

ORDINANCE 2015-21

AN ORDINANCE AMENDING CHAPTER 15, MULTIPLE USE, AGRICULTURAL, AND RURAL RESIDENTIAL DISTRICTS, OF THE TOOELE COUNTY LAND USE ORDINANCE (UPDATING THE POLICY ON KENNELS AND CREATING TWO NEW AGRICULTURE ZONING DESIGNATIONS, A-5 AND A-10)

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:

SECTION I – PURPOSE. County Planning Staff and the Tooele County Planning Commission desire to update the County’s policies regarding kennels in certain rural residential zones. They also believe it would benefit the County to create two additional zoning designations for agricultural areas; A-5 (Agriculture Five-Acre Minimum Lot Size) and A-10 (Agriculture Ten-Acre Minimum Lot Size). The Tooele County Planning Commission held a public hearing on the issue and recommends passage of this ordinance.

SECTION II – CHAPTER AMENDED. Chapter 15, *Multiple Use, Agricultural, and Rural Residential Districts*, of the Tooele County Land Use Ordinance is hereby amended to read as attached hereto, which attachment is, by this reference, made a part hereof.

SECTION III - REPEALER. Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

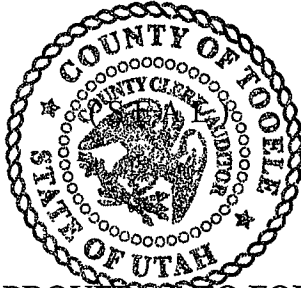
SECTION IV - EFFECTIVE DATE. This ordinance shall become effective fifteen (15) days after its passage, provided it has been published, or at such publication date if more than fifteen (15) days after passage.

IN WITNESS WHEREOF the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 17th day of November 2015.


Ord. 2015-21

ATTEST:


MARILYN K. GILLETTE, Clerk/Auditor



APPROVED AS TO FORM:


SCOTT A. BROADHEAD
Tooele County Attorney

TOOELE COUNTY COMMISSION:


WADE B. BITNER, Chairman

Commissioner Bateman voted aye
Commissioner Bitner voted aye
Commissioner Milne voted aye



CHAPTER 15
MULTIPLE USE, AGRICULTURAL, AND RURAL RESIDENTIAL DISTRICTS

- Part**
15-1 Multiple Use Districts.
15-2 Agricultural Districts.
15-3 Rural Residential Districts.
15-4 Exemption from Area Requirements.
15-5 Use Tables, Codes, Symbols, and Restrictions.

PART 15-1

MULTIPLE USE DISTRICTS

Section

- 15-1-1. Purposes of multiple use districts.**
15-1-2. MU-40 development restrictions.
15-1-3. MU-80 development restrictions.
15-1-4. MU-160 development restrictions.

15-1-1. Purpose of multiple use districts.

(1) The purposes of multiple use zoning districts are to establish areas in mountain, hillside, canyon, mountain valley, desert, and other open and generally undeveloped lands where human habitation would be limited in order to protect land and open space resources; to reduce unreasonable requirements for public utility and service expenditures through uneconomic and unwise dispersal and scattering of population; to encourage use of land, where appropriate, for forestry, grazing, agriculture, mining, wildlife habitat, and recreation; to avoid excessive damage to watersheds, water pollution, soil erosion, danger from brush fires, damage to grazing, livestock raising, and to wildlife values; and to promote the health, safety, convenience, order, prosperity and general welfare of the inhabitants of the county.

(2) The multiple use districts in Tooele County are MU-40, MU-80 and MU-160. (Ord 2005-30, 11/22/05)

15-1-2. MU-40 development restrictions.

The development restrictions in MU-40 zoning districts are as follows:

(1) Minimum lot size is 40 acres (1,742,400 sq ft.). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to and past the affected lot or parcel.

(2) Minimum width - 660 feet.

(3) Minimum frontage on a public street or an approved private street - 60 feet.

(4) Minimum yard setback requirements:

- a) front yard - 30 feet,
- b) rear yard:
 - i) main building - 60 feet, and
 - ii) Accessory buildings - 10 feet
- c) side yard:
 - i) main building - 30 feet; and
 - ii) accessory buildings:

1) from the front setback to distance ten feet behind the main dwelling - 30 feet.

2) from a distance ten feet behind the dwelling to the rear of the lot - 10 feet.

(5) On corner lots, two front yards and two side yards are required.

