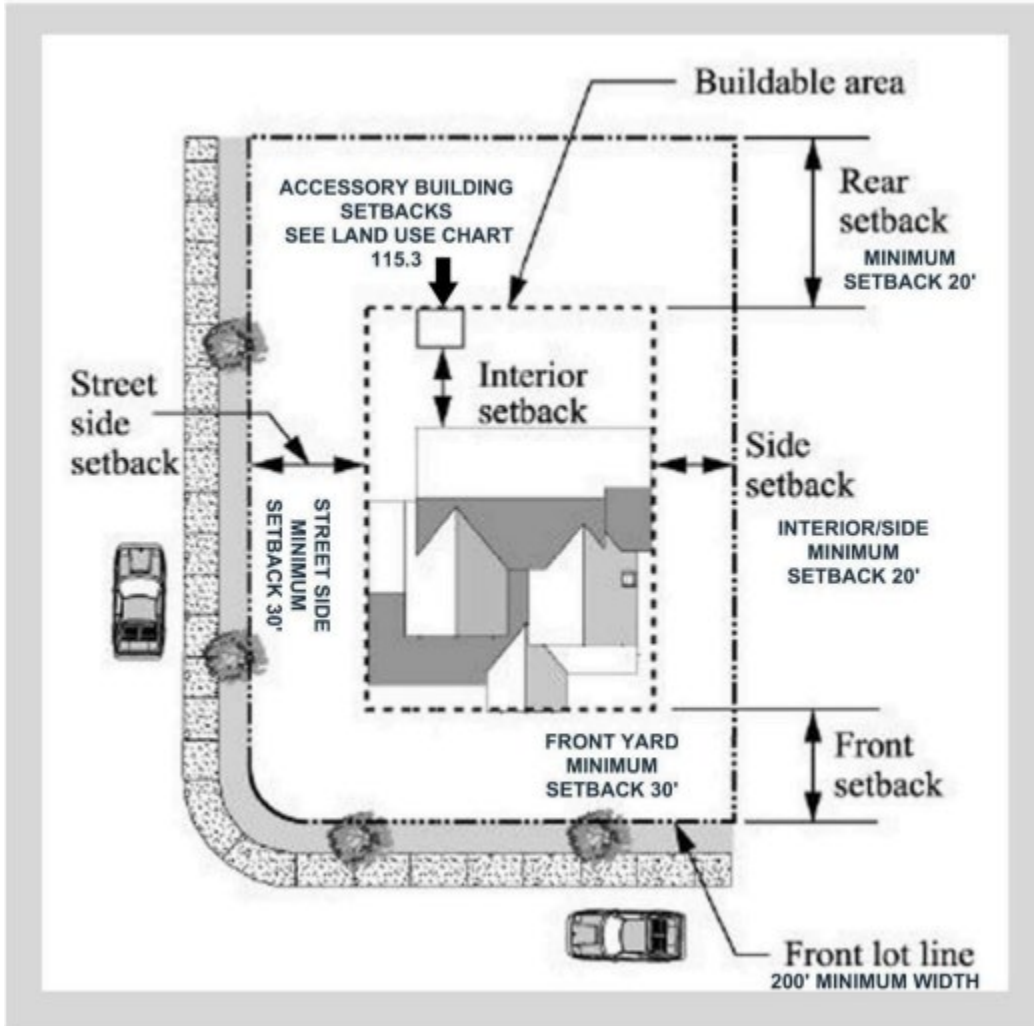
SEE ORDINANCES/CODES:



