ORDINANCE NO. 2026-08

An Ordinance of Ivins City, Utah,

A Zoning Text Amendment to Section 16.33.102 and Table 33-2 Adding a New Use for Wireless Communications Equipment

WHEREAS the City Council for Ivins City (the "City Council") is authorized by law to exercise its legislative powers through ordinances as are necessary for carrying into effect the duties and powers of the City Council and as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of Ivins City and its inhabitants, and for the protection of property in Ivins City;

WHEREAS before the City Council can pass an ordinance regulating land use the Planning Commission for Ivins City (the "Planning Commission") must consider the regulation and conduct a Public Hearing regarding the proposed land use regulation;

WHEREAS after conducting a Public Hearing regarding this ordinance on March 3, 2026 the Planning Commission recommended that the City Council approve this Ordinance;

WHEREAS the City Council finds that the language attached hereto as Exhibit A reflects the City's desire to enhance cell service throughout Ivins City; and

WHEREAS the City Council finds that adoption of the proposed language and change to the Table of Uses are in the best interests of the residents of the City of Ivins;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Ivins City as follows:

Section 1. Amendment to Section 16.33.102 of the Ivins City Code is hereby amended to add a line in table 33-2 as follows:

See Exhibit A

Section 2. Severability. If any section, clause, or portion of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 3. Effective Date. This Ordinance shall become effective immediately upon passage and publication.

PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THE 19 TH DAY OF MARCH, 2026. ALL COUNCIL MEMBERS PRESENT VOTED IN FAVOR. ONE COUNCIL MEMBER WAS ABSENT.

Exhibit A

Use: Wireless telecommunications equipment.

Wireless telecommunications equipment, including dishes, power equipment, etc. used for the transmission or reception of electromagnetic or electro-optic information, including wireless telecommunications facilities such as "cellular" or "PCS" (personal communications systems) communication and paging systems. This equipment shall be located on the roof of a building and not exceed the approved height restrictions in the district in which the building is located and further must meet the design and locational requirements, as established for such uses, as provided by this title.

Telecommunications equipment does not include radio antennas complying with the ruling of the Federal Communications Commission in "amateur radio preemption, 101 FCC 2nd 952 (1985)" or a regulation related to amateur radio service adopted under 47 CFR part 97. (See section 16.12.122 of this title.)

I	Class I uses are determined to be temporary uses, subject to the requirements of chapter 14 of this title.
II	Class II uses are determined to be permitted uses, subject to the requirements of chapter 15 of this title.
III	Class III uses are determined to be permitted uses, subject to the requirements of chapter 15 of this title.
IV	Class IV uses are determined to be conditional uses, subject to the requirements of chapter 16 of this title.
V	Class V uses are determined to be conditional uses, subject to the requirements of chapter 16 of this title.
A use identified by "X" is determined to be a prohibited use in the zoning district.	
A use not identified in the table below is determined to be a prohibited use within Ivins City.	

Use	CN	C-1	RC	CLM	RMU	CPR
Class	V	V	V	V	V	V