(6) Maximum building height - 35 feet

(7) Maximum building coverage: 5%

(8) Required improvements:

- a) street grading;
- b) street base;
- c) on-site surface drainage facilities;
- d) culinary water facilities;
- e) wastewater disposal; and
- f) street monuments.

(Ord 2005-30, 11/22/05)

15-1-3. MU-80 development restrictions.

The development restrictions in the MU-80 zoning districts are as follows:

(1) Minimum lot size is 80 acres (3,484,800 sq ft.). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to and past the affected lot or parcel.

(2) Minimum width - 1,320 feet.

(3) Minimum frontage on a public street or an approved private street - 60 feet.

(4) Minimum yard setback requirements:

- a) front yard - 30 feet,
- b) rear yard:
 - i) main building - 60 feet, and
 - ii) Accessory buildings - 10 feet
- c) side yard:
 - i) main building - 30 feet; and
 - ii) accessory buildings:

1) from the front setback to distance ten feet behind the main dwelling - 30 feet.

- 2) from a distance ten feet behind the dwelling to the rear of the lot – 10 feet.
- (5) On corner lots, two front yards and two side yards are required.
- (6) Maximum building height - 35 feet
- (7) Maximum building coverage: 5%
- (8) Required improvements:
 - a) street grading;
 - b) street base;
 - c) on-site surface drainage facilities;
 - d) culinary water facilities;
 - e) wastewater disposal; and
 - f) street monuments.
 (Ord 2005-30, 11/22/05)

15-1-4. MU-160 development restrictions.

The development restrictions in MU-160 zoning districts are as follows:

- (1) Minimum lot size is 80 acres (3,484,800 sq ft). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to and past the affected lot or parcel.
- (2) Minimum width - 1,320 feet.
- (3) Minimum frontage on a public street or an approved private street - 60 feet.
- (4) Minimum yard setback requirements:
 - a) front yard – 30 feet,
 - b) rear yard:
 - i) main building - 60 feet, and
 - ii) Accessory buildings - 10 feet
 - c) side yard:
 - i) main building: 30 feet; and
 - ii) accessory buildings:
 - 1) from the front setback to distance ten feet behind the main dwelling -30 feet.
 - 2) from a distance ten feet behind the dwelling to the rear of the lot – 10 feet.
- (5) On corner lots, two front yards and two side yards are required.
- (6) Maximum building height - 35 feet
- (7) Maximum building coverage: 5%
- (8) Required improvements:
 - a) street grading;
 - b) street base;
 - c) on-site surface drainage facilities;
 - d) culinary water facilities;
 - e) wastewater disposal; and
 - f) street monuments.
 (Ord 2005-30, 11/22/05)

**PART 15-2
AGRICULTURAL DISTRICTS**

Section

15-2-1. Purposes of agricultural districts.

15-2-2. A-20 development restrictions.

15-2-3. A-40 development restrictions.

15-2-1. Purposes of agricultural districts.

(1) The purposes of agricultural zoning districts are to promote and preserve in appropriate areas conditions favorable to agricultural uses and to maintain greenbelt open spaces. These districts are intended to include activities normal and necessarily related to the conduct of agriculture and to protect the district from the intrusion of uses adverse to the continuance of agricultural activity.

(2) The agricultural districts in Tooele County are A-5, A-10, A-20 and A-40.

15-2-2. A-5 development restrictions.

The development restrictions in A-5 zoning districts are as follows:

- (1) Minimum lot size is 5 acres (217,800 sq ft). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to or past the affected lot or parcel.
- (2) Minimum width – 220 feet.
- (3) Minimum frontage on a public street or an approved private street - 50 feet.
- (4) Minimum yard setback requirements:
 - a) front yard – 30 feet,
 - b) rear yard:
 - i) main building - 50 feet, and
 - ii) Accessory buildings - 10 feet
 - c) side yard:
 - i) main building - 20 feet; and
 - ii) accessory buildings:
 - 1) from the front setback to distance ten feet behind the main dwelling -20 feet.
 - 2) from a distance ten feet behind the dwelling to the rear of the lot – 10 feet.
- (5) On corner lots, two front yards and two side yards are required.
- (6) Maximum building height - 35 feet
- (7) Maximum building coverage: 10%
- (8) Required improvements:
 - a) street grading;
 - b) street base;
 - c) on-site surface drainage facilities;
 - d) wastewater disposal; and
 - e) street monuments.