TOWN OF PORTAGE - LAND USE ORDINANCES

LAND USE AND SETBACK REGULATIONS 115
PARKING 105, SIGNS 104
ANIMAL/FOWL 107, FENCES 114.11
PRE-EXISTING USES 112

PROPERTY LINE 33' FROM CENTER OF ROAD BUILDING SETBACK 30' FROM PROPERTY LINE



ALSO SEE KENNEL INFORMATION IN
TERM: 102.2 AND LAND USE CHART 115.3 PAGE 2

NEIGHBORHOOD COMMERCIAL ZONE MINIMUM LOT SIZE ¾ ACRE
MAIN AND ACCESSORY BUILDING SETBACK REQUIREMENTS

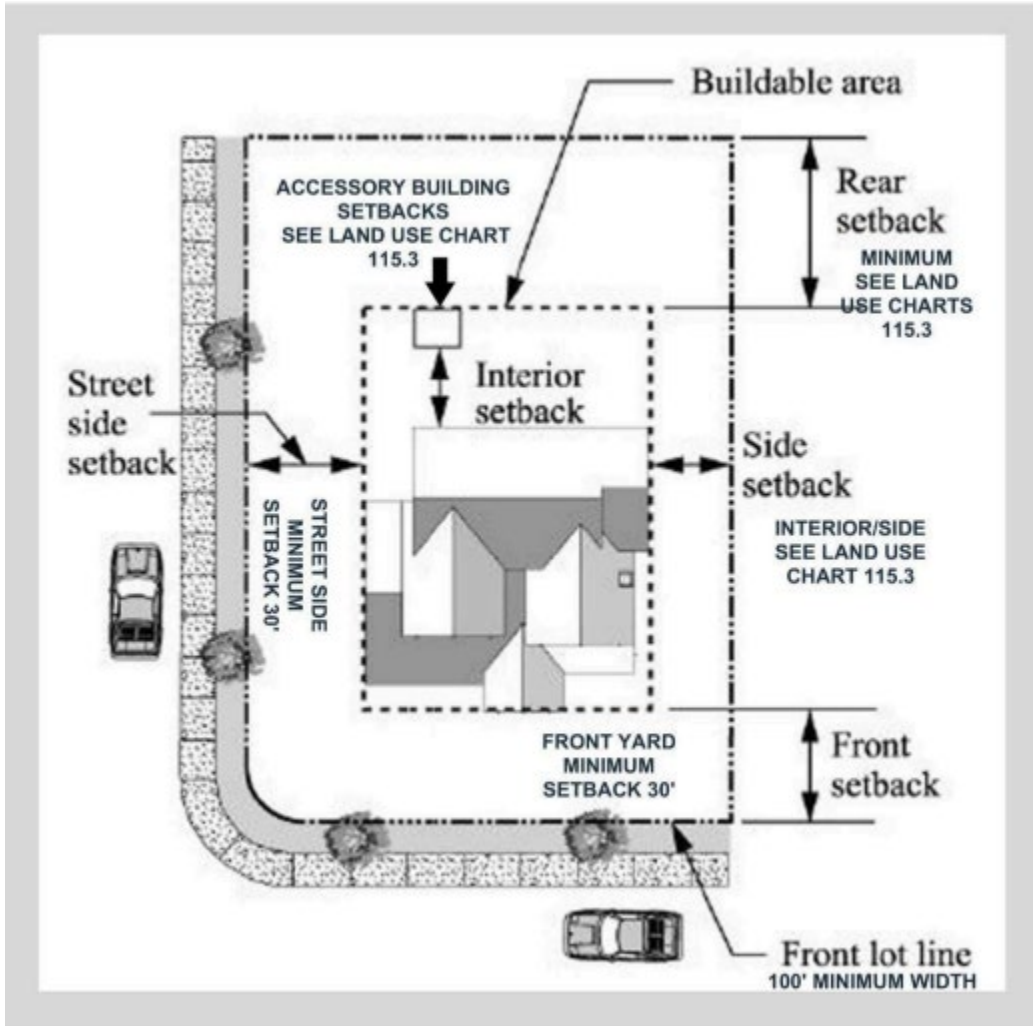
SEE ORDINANCES/CODES:
LAND USE AND SETBACK REGULATIONS 115



TOWN OF PORTAGE - LAND USE ORDINANCES

PARKING 105, SIGNS 104
ANIMAL/FOWL 107, FENCES 114.11
PRE-EXISTING USES 112, DEVELOPMENT STANDARDS 108

PROPERTY LINE 33' FROM CENTER OF ROAD
BUILDING SETBACK 30' FROM PROPERTY LINE



ALSO SEE KENNEL INFORMATION IN
TERM:102.2 AND LAND USE CHARTS 115.3

COMMERCIAL GENERAL AND NEIGHBORHOOD ZONES

MAIN AND ACCESSORY BUILDING SETBACK REQUIREMENTS

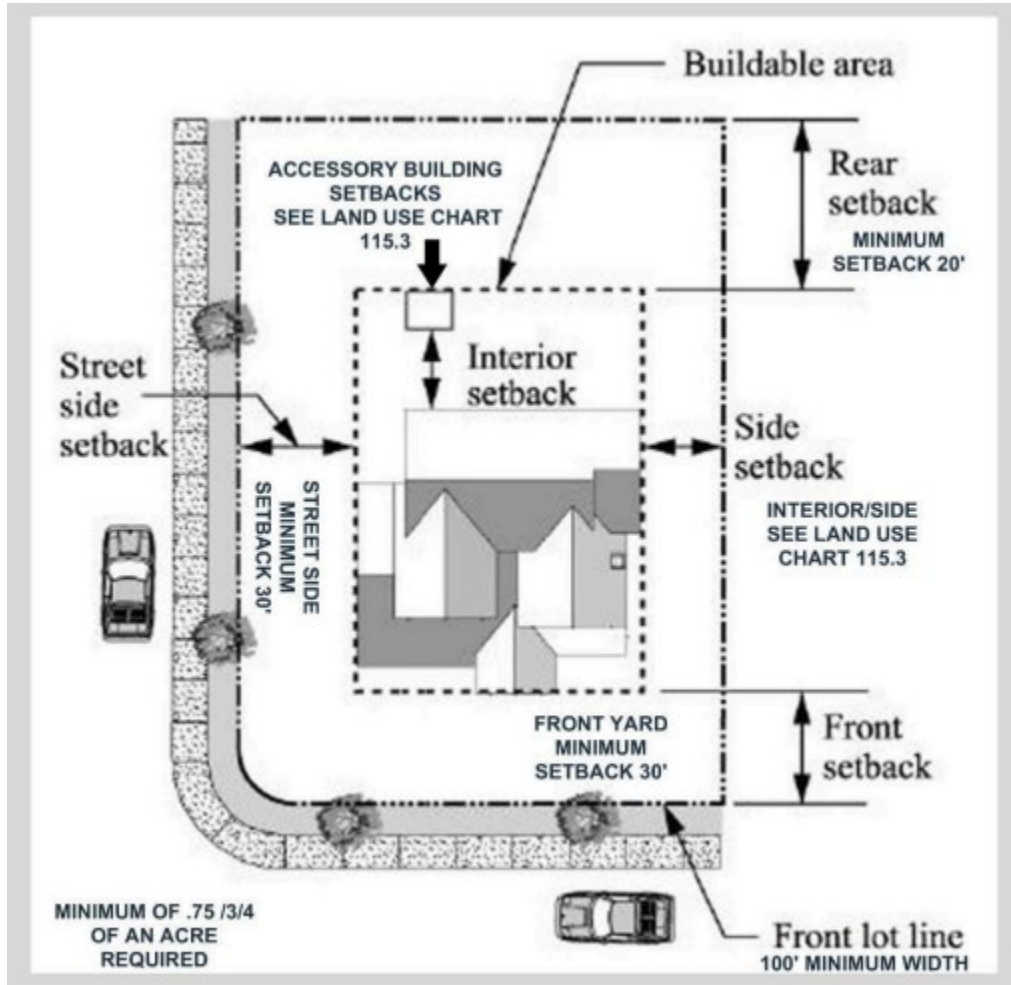
SEE ORDINANCES/CODES:



TOWN OF PORTAGE - LAND USE ORDINANCES

LAND USE AND SETBACK REGULATIONS 115
PARKING 105, SIGNS 104
ANIMAL/FOWL 107, FENCES 114.11
PRE-EXISTING USES 112, DEVELOPMENT STANDARDS 108

PROPERTY LINE 33' FROM CENTER OF ROAD
BUILDING SETBACK 30' FROM PROPERTY LINE



ALSO SEE KENNEL INFORMATION IN
TERM: 102.2 AND LAND USE CHARTS 115.3

**FUTURE INDUSTRIAL ZONE MINIMUM LOT SIZE 5 ACRES
MAIN AND ACCESSORY BUILDING SETBACK REQUIREMENTS**

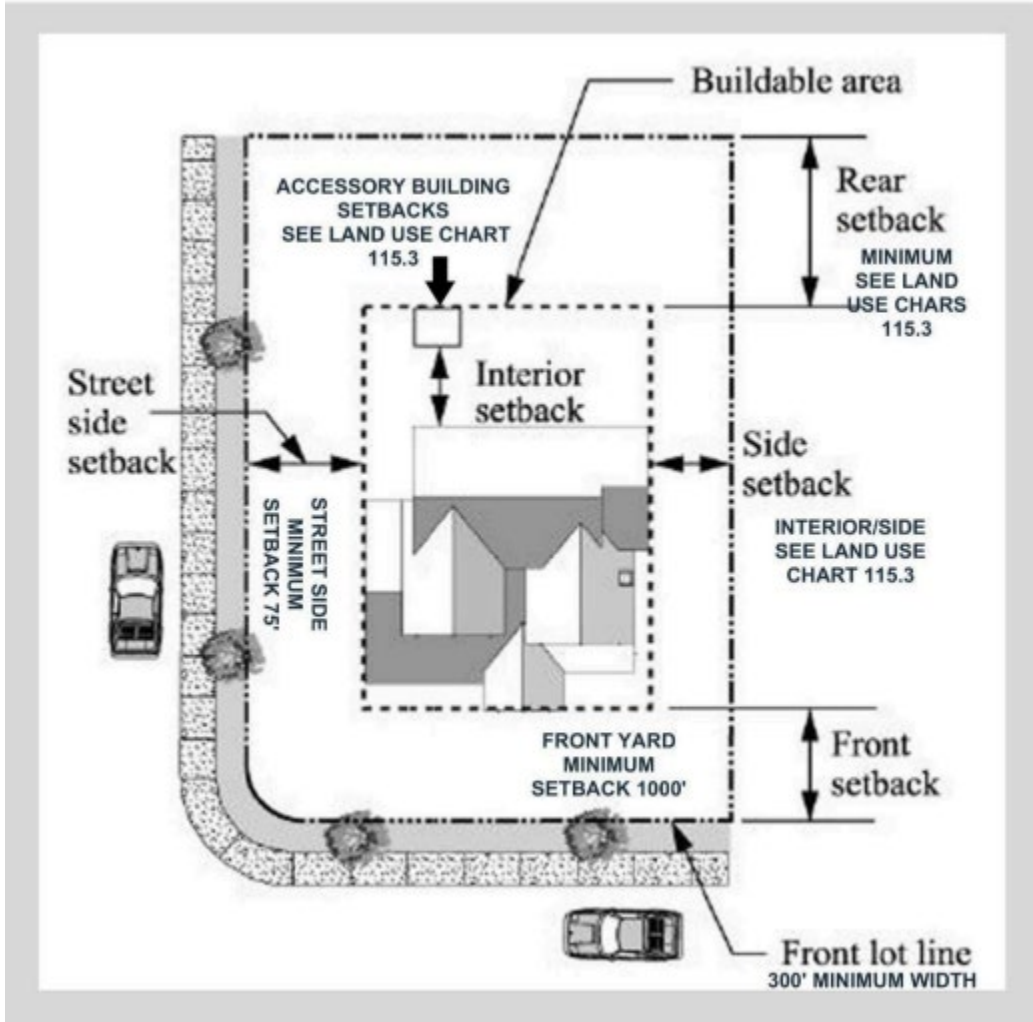
SEE ORDINANCES/CODES:
LAND USE AND SETBACK REGULATIONS 115



TOWN OF PORTAGE - LAND USE ORDINANCES

PARKING 105, SIGNS 104
ANIMAL/FOWL 107, FENCES 114.11
PRE-EXISTING USES 112, DEVELOPMENT STANDARDS 108

PROPERTY LINE 33' FROM CENTER OF ROAD
BUILDING SETBACK 30' FROM PROPERTY LINE



ALSO SEE KENNEL INFORMATION IN
TERM:102.2 AND LAND USE CHARTS 115.3



TOWN OF PORTAGE - LAND USE ORDINANCES

116.0 SUBDIVISION ORDINANCE

116.1 Purpose

This Ordinance is designed and enacted for the purpose of promoting the health, safety, morals and general welfare of present and future inhabitants of Portage, Utah. This Ordinance is also enacted to provide for the efficient and orderly growth of the Town while providing standards for the physical development of subdivisions of land and construction of improvements within the town. This Ordinance will also establish an efficient method for reviewing subdivision applications and to otherwise strive to comply with Utah Code (Notably Sec. 10-9a-6).

