

DO 2026-09-18

September 18, 2026

AN ORDINANCE AMENDING THE P-160 PRESERVATION ZONE TO REMOVE MINING AND QUARRYING AS CONDITIONAL USES AND TO REPEAL RELATED APPLICATION AND REVIEW REQUIREMENTS

WHEREAS, the Town of Daniel (the "Town") is authorized to enact and amend land use regulations governing the use and development of land within the Town; and

WHEREAS, Utah Code Section 10-20-503 authorizes the Town Council, as the municipal legislative body, to amend the general uses and regulations applicable within a zoning district after receiving the Planning Commission's recommendation; and

WHEREAS, following the notice and public hearing required by applicable law, the Planning Commission reviewed this Ordinance and forwarded its recommendation to the Town Council; and

WHEREAS, the P-160 Preservation Zone is intended to protect water supplies, natural features, environmentally sensitive areas, grazing and forestry lands, and recreational opportunities, and to prevent excessive soil erosion and water pollution; and

WHEREAS, the Town Council finds that metal ore mining, crushed and broken stone quarrying, and sand and gravel quarrying are inconsistent with the purposes and desired land-use pattern of the P-160 Preservation Zone; and

WHEREAS, because those uses will no longer be allowed as conditional uses in the P-160 Preservation Zone, the special application and review standards for gravel pits in Section 8.05.15 are unnecessary and should be repealed.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DANIEL, UTAH, AS FOLLOWS:

1. Amendment to Section 8.05.03 - Conditional Uses

Section 8.05.03 of the Daniel Town Code is amended and restated¹ as follows:

Section 8.05.03 Conditional Uses.

The following uses and structures are permitted in the (P-160) Preservation Zone only after a conditional use permit has been approved, and subject to the terms and conditions thereof.

Conditional Uses in the (P-160) Preservation Zone

Use Number	Use Classification
4712	Telephone, Relay Towers, Microwave or Others, Mix 1 Dwellings
4810	Electric Utilities (Except 4813)
4824	Gas Pressure Control Stations

¹ Strike through text indicates text to be removed.

4833	Water Storage
4834	Water Storage Covered
4910	Underground Pipeline Right-of-Way and Pressure Control Stations
8530	Crude Petroleum and Natural Gas
8405	Fishing Activities for Personal Use Only
8542	Crushed and Broken Stone Quarrying
8543	Sand and Gravel Quarrying

2. Repeal of Section 8.05.15 - Gravel Pit Standards

Section 8.05.15, "Gravel Pit Standards," is repealed in its entirety and reserved for future use.
The Code shall state:

Section 8.05.15 [Reserved].

3. Severability

If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of this Ordinance and the application of its provisions to other persons or circumstances shall not be affected.

4. Conflicting Ordinances

All ordinances, resolutions, and policies, or portions thereof, that conflict with this Ordinance are repealed or superseded to the extent of the conflict.

5. Effective Date

This Ordinance shall take effect upon publication or posting as required by law and the completion of all other acts required by law. The effective date of this Ordinance shall not be construed as a waiver of the pending ordinance doctrine or be construed as vesting any application which did not vest prior to the pendency of this Ordinance.

6. Revision to Town Code

The Mayor and Town Staff are instructed to make all changes necessary to update Daniel Town Code and cause the same to be posted on Daniel Town's website. As part of this update, the Mayor and Town Staff shall update all indexes, tables of contents, and other section headings to reflect the changes in this ordinance.

**SUMMARY OF
DANIEL TOWN ORDINANCE
DO 2026-09-18**

This Ordinance amends the P-160 Preservation Zone by removing metal ore mining, crushed and broken stone quarrying, and sand and gravel quarrying from the list of conditional uses; repealing the related gravel-pit application, site-plan, and review requirements in Section 8.05.15; and clarifying that these uses are no longer permitted in the P-160 Zone. The Ordinance preserves the general site-plan requirements applicable to other permitted and conditional uses and recognizes any vested rights or lawful nonconforming uses established under applicable law.

TOWN OF DANIEL

By: 
Scott Kohler, Mayor

ATTEST


Clerk



Town Council Vote as Recorded:

Councilmember Walton voting
Councilmember Bennet voting
Councilmember Grady voting
Councilmember Rose voting
Mayor Kohler voting






A complete copy of DO 2026-09-18 is available in the office of the Town Clerk, 3500 S Highway 40 Unit A #102, Heber Utah 84032.