15-2-3. A-10 development restrictions

The development restrictions in A-10 zoning districts are as follows:

(1) Minimum lot size is 10 acres (435,600 sq ft). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to and past the affected lot or parcel.

(2) Minimum width - 330 feet.

(3) Minimum frontage on a public street or an approved private street - 60 feet.

(4) Minimum yard setback requirements:

- a) front yard – 30 feet,
- b) rear yard:
 - i) main building 60 feet, and
 - ii) Accessory buildings: 10 feet
- c) side yard:
 - i) main building - 25 feet; and
 - ii) accessory buildings:
 - 1) from the front setback to distance ten feet behind the main dwelling - 25 feet.
 - 2) from a distance ten feet behind the dwelling to the rear of the lot – 10 feet.

(5) On corner lots, two front yards and two side yards are required.

(6) Maximum building height - 35 feet

(7) Maximum building coverage: 10%

(8) Required improvements:

- a) street grading;
- b) street base;
- c) on-site surface drainage facilities;
- d) culinary water facilities;
- e) wastewater disposal; and
- f) street monuments.

15-2-42. A-20 development restrictions.

The development restrictions in A-20 zoning districts are as follows:

(1) Minimum lot size is 20 acres (871,200 sq ft). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to and past the affected lot or parcel.

(2) Minimum width - 330 feet.

(3) Minimum frontage on a public street or an approved private street - 60 feet.

(4) Minimum yard setback requirements:

- a) front yard – 30 feet,
- b) rear yard:
 - i) main building - 60 feet, and
 - ii) accessory buildings - 10 feet
- c) side yard:
 - i) main building - 30 feet; and

ii) accessory buildings:

1) from the front setback to distance ten feet behind the main dwelling -30 feet.

2) from a distance ten feet behind the dwelling to the rear of the lot – 10 feet.

(5) On corner lots, two front yards and two side yards are required.

(6) Maximum building height - 35 feet

(7) Maximum building coverage: 5%

(8) Required improvements:

- a) street grading;
 - b) street base;
 - c) on-site surface drainage facilities;
 - d) culinary water facilities;
 - e) wastewater disposal; and
 - f) street monuments.
- (Ord 2005-30,11/22/05)

15-2-53. A-40 development restrictions

The development restrictions in A-40 zoning districts are as follows:

(1) Minimum lot size is 40 acres (1,742,400 sq ft). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to and past the affected lot or parcel.

(2) Minimum width - 660 feet.

(3) Minimum frontage on a public street or an approved private street - 60 feet.

(4) Minimum yard setback requirements:

- a) front yard – 30 feet,
- b) rear yard:
 - i) main building - 60 feet, and
 - ii) Accessory buildings - 10 feet
- c) side yard:
 - i) main building - 30 feet; and
 - ii) accessory buildings:
 - 1) from the front setback to distance ten feet behind the main dwelling - 30 feet.
 - 2) from a distance ten feet behind the dwelling to the rear of the lot – 10 feet.

(5) On corner lots, two front yards and two side yards are required.

(6) Maximum building height - 35 feet

(7) Maximum building coverage: 5%

(8) Required improvements:

- a) street grading;
 - b) street base;
 - c) on-site surface drainage facilities;
 - d) culinary water facilities;
 - e) wastewater disposal; and
 - f) street monuments.
- (Ord 2005-30,11/22/05)

PART 15-3

RURAL RESIDENTIAL DISTRICTS

Section

15-3-1. Purposes of rural residential districts.

15-3-2. RR-1 development restrictions

15-3-3. RR-5 development restrictions

15-3-4. RR-10 development restrictions

15-3-1. Purposes of rural residential districts.

(1) The purposes of rural residential districts are to promote and preserve in appropriate areas conditions favorable to large-lot family life, the keeping of limited numbers of animals and fowl, and reduced requirements for public services. These districts are intended to be primarily residential in character and protected from encroachment by commercial and industrial uses.

(2) The rural residential zoning districts in Tooele County are RR-1, RR-5, and RR-10. (Ord 2005-30, 11/22/05)

15-3-2. RR-1 development restrictions.