116.2 Effect

This Ordinance applies to all applications or petitions to subdivide land in the Town, regardless of the intended use (Commercial, residential, etc.). The requirements of this Ordinance do not apply retroactively to subdivision applications or petitions that were approved by the Town prior to the enactment of this ordinance.

116.3 Approved and Recorded Documents Required

1. No Land shall be subdivided which is located wholly or in part in the Town, except in compliance with this Ordinance and Utah Code as adopted and amended.
2. A subdivision of land is not valid unless its governing document is approved by the Land Use Authority and property recorded in the County Recorder's Office.

116.4 Penalty for Non Compliance

Any person, group, firm or corporation, whether a principal agent, employee or otherwise, violating, causing, or permitting the violations of the provisions of this Ordinance, namely the selling or transferring of land in a subdivision without an approved and recorded plat, shall be guilty of a misdemeanor. Such Person, group, firm or organization shall be deemed to be guilty of a separate offense for each day during which any portion of any violation of this Ordinance is permitted or continued by such person, group, firm or corporation.

In addition, the Town of Portage by action of the Town Council may also initiate injunction, mandamus, abatement or any other appropriate action or actions, proceeding or proceedings to prevent, enjoin, abate or remove such unlawful use.

116.5 Interpretation and Conflict of Laws

Where any provisions in this Ordinance conflicts with state law, state law shall prevail. Where any provision in this Ordinance conflicts with other ordinances enacted by the Town, the provisions in this Ordinance shall prevail unless the Town intended such conflicting ordinances not in this Ordinance to amend this Ordinance



TOWN OF PORTAGE - LAND USE ORDINANCES

116.6 Definitions

The following words and phrases, as used in this Ordinance, have the following meanings. Words not included herein but defined elsewhere within other Ordinances shall be construed as termed therein.

Whenever any words or phrases in this ordinance are not defined herein, the most common usage of such word or phrase shall be deemed to apply.

1. **Affected Entities** - Is an entity, county, municipality, local district, or special service district that provides a service to an owner of record of the portion of the plat that is being vacated or amended.
2. **Association** - A corporation or other legal entity, any member of which:
 - a. Is an owner of a residential lot located within the jurisdiction of the association, as described in the governing documents; and
 - b. By virtue of membership or ownership of a residential lot is obligated to pay:
 - (1) Real property taxes;
 - (2) Insurance premiums;
 - (3) Maintenance costs; or
 - (4) For improvement of real property not owned by the member.
3. **Common Area** - property that the association:
 - a. Owns;
 - b. Maintains;
 - c. Repairs; or
 - d. Administers.
4. **Completion Assurance** - A surety bond, or other equivalent security required by the Town to guarantee the proper completion of landscaping or an infrastructure improvement required as a condition precedent to recording a subdivision plat.
5. **Declarant** - all persons who execute the declaration or on whose behalf the declaration is executed. From the time of the recordation of any amendment to the declaration expanding an expandable condominium, all persons who execute that amendment or on whose behalf that amendment is executed shall also come within this definition. Any successors of the person referred to in this subdivision who come to stand in the same relation to the condominium project as their predecessors also come within this definition.
6. **Declaration** - Instrument by which the property is submitted to the provisions of this act, as it from time to time may be lawfully amended.



TOWN OF PORTAGE - LAND USE ORDINANCES

7. **Facility Owner** - An individual, entity, mutual water company, or unincorporated organization:
 - a. Operating a water conveyance facility;
 - b. Owning any interest in a water conveyance facility; or
 - c. Having a property interest in real property based on the presence of the water conveyance facility located and operating on the real property.
8. **Improvement Plan** - The civil engineering plan to complete permanent infrastructure and municipality controlled utilities on the subdivision that is essential for the public health and safety, that is required for human occupation, or that is required by applicable law and that an applicant must install in accordance with public installation and inspection specifications for public improvements and as a condition of recording a subdivision plat.
9. **Land Use Application** - The application required by the Town and submitted by a land use applicant to obtain a land use approval; this does not mean an application to enact, amend, or repeal a land use regulation
10. **Land Use Authority** - the individual, board, or commission appointed or employed by the Town to make land use decisions. “Land Use Authority” includes any appropriately authorized designees.
11. **Local Health Department** - Means the Bear River Health Department
12. **Period of Administrative Control** - The period of control described in Sec. 57-8-16(1) of Utah State Code.
13. **Plat** - An instrument for subdividing property into lots as depicted on a map or other graphic representation of land that a licensed professional land surveyor makes and prepares in accordance with Sec. 10-9a-603 or Sec.57-8-13 of Utah State Code (as amended).
14. **Public Landscaping Improvement** - Landscaping that an applicant is required to install to comply with published installation and inspection specifications for public improvements that:
 - a. Will be dedicated to and maintained by the Town; or
 - b. Are associated with and proximate to trail improvements that connect to planned or existing public infrastructure.
15. **Review Cycle** - the occurrence of:
 - a. The applicant’s submittal of a complete subdivision land use application
 - b. The Town’s review of that subdivision land use application;
 - c. The Town’s response to that subdivision land use application; and



TOWN OF PORTAGE - LAND USE ORDINANCES

- d. The applicant's reply to the Town's response that addresses each of the Town's required modifications or requests for additional information.

16. State Engineer's Inventory of Canals - the state engineer's inventory of water conveyance systems established in Sec. 73-5-7 of Utah State Code.

17. Subdivision - Any land which is divided, subdivided or proposed to be divided into two or more lots, parcels, sites, units, plots 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.

- a. Subdivision includes:

- (1) The division or development of land, whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument, regardless of whether the division includes all or a portion of a parcel or lot; and
- (1) Except as provided below, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

- b. Subdivision does not include:

- (1) A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;
- (2) A boundary line agreement recorded with the Office of the County Recorder between owners of adjoining parcels adjusting the mutual boundary in accordance with §10-9a-524 of Utah State Code (as amended) if no new parcel is created;
- (3) A recorded document, executed by the owner of record revising the legal descriptions of multiple parcels into one legal description encompassing all such parcels or joining a lot to parcel;
- (4) A boundary line agreement between owners of adjoining subdivided properties adjusting the mutual lot line boundary in accordance with §10-9a-524 and §10-9a-608 of Utah State Code (as amended) if no new dwelling lot or housing unit will result from the adjustment and the adjustment will not violate any applicable land use ordinance;
- (5) A bona fide division of land by deed or other instrument if the deed or other instrument states in writing that the division is in anticipation of future land use approvals on the parcel or parcels does not confer any land use approvals, and has not been approved by the land use authority;



TOWN OF PORTAGE - LAND USE ORDINANCES

- (6) A parcel boundary adjustment;
- (7) A lot line adjustment;
- (8) A joining of one or more lots to a parcel;
- (9) A road, street, or highway dedication plat;
- (10) A deed or easement for a road, street, or highway purpose; or
- (11) Any other division of land authorized by law.

18. Subdivision Ordinance Review - A review by the Town to verify that the subdivision land use application meets the criteria of the Town's subdivision ordinances.

19. Subdivision Plan Review - A review of the Applicant's subdivision improvement plans and other aspects of the subdivision land use application to verify that the application complies with Town ordinances and applicable standards and specifications.

20. Underground Facility - Personal property that is buried or placed below ground level for use in the storage or conveyance of any of the following:

- a. Water;
- b. Sewage;
- c. Communications;
- d. Electric power;
- e. Oil;
- f. Gas;
- g. Steam;
- h. Slurry; or
- i. Other dangerous materials or products.

21. Water Conveyance Facility - means a ditch, canal, flume, pipeline, or other watercourse used to convey water used for irrigation or storm water drainage and any related easement for the ditch, canal, flume, pipeline, or other watercourse. "Water conveyance facility" does not mean a ditch, canal, flume, pipeline, or other watercourse used to convey water used for culinary or industrial water, or any federal water project facility.



TOWN OF PORTAGE - LAND USE ORDINANCES

116.7 Subdivision Land Use Authority.

1. The Land Use Authority for applications under this Ordinance is the Planning Commission. For purposes of subdivision applications, the Planning Commission shall be responsible for the following but may delegate any responsibility to Town staff.
 - a. Rendering land use decisions related to subdivision applications.
 - b. Reviewing applications in an impartial manner and according to the standards and deadlines described in this Ordinance.
 - c. Holding a public hearing for subdivision applications (when needed).
 - d. Providing feedback to applicants on their subdivision applications.
 - e. Scheduling and holding a pre-application meeting with potential applicants (when requested).
 - f. Keeping application forms and related informational material up to date and publicly accessible and distributing such forms and materials to potential applicants. This task is delegated to Town staff by default.
 - g. Providing notice to entities and parties as required by this Section. This task is delegated to Town staff by default.
 - h. Ensuring that documents are properly recorded with the County after final approval as required by this Section. This task is delegated to Town staff by default.
2. As subdivision application decisions are administrative, not legislative, the Planning Commission is authorized to make any land use decision described by this Ordinance without Town Council Approval.
3. The Town Council shall not require the Planning Commission to approve or deny any subdivision application under this Ordinance.

116.8 Subdivision Appeals

1. The Appeal Authority for Town Decisions (through the Planning Commission) relating to this Ordinance (e.g., approval or denial of a subdivision application), except where otherwise noted, is the Board of Adjustment.
2. The Board of Adjustment shall hear appeals on final decisions made by the Land Use Authorities and shall hear complaints about the conduct of the Land Use Authorities in administering the provisions of this Ordinance.
3. Subdivision Appeals shall follow the process laid out in Section 113.0 of Portage Town Ordinances.



TOWN OF PORTAGE - LAND USE ORDINANCES

117.0 SUBDIVISION APPLICATION REQUIREMENTS

117.1 Conformity

The Town shall not approve, nor shall a party record, any plat or other creating instrument for a new subdivision unless the party has properly applied under this Ordinance and received approval from the Planning Commission.

117.2 Process and Requirements

1. To be considered complete, a subdivision application must include at least the following elements:
 - a. An approved land use application that describes how the property will be used after it is subdivided.
 - (1) If the intended use is permitted by right under Town ordinances, the land use application must include citations to the specific ordinance(s) that the applicant believes authorizes the intended use.
 - (2) If the intended use requires a conditional use permit or is otherwise conditioned on Town approval, the land use application must include an *approved*, Town-issued permit authorizing the intended use. Should an applicant seek a use permit concurrently with a related subdivision application, the subdivision application shall be considered incomplete until the use permit is issued.
 - (3) If the intended use is prohibited under Town ordinances and requires a variance, the land use application must include an approved, Town-issued variance authorizing the intended use. Should an applicant seek a variance concurrently with a related subdivision application, the subdivision application shall be considered incomplete until the variance is issued.
 - b. A plat, unless exempted under Section 117.3. The plat must be drawn to scale, in detail, and in accordance with generally accepted surveying standards and the acceptable filing standards of the County Recorder's Office. The plat must include:
 - (1) The proposed subdivision name, which must be distinct from any subdivision name on a plat recorded in the County Recorder's office.
 - (2) The boundaries, course, and dimensions of all proposed parcels. All parcels on the plat must comply with the lot size requirements of Section 115.4
 - (3) The lot or unit reference; block or building reference; street or site address; street name or coordinate address; acreage or square footage for all parcels, units, or lots; and length and width of the blocks and lots intended for sale.



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- (4)** Every existing right-of-way and recorded easement located within the plat for underground, water, and utility facilities.
 - (5)** Any known and unrecorded water conveyance facility located, entirely or partially, within the plat.
 - (6)** Whether any parcel is intended to be used as a street or for any other public use.
 - (7)** Whether any parcel is reserved or proposed for dedication for a public purpose.
 - (8)** If any portion of the proposed subdivision is within 300 feet of an Agriculture Protection Area, the notice language found in Utah Code §17-41-403(4).
 - (9)** If any portion of the proposed subdivision is within 1,000 feet of an Industrial Protection Area, the notice language found in Utah Code §17-41-403(4).
 - (10)** If any portion of the proposed subdivision is within 1,000 feet of a Critical Infrastructure Materials Protection Area, the notice language found in Utah Code §17-41-403(4).
 - (11)** If any portion of the proposed subdivision is within 1,000 feet of a Mining Protection Area, the notice language found in Utah Code §17-41-403(4).
 - (12)** If any portion of the proposed subdivision is within 1,000 feet of a Vested Critical Infrastructure Materials Operation (extracting, excavating, processing, or reprocessing sand, gravel, or rock aggregate where that use is not permitted by Town ordinances), the notice language found in Utah Code §10-9a-904.
- c.** Reports and Studies, including:
- (1)** A traffic study, if one is required by an applicable UDOT Access Management Plan or requested by the Land Use Authority.
 - (2)** Any other study or report reasonably necessary to ensure compliance with Town design standards and improvement requirements.
- d.** An Improvement Plan, created in accordance with applicable portions of Section 120.0, for all public improvements proposed by the applicant or required by Town Ordinance.
- (1)** In addition to the requirements in Section 120.0, the improvement plan must contain an engineer's estimate of the cost of completing the required improvements.
- e.** Certifications, including:
- (1)** An affidavit from the applicant certifying that the submitted information is true and accurate.



TOWN OF PORTAGE - LAND USE ORDINANCES

- (2) The signature of each owner of record of land described on the plat, signifying their consent to the subdivision application and their intent to dedicate portions of the plat to the public as described in the application.
- (3) Certification that the surveyor who prepared the plat:

 - (a) Holds a license in accordance with Utah Code 58-22; and
 - (b) Either

 1. Has completed a survey of the property described on the plat in accordance with state requirements and has verified all measurements; or
 2. Has referenced a record of survey map of the existing property boundaries shown on the plat and verified the locations of the boundaries; and
 - (c) Has placed monuments as represented on the plat.
- (4) A Title Report or Title Insurance Policy for the land to be subdivided verifying property ownership
- (5) A Tax Clearance Certificate from the state indicating that all taxes, interest, and penalties owing on the land have been paid.
- (6) Owner's Certificate of Dedication.
- (7) Proof of approval from the following:

 - (a) Culinary Water Authority;
 - (b) Sanitary Sewer Authority;
 - (c) Bear River Health Department;
 - (d) The Local Fire Department; and
 - (e) Local Public Safety Entity.
- f. A completion assurance for all public improvements required by the approved improvement plan, or a statement that such improvements will be completed before development occurs on the proposed subdivision and before the applicant records the plat, as required by Section 118.3 of this title.
- g. Binding Dedication Documents, including:

 - (1) As applicable, formal, irrevocable offers for dedication to the public of streets, Town uses, utilities, parks, easements, or other spaces.



TOWN OF PORTAGE - LAND USE ORDINANCES

(2) If the plat is to be part of a community association, signed and binding documents conveying to the association all common areas.