The development restrictions in RR-1 zoning districts are as follows:

- (1) Minimum lot size is one (1) acre.
- (2) Minimum width - 125 feet.
- (3) Minimum frontage on a public street or an approved private street - 25 feet.
- (4) Minimum yard setback requirements:
 - a) front yard - 30 feet,
 - b) rear yard:
 - i) main building - 30 feet, and
 - ii) accessory buildings - 10 feet
 - c) side yard:
 - i) main building - 15 feet; and
 - ii) accessory buildings:
 - 1) from the front setback to distance ten feet behind the main dwelling - 15 feet.
 - 2) from a distance ten feet behind the dwelling to the rear of the lot - 10 feet.
- (5) On corner lots, two front yards and two side yards are required.
- (6) Maximum building height - 35 feet
- (7) Maximum building coverage: 20%
- (8) Required improvements:
 - a) street grading;
 - b) street base;
 - c) on-site surface drainage facilities;
 - d) culinary water facilities;

- e) wastewater disposal; and
- f) street monuments.
(Ord 2005-30,11/22/05)

15-3-3. RR-5 development restrictions.

The development restrictions in RR-5 zoning districts are as follows:

(1) Minimum lot size is 5 acres (217,800 sq ft). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to and past the affected lot or parcel.

(2) Minimum width - 220 feet.

(3) Minimum frontage on a public street or an approved private street - 50 feet.

(4) Minimum yard setback requirements:

- a) front yard - 30 feet,
- b) rear yard:
 - i) main building - 50 feet, and
 - ii) accessory buildings - 10 feet
- c) side yard:
 - i) main building - 20 feet; and
 - ii) accessory buildings:
 - 1) from the front setback to distance ten feet behind the main dwelling - 20 feet.
 - 2) from a distance ten feet behind the dwelling to the rear of the lot - 10 feet.

(5) On corner lots, two front yards and two side yards are required.

(6) Maximum building height - 35 feet

(7) Maximum building coverage: 10%

(8) Required improvements:

- a) street grading;
- b) street base;
- c) on-site surface drainage facilities;
- d) culinary water facilities;
- e) wastewater disposal; and
- f) street monuments.
(Ord 2005-30,11/22/05)

15-3-4. RR-10 development restrictions.

The development restrictions in RR-10 zoning districts are as follows:

(1) Minimum lot size is 10 acres (435,600 sq ft). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to and past the affected lot or parcel.

(2) Minimum width - 330 feet.

(3) Minimum frontage on a public street or an approved private street - 60 feet.

(4) Minimum yard setback requirements:

- a) front yard - 30 feet,
- b) rear yard:
 - i) main building - 60 feet, and

- ii) accessory buildings: 10 feet
- (c) side yard:
 - i) main building - 25 feet; and
 - ii) accessory buildings:
 - 1) from the front setback to distance ten feet behind the main dwelling - 25 feet.
 - 2) from a distance ten feet behind the dwelling to the rear of the lot - 10 feet.
- (5) On corner lots, two front yards and two side yards are required.
- (6) Maximum building height - 35 feet
- (7) Maximum building coverage: 5%
- (8) Required improvements:
 - a) street grading;
 - b) street base;
 - c) on-site surface drainage facilities;
 - d) culinary water facilities;
 - e) wastewater disposal; and
 - f) street monuments.
 (Ord 2005-30,11/22/05)

PART 15-4

EXEMPTION FROM AREA REQUIREMENTS

Section

15-4-1. Uses conditionally exempt from frontage, width, and area requirements of the zoning district.

(1) A bona fide division or partition of land which does not meet the area, width or frontage requirements may be created for the purpose of siting the following uses approved through a conditional use permit:

- a) an unmanned facility appurtenant to a pipeline, electrical service, telecommunication equipment, a transmission line, radio transmission facility, regeneration, or fiber optic equipment, any of which is owned or operated by a public or private utility service regulated by the Public Utility Commission or Federal Communications Commission;
- b) a publicly-owned facility as a fire station, sheriff's substation, communication, tower, equipment shed; or
- c) a quasi-public facility such as a church cemetery, hospital or 24-hour emergency care facility.

(2) The division or partition of land for a parcel exempted under Subsection (1) shall be subject to the following:

- a) the parcel shall have a legal access to it;
- b) if located in a Rural Residential zoning district:
 - i) the site shall be large enough that the height of the tallest structure measured horizontally from its base, plus ten feet will mark the minimum distance to the property line, and the perimeter shall be fenced with chain link fencing and screened by drought resistant landscaping and trees;
 - ii) if the parcel is being created for a manned public facility such as a fire station or emergency care station, the exempted parcel shall have frontage on a public road; and
 - iii) creation of the exempted parcel shall not create a remnant parcel that is less than one (1) acre in area or less than 70% of the area, width or frontage as is required in the zoning district.

(3) The conditional exemption allowed by this section does not excuse the applicant or landowner from compliance with the subdivision ordinance. (Ord 2005-30,11/22/05)

PART 15-5

USE TABLES, CODES, SYMBOLS AND RESTRICTIONS

Section

- 15-5-1. Codes and symbols**
- 15-5-2. Uses**
- 15-5-3. Use tables.**
- 15-5-3.1 Agriculture, forestry and keeping of animals.**
- 15-5-3.2 Commercial and industrial uses**
- 15-5-3.3 Dwellings, living quarters and long or short-term residences.**
- 15-5-3.4 Public and quasi-public uses.**
- 15-5-3.5 Recreational, camping, and amusement uses.**
- 15-5-3.6 Utilities and utility services.**

15-5-1. Codes and symbols

In this part are uses allowed in the various districts as follows:

- a) "permitted uses," indicated by a "P" in the appropriate column; or
- b) "conditional uses," indicated by a "c" or "C1" in the appropriate column

(1) Conditional uses marked by "C" means issuance by planning commission. Those marked "C1" means it may be approved administratively by the zoning administrator.

(2) If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash, "-".

(3) If a regulation applies in a given district, it is indicated in the appropriate column by an alphanumeric character that will show the linear feet, or square feet, or acres required, or by the letter "A." If the regulation does not apply, it is

indicated in the appropriate column by a dash, "-".
(Ord 2005-30, 11/22/05)

15-5-2. Uses

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the multiple use, agricultural or rural residential districts except as provided in this Chapter.
(Ord 2005-30, 11/22/05)

Table 15-5-3.1. Agriculture, forestry and keeping of animals.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
a	Apiary (beehives)	P	P	P	P	P	P	P	C	C	P
b	Agricultural industry or business	C	C	C	C	C	C	C	-	C	C
c	Aviary	P	P	P	P	P	P	P	-	C	P
d	Farms devoted to raising and marketing of chickens, turkeys or other fowl or poultry, fish or frogs, hogs or swine including wholesale and retail sales	C	C	C	C	C	C	C	-	-	-
e	Feedlot (lot or parcel must have the minimum area required in the zone)	C	C	C	C	C	C	C	-	-	-
f	Forestry, except forest industry	P	P	P	P	P	P	P	P	P	P
g	Forest industry, such as a saw mill, wood products plant, etc.	C	C	C	-	-	-	-	-	-	-
h	Fruit or vegetable stand	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1
i	Household pets	P	P	P	P	P	P	P	P	P	P
	Maximum number of dogs as household pets:	5	5	5	5	5	5	5	3	3	3
j	Kennel (Minimum lot size: 4.7 acres; Minimum distance to all property lines 100 feet; Minimum distance to all neighboring dwellings to be 150 feet)										
	kennel, boarding	C	C	C	C	C	C	C	-	C	C
	kennel, breeding	C	C	C	C	C	C	C	-	C	C
	kennel, private	C	C	C	C	C	C	C	-	C	C

Table 15-5-3.1. Agriculture, forestry and keeping of animals.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
k	Personal agriculture, including grazing and pasturing of animals	P	P	P	P	P	P	P	P	P	P
l	Plant materials nursery or green-house, not exceeding 20,000 square feet in area	P	P	P	P	P	P	P	P	P	P
m	Riding academy or riding ring, horse show barns or facilities	C	C	C	C	C	C	C	-	C	C
n	Stable										
	Stable, commercial	C	C	C	C	C	C	C	-	C	C
	Stable, private	P	P	P	P	P	P	P	P	P	P
o	Storage, placement, keeping, locating, parking, maintaining, and keeping of agricultural equipment	P	P	P	P	P	P	P	P	P	P
p	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P	P	P	P
q	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	C	C	C	C	C	C	C

Table 15-5-3.2. Commercial and industrial uses.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
a	Adult day care	C	C	C	C	C	C	C	C	C	C
b	Beer sales at public recreational facilities where it has been approved by the Board of County Commissioners.	C	C	C	-	-	C	C	-	-	-