(a) When a conveyance or modification of a common area or common area and facility is approved, the person who presents the instrument of conveyance to a county recorder shall:

- 1.** Attach a notice of the approval as an exhibit to the document of conveyance; or
- 2.** Record a notice of the approval concurrently with the conveyance as a separate document.

h. Copies, including:

(1) One electronic copy of the final plat in AutoCAD format, with a projection assigned to the file(s) and with the proper metadata that describes what coordinate system/projection the data is assigned to.

(2) A PDF document of the complete application (including the plat and all other plans and supporting documents required by this Section).

(3) Three 11" x 17" printed copies of the complete application, delivered to the Town office, for review;

(4) A copy of the plat drawn on Mylar for signing and recording. The applicant may wait to produce this recording-form copy until the Land Use Authority has completed two review cycles, but in such case, the Land Use Authority need not approve the application until this copy has been produced and reviewed.

i. Payment of any application-processing fees required by the Town. In addition to any fees listed on the Town's Fee Schedule, the applicant shall be liable for any reasonable costs the Town incurs in obtaining engineering and legal review of the application.

- 2.** The Planning Commission (or Town staff, as delegated) shall produce, maintain, and make available to the public a list of the specific items that comprise a complete subdivision applications and a breakdown of any fees due upon submission or approval of the applications.
- 3.** The Planning Commission may require, and the applicant shall provide, additional information beyond the requirements of this Section or those published by the Town relating to an applicant's plans to ensure compliance with Town Ordinances and approved standards and specifications for construction of public improvements and to project the health and safety of Town residents.
- 4.** The Planning Commission may, in its sole discretion, waive any of the specific requirements found in this Subsection.



TOWN OF PORTAGE - LAND USE ORDINANCES

117.3 Exceptions to Specific Application Requirements

1. Agricultural Land:
 - a. Applications to subdivide agricultural land are exempt from the plat requirements (but not the other application requirements) of Section 117 if the resulting parcels:
 - (1) Qualify as land in agricultural use under Utah Code §59-2-502;
 - (2) Meet the minimum size requirement of applicable Town land use ordinances; and
 - (3) Are not used and will not be used for any nonagricultural purpose.
 - b. For subdivision applications for which this exception applies, an applicant may submit to the Town—in place of a plat—a record of survey map that illustrates the boundaries of the parcels.
 - c. If the Town approves a subdivision application based on a record of survey map, the applicant shall record the map, signed by the Town, with the County Recorder's Office. This shall be done in the same manner as is done for a plat under Sections 118.2 and 118.3.
 - d. If a parcel resulting from a subdivision under this exception ever ceases to be used for agriculture, the subdivision shall become invalid. The Town may, in its discretion, impose the penalty in Section 116.4 and/or require a subdivision amendment before issuing a building permit.
2. Development Agreements
 - a. Subdivisions platted in a valid development agreement are exempt from the application requirements (117) and approval requirements (118) of this Ordinance.
 - b. Clauses in a valid development agreement with the Town superseded all conflicting requirements in this Title, except where a clause in the development agreement poses a substantial danger to the health and safety of Town residents.
3. Minor Subdivision
 - a. To be considered as a minor subdivision and exempt from platting requirements outlined in this title, the proposed subdivision shall meet the following requirements:
 - (1) The proposed subdivision shall contain three (3) lots or less;
 - (2) The proposed subdivision shall be located in a zoned area;
 - (3) The proposed subdivision shall not be part of an existing, previously platted subdivision;
 - (4) The proposed subdivision shall not be traversed by the mapped lines of a proposed street as shown in the Town's General Plan or Master Transportation Plan, unless the Town has approved the location and dedication of any public



TOWN OF PORTAGE - LAND USE ORDINANCES

street, municipal utility easement, any other easement, or any other land for public purposes that the Town's ordinances require;

- (5) Each of the lots in the proposed minor subdivision meet all applicable land use and zoning requirements including meeting the required frontage, width, and area requirements, or the applicant can demonstrate that a variance has been granted from such requirements.

4. Lot Split

- a. A lot split subdivision is the subdivision of a single parcel of real property into separate lots. Lot splits creating three (3) lots or less will be treated as a minor subdivision. Lot splits creating four (4) or more lots need to go through the standard application and approval process for all subdivisions.

117.4 Pre-application Meeting

1. A party intending to submit a subdivision application under this Part may request a pre-application meeting with Town staff for the purpose of reviewing any element of the party's proposed subdivision application. The proposed application need not be complete for purposes of this meeting and may—if the party desires—be limited to a concept plan.
 - a. If a party requests a pre-application meeting, the Town shall schedule the meeting within 15 business days after the request. The meeting shall be scheduled at the earliest convenient opportunity, and, at the option of the party requesting the meeting, shall occur within 20 business days after scheduling. Members of the Planning Commission will be notified of and invited to the pre-application meeting, but their attendance is not mandatory.
 - b. Town staff shall conduct the meeting, provide feedback on materials as requested by the party, and shall provide or have available on the Town website the following at the time of the meeting:
 - (1) Copies of applicable land use regulations,
 - (2) A complete list of standards required for the project, and
 - (3) Relevant application checklists.

117.5 Notice to Affected Entities

1. Within 15 calendar days after receiving a complete subdivision application under this Part, Town staff shall provide written notice of the proposed subdivision to the facility owner of any known water conveyance facility located, entirely or partially, within 100 feet of the subdivision plat.
 - a. To determine whether any water conveyance facility is located within 100 feet of a proposed subdivision, Town staff shall review information:
 - (1) From the facility owner under Utah Code §10-9a-211, using mapping-grade global positioning satellite units or digitized data from the most recent aerial photo available to the facility owner;



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revisions to the applicant. For any required modification or addition to the application or request for more information, the Land Use Authority shall be specific and include citations to ordinances, standards, or specifications that require the modification or addition and shall provide the applicant with an index of all requested modifications or additions.

(4)Phase #4: The applicant revises the application, addressing each comment or requirement the Land Use Authority made. The applicant must submit both revised plans and a written explanation in response to the Town’s review comments, identifying and explaining the applicant’s revisions and reasons for declining to make revisions, if any. This written explanation must be comprehensive and specific, including citations to applicable standards and ordinances and an index of requested revisions or additions for each required correction. If the applicant fails to respond to a comment made by the Land Use Authority in its review, the review cycle is not complete and will remain open until the applicant addresses all comments.

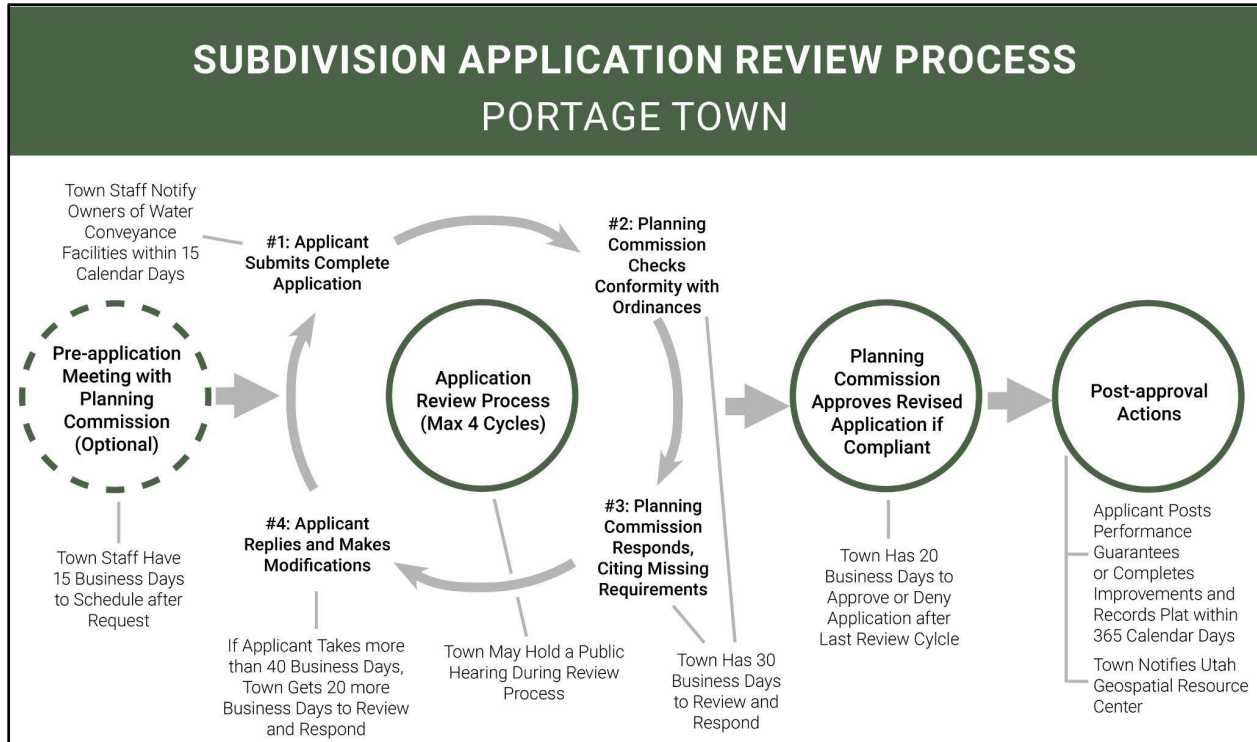
Table A – Review Cycles, Hearings, and Timelines by Subdivision Use Type