Table 15-5-3.2. Commercial and industrial uses.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
c	Canals, evaporation ponds, settlement ponds, and mining operations, all in connection with the concentration and purification of naturally occurring brines and the extraction of salts from the brines	C	C	C	-	-	-	-	-	-	-
d	Child care, commercial	C	C	C	C	C	C	C	C	C	C
e	Child care, residential, that complies with the following conditions: 1. No more than sixteen (16) children with up to eight (8) children per one (1) adult working at the day care, shall be permitted. This includes no more than two children under the age of two. The number of children in care includes the providers' own children under the age of four. Further guidelines for supervision and ratio are found in the State of Utah's residential certificate rules: Supervision and Ratios. 2. There shall be no more than one (1) adult employed by the day care facility who resides outside of the home: 3. The day care shall be licensed with the State of Utah, and will cease operation upon revocation, suspension or failure to renew license; 4. The inside and outside areas that are used for the day care shall be made to conform to the standards of the current and any future updates of the Uniform Building Code. 5. All child care activities shall take place at the home unless		C1	C1	C1	C1	C1	C1	C1	C1	C1

Table 15-5-3.2. Commercial and industrial uses.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
	<p>written consent by parent or guardian. All indoor and outdoor activities shall be in accordance with the State of Utah's Residential Certificate Rules*: Indoor Environment, Outdoor Environment and Activities.</p> <p>6. The hours of operation shall be no more than 6:00 a.m. to 9:00 p.m., Monday through Saturday with outside activities restricted to the hours of 9:00 a.m. to 4:00 p.m.</p> <p>7. The child care facility shall comply with the requirements of the Tooele County Health Department, the Utah Department of Health and any other local health departments for child day care facilities.</p> <p>8. Meals and treats shall be provided in accordance with the Tooele County Health Department Regulations and State of Utah's Residential Certificate Rules*: Child Nutrition.</p> <p>9. The employees of the Department of Engineering, Tooele County Health Department, Tooele County Sheriff's Department and the Utah Department of Health shall be permitted to inspect the day care facility during its hours of operation.</p>										
f	Construction equipment and supply trailer, temporary	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1
g	Construction field office, temporary	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1
h	Electromagnetic Interference	C	C	C	C	C	C	C	C	C	C

Table 15-5-3.2. Commercial and industrial uses.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
	Testing (As described by FCC Docket No. 20780, Amendment 79-555 Governing Restricted Radiation Devices) (Rev. Or. 81-4)										
i	Home occupations	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1
j	Cottage industry that may be permitted to employ up to 10 employees that reside outside of the dwelling providing adequate off-street parking can be made available on the property	C	C	C	C	C	C	C	C	C	C
k	Home based businesses that may be permitted to employ up to 10 employees that reside outside of the dwelling providing adequate off-street parking can be made available on the property.	C	C	C	C	C	C	C	-	-	C
l	Preschool with the following conditions: 1. All pre-school activities shall take place inside the residence. The students shall remain in the home except when an outdoor activity is related to the child's education or arriving to school and leaving school; 2. No food shall be prepared and served in the home for consumption by the students; 3. There shall be no more than one (1) adult employed by the preschool who resides outside of the home. 4. The inside area that is used as the preschool be made to conform to those	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1

Table 15-5-3.2. Commercial and industrial uses.

(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
	standards of the current and any future updates of the building code for such a use; 5. The preschool shall comply with the requirements of the Tooele County Health Department, and any other local health departments for preschool facilities; 6. The preschool may operate Monday through Friday, with two (2) separate two and one half (2 1/2) hour sessions. The hours of operation shall be between 8:30 a.m. and 4:00 p.m.; 7. No more than sixteen (16) children, with up to eight (8) children per one (1) adult working at the preschool, shall be permitted.										
m	Radio and television transmitting stations or towers	C1	C1	C1	C1	C1	C1	C1	-	-	-
n	Storage, placement, keeping, locating, parking, maintaining, keeping of commercial, construction, military surplus, or specialized equipment	C	C	C	-	-	-	-	-	-	-
o	Processing and composting of State regulated Class A, B, and C bio-solids and other acceptable organic waste such as chicken manure	C	C	C	C	C	C	C	-	-	-
p	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P	P	P	P
q	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	C	C	C	C	C	C	C

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
a	<p>One accessory housing unit located within the single family dwelling structure. On lots or parcels with less than one acre, accessory housing shall only be located in the single family dwelling. The single family dwelling shall be owner occupied. No townhouses, manufactured or mobile homes shall have accessory housing units. The accessory housing unit shall comply with the following conditions:</p> <ol style="list-style-type: none"> 1. Any separate entrance shall be located so that the appearance of a single family dwelling is preserved; 2. The accessory housing unit shall be subordinate to the single family dwelling; 3. The accessory housing unit does not result in excessive noise, traffic, or parking congestion; 4. The accessory housing unit shall have the same address as the main house; 5. One parking space shall be provided on-site for each studio and one bedroom accessory housing unit. Two parking spaces shall be provided on site for each two bedroom accessory housing unit. The parking requirements for the accessory housing unit is in addition to the required parking for the single family dwelling; 	C	C	C	C	C	C	C	C	C	C

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
	<p>6. The floor area for the accessory housing unit shall not exceed five hundred (500) square feet for lots between 5000 and 7500 square feet. If a lot exceeds 7500 square feet, an accessory housing unit may be up to 640 square feet and, for lots in excess of 10,000 square feet, a unit may be up to 800 square feet.</p> <p>7. The conditional use permit for the accessory housing unit shall be in effect only so long as the single family dwelling is occupied by the owner of record; and</p> <p>8. The above conditions are binding upon any successor in ownership of the property; lack of compliance shall be cause for code enforcement and/or revoking the conditional use permit.</p>										
b	<p>For lots or parcels larger than one acre, one detached accessory housing unit in conjunction with a single family dwelling that is owner occupied. No townhouses, manufactured or mobile homes shall have accessory housing units. The accessory housing unit may be a separate structure or part of a garage structure that is accessory to a single family dwelling. Only one accessory housing unit shall be allowed for each parcel and shall comply with the following conditions:</p>	C	C	C	C	C	C	C	C	C	C

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
	<p>1. Exterior design of the accessory housing unit shall be compatible with the existing single family dwelling on the lot through architectural use of building forms, construction, materials, colors, landscaping, and other methods that conform to acceptable construction practices;</p> <p>2. The accessory housing unit shall be subordinate to the single family dwelling. A single-family dwelling exists or will constructed in conjunction with the accessory housing unit;</p> <p>3. The accessory housing unit shall not result in excessive noise, traffic, or parking congestion;</p> <p>4. The location and design of the accessory housing unit shall be in close proximity to the primary residence and maintain a compatible relationship to adjacent properties and does not significantly impact the privacy, light, air, solar access or parking of adjacent properties;</p> <p>5. The accessory housing unit shall have the same address as the single family dwelling;</p> <p>6. There shall be one parking space provided on-site for each studio and one bedroom accessory housing unit. Two parking spaces shall be provided on site for each two bedroom accessory housing unit. Parking for the accessory</p>										

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
	<p>housing unit is in addition to the required parking for the primary residence;</p> <p>7. The floor area for the accessory housing unit shall not exceed 800 square feet or 30% of the primary residence, whichever is greater, for lots between 1 and 4.69 acres. For lots 4.7 and larger, accessory housing shall not exceed 1,500 square feet or 30% of the primary residence, whichever is greater. In no case may any combination of buildings occupy more than the required rear yard for the district in which it is located;</p> <p>8. Accessory housing units shall meet the same setbacks as a single family dwelling in the zoning district;</p> <p>9. Building height and stories shall be as follows:</p> <p>a. A one story detached accessory housing unit shall be no more than thirteen feet in height.</p> <p>b. A one and one-half to two story detached accessory housing unit shall be no more than twenty-two feet in height measured to the roof peak.</p> <p>c. An attached accessory housing unit may occupy a first or second story of a main residence if it is designed as an integral part of the single family dwelling and meets the setbacks required for the single family dwelling.</p> <p>d. If the design of the main dwelling has special roof</p>										