<i>Use Type</i>	<i>Max Review Phases</i>	<i>Max Public Hearings</i>	<i>Town Turnaround Deadline*</i>
All Uses	4	1	30 Business Days

**Describes the total time (per review cycle) the Town may take to complete both Phase #2 and Phase #3.*



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4. A Land Use Authority (and other Town representatives or agents) shall adhere to the maximum number of review cycles and the review deadlines described in Table A, except as described below. If no further revisions are needed, the Land Use Authority may end the review process early and approve or deny the application.
- This provision notwithstanding, for any subdivision application that affects property within an identified geological hazard area, the Town is exempt from limits on the number of permitted review cycles and the Town's deadlines for reviewing and responding (Phases #2 and #3).
 - If the applicant makes a material change to the application not requested by the Town at any point in the review process, the Land Use Authority may restart the review process, but only with respect to the portion of the application that the material change substantively affects.
 - If an applicant takes longer than 40 business days to submit a revised subdivision improvement plan responding to the Town's requests for modifications and additions (in Phases #1 and #4), the Town shall have an additional 20 business days to review and respond to the revised application (Phases #2 and #3 of the next review cycle or issuing an approval decision).
 - If an applicant takes longer than 180 calendar days to submit a revised application and respond to the Town's requests for modifications and additions (Phases #1 and #4), the application shall, at the option of the Land Use Authority, expire. If an application expires, the applicant must restart the subdivision application process.



TOWN OF PORTAGE - LAND USE ORDINANCES

5. After the fourth or final review cycle is complete, the Land Use Authority shall approve or deny the application within 20 business days.
 - a. If the Land Use Authority has not approved or denied the application within 20 business days after the allotted review cycles are complete, the applicant may request a decision. After such a request, the Town shall, within 10 business days:
 - (1) For a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with Utah Code §10-9a-508(5)(d) to review and approve or deny the revised set of plans; or
 - (2) For a dispute arising from the subdivision ordinance review, advise the applicant, in writing, of the deficiency in the application and of the right to appeal the determination to the designated Appeal Authority.
6. After the Land Use Authority provides comments in the fourth or final review cycle, the Town shall not require further modifications or corrections to the application unless those modifications or corrections are necessary to protect public health and safety or to enforce state or federal law or unless the review cycle reset due to the applicant making a material change that the Land Use Authority did not request.
 - a. With the exception of modifications or corrections that are needed to protect public health and safety, that are needed to enforce state or federal law, or that arise from the review cycle being reset, the municipality waives noncompliant subdivision-related requirements that the Land Use Authority does not identify during the review process.
 - b. The applicant shall make reasonable changes, unless prohibited otherwise by a contract or deed, to the subdivision application to accommodate the water conveyance facility to the extent required by Utah Code §73-1-15.5.
7. The Land Use Authority may conduct one or more public hearings (up to the number described in Table A) during the review period for a subdivision application.
 - a. The purpose of these public hearings is to ask questions of the applicant and receive commentary on the technical aspects of the application from affected entities, interested parties, and the public.
 - b. If the Land Use Authority elects to hold a public hearing, the hearing must occur before the end of the Land Use Authority's review period in the fourth or final review cycle. Scheduling issues shall not extend the review and approval deadlines in this Section.
8. Other Sections of this Title notwithstanding, the Land Use Authority shall approve or deny a subdivision application under this Part after reviewing a complete subdivision application as described in this Section. This singular application and review process includes the combined elements of traditional "preliminary" and "final" applications, as those terms are used in Utah Code §10-9a-604.2. For purposes of applying Utah Code §10-91-604.1(3)(a) and §10-91-



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604.1(9)(b), this Chapter describes a “preliminary” review and approval, with “final” approval happening automatically when the plat is recorded.

118.2 Approval

1. The Land Use Authority shall approve any complete subdivision applications made under this Part that comply with applicable municipal ordinances.
2. A subdivision application is approved when the Land Use Authority certifies the approved plat, either by signing the plat directly or by attaching a signed certification to the plat.

118.3 Post-Approval Actions

1. The applicant shall record the approved subdivision plat with the County Recorder’s Office within 365 calendar days after the Land Use Authority approves the subdivision application, provided that the applicant has completed any improvements or posted any performance guarantee required by Town ordinances or described in the approved improvement plan. The applicant shall not record the approved subdivision plat until such improvements are completed or guaranteed in compliance with Town ordinances and the approved improvement plan.
 - a. An approved plat not properly recorded within the timeline specified in this provision is void, unless the Planning Commission approves an extension.
2. Town staff shall work with the County Recorder’s Office to submit to the Utah Geospatial Resource Center (so the subdivision can be included in the 911 database), within 30 calendar days after the application is approved, either:
 - a. An electronic copy of the approved plat; or
 - b. Preliminary geospatial data that depict any new streets and situs addresses proposed for construction within the bounds of the approved plat.
 - c. If requested by the Utah Geospatial Resource Center the Town must:
 - i. Coordinate with the Utah Geospatial Resource Center to validate the information the municipality submitted about the final plat; and
 - ii. Assist the Utah Geospatial Resource Center in creating electronic files that contain the information described in the final plat for inclusion in the unified statewide 911 emergency service database.

119.0 AMENDMENTS AND LOT LINE ADJUSTMENTS

119.1 Amending A Subdivision

1. The Town Council may vacate a subdivision or a portion of a subdivision by enacting an ordinance to that effect that describes the subdivision or the portion being vacated and recording



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that ordinance in the County Recorder's Office.

- 2.** A property owner or agent of a property owner may correct minor typographical or clerical errors in a document of record by filing with the County an affidavit or other appropriate instrument. This provision does not apply to changing the name of a subdivision, which requires a material amendment described in the following provisions.
- 3.** A fee owner of land in a platted subdivision may request a material subdivision amendment by filing a written petition with the Planning Commission. This petition must meet all the requirements for a subdivision application specified in Section 117.2 with the following changes:
 - a.** The plat (or the record of survey map, if applicable) should:
 - (1)** Depict only the portion of the subdivision that is proposed to be amended;
 - (2)** Include a plat name distinguishing the amended plat from the original plat;
 - (3)** Describe the differences between the amended plat and the original plat;
 - (4)** Include references to the original plat; and
 - (5)** Meet all the other plat requirements specified in Section 117.2.1.B.
 - b.** The petition must additionally include the name and address of each property owner affected by the petition and the signature of each of those property owners who consents to the petition.
 - (1)** The petitioner must include with the petition envelopes addresses to each property in the subdivision.
 - c.** Upon receipt of an amendment petition, the Planning Commission (or Town staff, as delegated) shall provide notice of the petition to:
 - (1)** Each utility provider that services a parcel of the subdivision. The Town shall not approve an amendment petition until at least 10 calendar days after noticing these utility providers. The Town may notify the utility providers in any effective manner (email, mail, etc.).
 - (2)** Each property owner in the subdivision. The Town shall notify these property owners by mail.
 - d.** The Planning Commission shall hold a public hearing before approving an amendment petition and within 45 calendar days after the day on which the petition is submitted if:
 - (1)** A property owner objects in writing to the amendment within 10 days of the Town notifying the property owner by mail, or
 - (2)** Not every property owner in the subdivision has signed the revised plat.
 - e.** Notwithstanding Section 119.1.3.d, the Planning Commission need not hold a public hearing if notice has been given to adjoining property owners in accordance with any applicable local ordinance and the petition seeks to:



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- (1) Join two or more of the petitioner's contiguous lots;
 - (2) Subdivide one or more of the petitioner's lots;
 - (3) Adjust the lot lines of adjoining lots or between a lot and an adjoining parcel if the fee owners of each of the adjoining properties join in the petition, regardless of whether the properties are located in the same subdivision;
 - (4) On a lot owned by the petitioner, adjust an internal lot restriction imposed by the local political subdivision; or
 - (5) Alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not owned by the petitioner or designated as a common area.
- f. If the Planning Commission approves the amendment petition, the Planning Commission shall sign the amended plat in the manner described in Section 118.2.2, and the petitioner shall record the plat, subject to the completion or guarantee of any improvements, as described in Section 118.3.

119.2 Lot Line Adjustment

1. The fee owners of two parcels may petition to adjust the lot line separating the parcels without a subdivision amendment. Such a petition shall include:
 - a. A record of survey map and a metes-and-bounds description showing the adjustment.
 - b. An explanation of the reason for the adjustment.
 - c. Signatures from all the parcel owners involved in the adjustment.
 - d. Any other information the Planning Commission requests.
2. If the adjustment will not result in a violation of a land use ordinance or an adverse development condition, the Planning Commission shall approve the petition.
3. If the adjustment is approved, the Planning Commission shall sign the record of survey map and accompanying metes-and-bounds description, and the petitioner shall record the document in the County Recorder's Office.

120.0 IMPROVEMENTS AND DESIGN STANDARDS

120.1 Required Improvements

The following improvements are required for all subdivisions, except those that qualify under the Exemptions of 117.3.1:

1. Utilities, including water, sewer, telephone, cable, gas, and electricity.
2. Streets, curbs, gutters, and sidewalks.



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3. Street Grading and Surfacing.
4. Storm Water Drainage.
5. Fire hydrants.
6. Street lights, signs, and monuments.
7. Any other infrastructure (or infrastructure improvement) that is reasonably necessary to meet the needs of the proposed development.
 - a. The Land Use Authority may require an analysis to be completed and provided to determine if adequate public facilities and services are available to serve the proposed development and if such development will change the existing levels of service, or will create a demand for services that exceeds acceptable service levels. Public facilities that may be required by the Land Use Authority to be included in a public facilities analysis include, but are not limited to, road and street facilities and capacities, intersection and bridge capacities, culinary water facilities, sanitary sewer facilities, storm drainage facilities, fire protection and suppression facilities, park and recreational facilities, culinary water pressure, fire and emergency services response times, police protection services, and other required public facilities and services. The Land Use Authority may deny or modify any proposed development activity if the demand for public facilities and services exceeds accepted or adopted levels of service, or require an applicant for an approval, license, or permit to provide the required facilities and services concurrent with the demand created by the development activity, consistent with all applicable legal authorities.

120.2. Completion of Improvements

1. Before a subdivision plat may be recorded, and before a building permit may be issued, all improvements required by this Part or other Town ordinances shall be either:
 - a. Completed, inspected, and accepted by the Town, or
 - b. Guaranteed according to Section 120.3
2. The decision whether to guarantee an improvement or to complete it before recording and obtaining a building permit rests solely with the applicant.
3. All improvements are subject to Town inspection before such improvements may be accepted by the Town or considered complete. The Land Use Authority shall be responsible for conducting such inspections. Improvements shall be accepted only if they conform to applicable Town ordinances (notably subsection 120.0 of this Title) and do not pose a risk to public health or safety. All public improvements are subject to the warranty described in Section 120.3.
 - a. Inspections.
 - (1) The Town shall publish and maintain objective inspection standards for acceptance of improvements that:
 - (a) Does not change from project to project and



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(b) Are backed up by expert opinion.

4. The provisions of this Part do not supersede the terms of a valid development agreement, an adopted phasing plan, or the state construction code.

120.3. Improvement Guarantees, Completion Assurances, and Warranties.

1. If an applicant elects to guarantee any required improvement, the applicant shall provide completion assurance for 110% of the cost of the improvement, guaranteeing that the improvements will be completed within two years after the date of the guarantee.
2. For the purpose of posting an improvement guarantee, the cost of the improvement shall be determined by an engineer's estimate or licensed contractor's bid.
3. The Town shall accept any of the following forms of guarantee for an improvement:
 - a. Bond. The applicant may furnish a bond with corporate surety, which bond shall be approved by the Town Attorney and filed with the Town Recorder.
 - b. Escrow. The applicant may make a deposit in escrow with an escrow holder approved by the Town Council, under an escrow agreement approved by the Town Attorney and filed with the Town Recorder.
 - c. Letter of Credit. The applicant may provide a letter of credit from a financial institution approved by the Town Council, under an agreement to complete the improvements that is approved by the Town Attorney and filed with the Town Recorder.
4. As improvements are completed, inspected, and accepted by the Town, the Town Council shall, each quarter, at the option of the applicant, issue a partial release of bonded or escrow funds proportional to the improvements accepted during the prior quarter.
5. The Town shall not require improvement guarantees for any of the prohibited uses listed in Utah Code §10-9a-604.5(3)(d), including improvements the Town has previously inspected and accepted, private improvements that are not essential to meet the building code, fire code, flood or storm water management provisions, street and access requirements, or other essential necessary public safety improvements adopted in a land use regulation.
6. Upon acceptance of all required improvements, the applicant shall warrant that said improvements shall remain free from defects in material and workmanship for a period of 12 months after the date of acceptance by the Town. The subdivider shall be solely responsible for all repairs and maintenance required to keep the improvements in good working condition for this 12-month period.



TOWN OF PORTAGE - LAND USE ORDINANCES

121.0. SUBDIVISION DESIGN STANDARDS

121.1. Subdivision Design Standards, Generally.

The following standards shall apply to the design and construction of all improvements required by Town ordinances:

1. The current (2007) edition of the Manual of Standard Specifications published by the Utah Chapter of the American Public Works Association (APWA), as amended. References to “owner” shall mean Altamont Town and references to “engineer” shall mean Altamont Town’s engineer.
2. The current (2007) edition of the Manual of Standard Plans published by the Utah Chapter of the American Public Works Association (APWA), as amended.
3. The town’s lot and zoning restrictions.
4. Any other requirements in this Title.

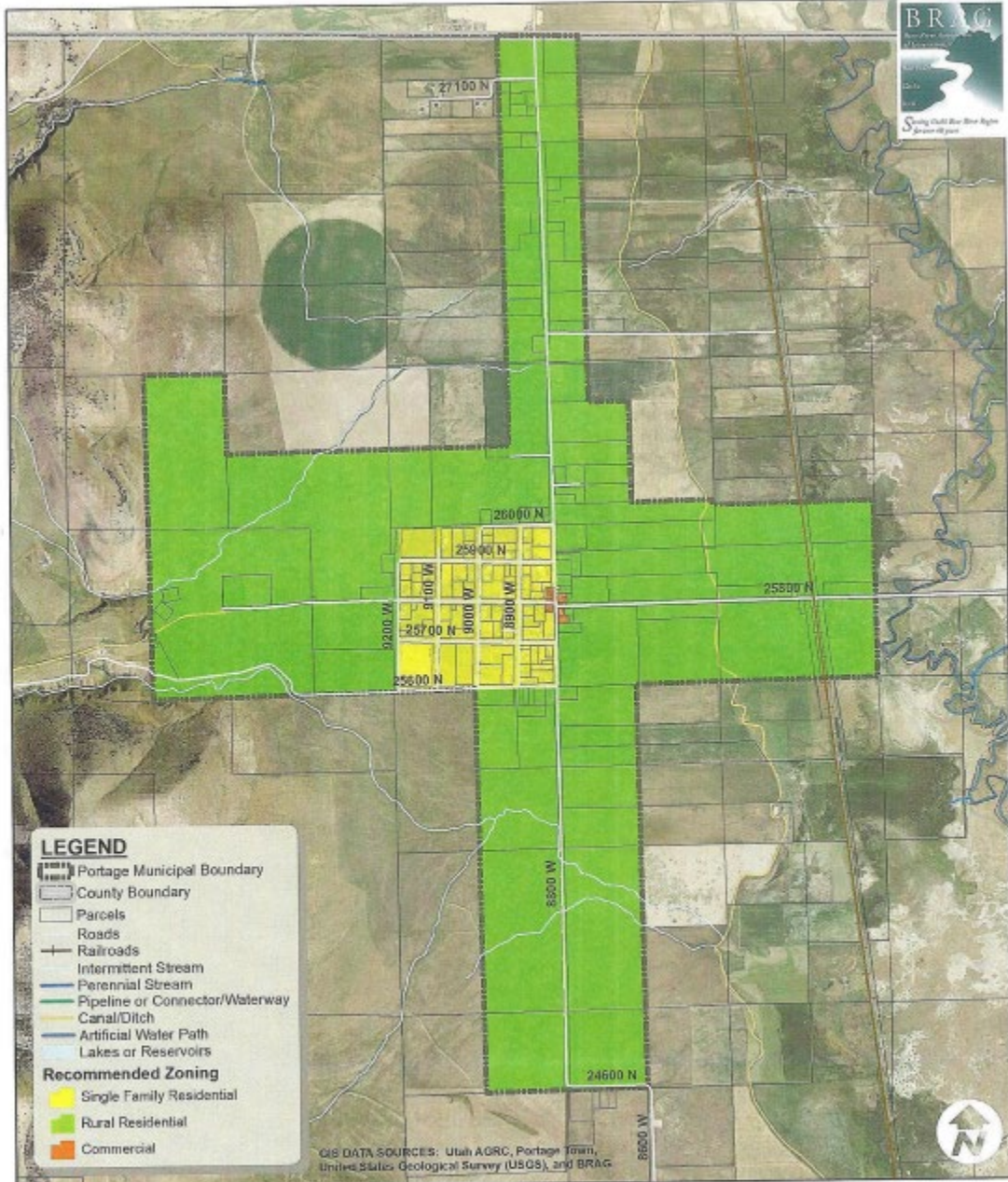
121.2 Lot Size Requirements

1. No subdivision is permissible that does not comply with the lot size, frontage, width, depth, and all other requirements of the Town’s Land Use Ordinances and current Zoning Map.
2. No subdivision is permissible where any resulting parcel is more than 50% larger than any other parcel. This prohibition may be waived by the Planning Commission during the application review process.



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122.0 ZONING MAP



0 0.25 0.5 1 Miles

Current Zoning - 2018

PORTAGE TOWN
2018 General Plan Update

Disclaimer: This map was created for the Town of Portage by BRAG GIS staff and is for informational purposes only. It is not intended to be used for legal, engineering, or surveying purposes. All information included is subject to change and users should consult with primary data sources for additional information or to obtain more accurate data, if available.



TOWN OF PORTAGE - LAND USE ORDINANCES

123.0 RESOLUTIONS (addition of section 1-9-2019)

Purpose of the resolutions section is solely to provide easy access to newly passed resolutions. The individual resolutions section is a growing list; resolutions will be add to the list as they are passed. No code/ordinances changes are required for additions to this list.

124.0 INDIVIDUAL RESOLUTIONS

1.2013-1 Rules for Recreational Vehicles



TOWN OF PORTAGE - LAND USE ORDINANCES

TOWN OF PORTAGE RESOLUTION 2020-01: Recreational Vehicles

Resolution **2020-01** establishes rules and regulations governing the placement of and requirements for occupying Recreational vehicles placed on lots located in the Town of Portage.

Key elements of this resolution include:

- **Length of Stay**
 1. One hundred twenty (120) days total for the year occupied, consisting of a single visitor or a combination of multiple visitors. There are no restrictions for unoccupied RVs except parking.
 2. Recreational vehicle/vehicles are allowed for part-time occupancy only and are not intended for permanent or semi-permanent residency.
 3. The following exception shall apply: a recreational vehicle may be used as temporary living quarters while building a home. Provided proper utility connections are installed on the same lot as the new home that is being constructed. See utility connections.
- **Utility connections**
 1. Power: A dedicated circuit sufficient for the RVs electrical requirements must be used.
 2. Sewage: All sewage must be carried out or disposed of in a proper sanitary sewer system.
 3. Water: Section 17 in the Town of Portage water ordinance.

Individual's visiting the premises of an authorized user in a recreational vehicle (this does not include mobile homes) and continues to live therein during the period of visitation, may receive water service from the service pipes or facilities of the hose during the visitation period. The visitation period shall not exceed one hundred twenty (120) days total for the year, consisting of a single visitor or a combination of multiple visitors.

Continued use thereafter shall be deemed unauthorized use and will therefore be deemed a violation of the provisions of this part relating to separate connections and unauthorized use. Also see sections 14 & 15 of the Town of Portage water ordinance.
- **Parking:** all recreational vehicles shall be parked on personal property and may not be parked on Town property whether they are occupied or not in use.
- **Lots** occupied by recreational vehicles will be required to meet the same standards for cleanliness and fire safety as all other lots in the Town of Portage, both as presently stated and when future modifications are made.



TOWN OF PORTAGE - LAND USE ORDINANCES

Town of Portage: Recreation Vehicle Resolution 2020-01

August 12, 2020

Page 2 of 3

With this resolution **2020-01**, the Town Council adopts these revised Planning and Zoning requirements governing Recreational Vehicles

Approve at the Portage Town Council meeting held on August 12, 2020

Mayor Pro tem Tyson Nelson

Date: August 12, 2020

Attested: Clerk Katherin Munns

Date: August 12, 2020



TOWN OF PORTAGE - LAND USE ORDINANCES

Town of Portage: Recreation Vehicle Resolution 2020-01

August 12, 2020

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Town of Portage

Resolution 2024-1

Water Wates 2024

Whereas the Town of Portage is required by ordinance to adopt a resolution amending, fixing, or changing water rates, and

Whereas the Town Council is currently charging a rate of:

\$45.00 per month for allotted base 30,000 gallons.

Base Rate and Overages

Usage	0 to 30,000 gal.	30,001 to 60,000 gal.	60,001 to 90,000 gal.	90,001 plus gal.
Base Rate	\$ 45.00	\$45.00	\$45.00	\$45.00
Per 1,000 gal average 30,000 base amt (rounded)	-	\$1.80	\$2.00	\$2.20

Cemetery will be billed \$1,000.00 per year, based upon previous years usage.

Pressurized Irrigation

Water can be purchased in 30,000 gallon increments, up to 240,000 gal max.

Cost is \$50.00 per 30,000 gallons.

Water must be used between the dates of June 1, 2024 and October 1, 2024

Residents must be 100% current on all water bills to participate.

Please pay with a separate check and state the desired amount in the note section.

This must match the pay amount on the check as well.

Payment must be received by June 15, 2024. No late payments accepted.

No reimbursement for unused or unavailable water.



TOWN OF PORTAGE - LAND USE ORDINANCES

Town Council Votes:	Aye	Nay	Absent
Max Huggins			
Mariah Huggins			
Samantha Britt			
Tyson Nelson			
Terra Belle			

Passed and approved at Town Council Meeting April 10, 2024

Max Huggins, Portage Mayor

Gina Marble, Portage Clerk