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
	<p>features that should be matched on the detached accessory housing unit, the maximum building height of the accessory housing unit may be exceeded to include such similar special roof features subject to review and approval of the Zoning Administrator;</p> <p>10. The accessory housing unit shall not be sold separately or converted to a condominium or any other form of legal ownership different from the ownership of the primary residence. The Engineering Department shall record a notice of this limitation against the property upon issuance of the permit;</p> <p>11. The use permit for the accessory housing unit shall be in effect only so long as the single family dwelling is occupied by the owner of record as the principal residence; and</p> <p>12. The above conditions are binding upon any successor in ownership of the property; lack of compliance shall be cause for ordinance enforcement and revoking the conditional use permit. (Ord. 2012-10)</p>										
c	<p>Bed and breakfast, providing</p> <p>1. The owner must reside in the residence.</p> <p>2. The site must be maintained and landscaped so as to minimize the impact on neighboring properties and in</p>	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
	<p>order to retain the character of the neighborhood.</p> <p>3. The establishment shall not contain cooking facilities in guest rooms for preparation of meals by guests.</p> <p>4. Meals are served only to residents and overnight guests.</p> <p>5. The establishment shall conform to all applicable fire, building and health codes.</p> <p>6. The establishment shall be open to inspection by the Tooele County Engineer, Sheriff, Health Department Director and their authorized personnel.</p> <p>7. The establishment shall obtain and maintain a Tooele County business license.</p>										
d	Conservation subdivisions	C	C	C	C	C	C	C	C	C	C
	i within the Erda Township	-	-	-				-	-	-	-
	ii percent of open space required for 100% density	65	75	85	40	45	50	65	35	40	45
	iii minimum size of lots in acres	1	5	5	1	1	1	1	.25	.5	.75
	iv for every 15% in contiguous open space, awarded 10% in density	A	A	A	A	A	A	A	A	A	A
	v acres to be divided by conservation subdivisions	80	160	320	20	20	40	80	10	20	20
e	Dwellings or residential facilities for elderly or disabled persons	P	P	P	P	P	P	P	P	P	P
f	Farm or ranch housing	C	C	C	C	C	C	C	-	-	-

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
g	Single family dwellings	P	P	P	P	P	P	P	P	P	P
h	Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1
i	Two-family dwellings (duplex)	-	-	-	-	-	-	-	-	-	-
	a. within the Pine Canyon Township	P	P	P	P	P	P	P	P	P	P
j	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P	P	P	P
k	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	C	C	C	C	C	C	C

(Ordinance 2007-18, June 19, 2007) (Duplexes Ordinance 2010-16, August 24, 2010)

Table 15-5-3.4. Public and quasi-public uses.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
a	Church	C	C	C	C	C	C	C	C	C	C
b	Cemetery	C	C	C	C	C	C	C	C	C	C
c	Dams and reservoirs	C	C	C	C	C	C	C	C	C	C
d	Private road	C	C	C	C	C	C	C	C	C	C
e	Public owned parks and recreational facilities	P	P	P	P	P	P	P	P	P	P

Table 15-5-3.4. Public and quasi-public uses.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
f	Public use, quasi-public use, essential services, including private school, with a curriculum corresponding to a public school	C	C	C	C	C	C	C	C	C	C
g	Accessory buildings and uses customarily incidental to permitted uses.	P	P	P	P	P	P	P	P	P	P
h	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	C	C	C	C	C	C	C

Table 15-5-3.5. Recreational, camping and amusement uses.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
a	Dude ranch, family vacation ranch	C	C	C	C	C	C	C	-	-	-
b	Private park, recreational grounds or private recreational camp or resort, including accessory or supporting dwellings or dwelling complexes and commercial service uses which are owned or managed by the recreational facility to which it is accessory	C	C	C	-	-	C	C	-	C	C
c	Commercial paintball course and paintball target range.	C	C	C	-	-	-	-	-	-	-
d	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P	P	P	P

Table 15-5-3.5. Recreational, camping and amusement uses.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
e	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	C	C	C	C	C	C	C

(Ordinance 2007-22, September 11, 2007)

Table 15-5-3.6. Utilities and utility services.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
a	Power generation for on-site use, unless intended for emergency situations as depicted below the table*										
	i solar	P	P	P	P	P	P	P	P	P	P
	ii wind driven under 5.9 KVA	P	P	P	P	P	P	P	C	P	P
	iii auxiliary, temporary, and/or wind, with more than 6 KVA, but less than 10 KVA output	P	P	P	P	P	P	P	-	P	P
	iv Steam, hydro, or reciprocating engine with more than 10.05 KVA, but less than 150 KVA output	C	C	C	C	C	C	C	-	C	C
b	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P	P	P	P
c	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	C	C	C	C	C	C	C
d	Essential service facilities	P	P	P	P	P	P	P	P	P	P

Table 15-5-3.6. Utilities and utility services.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
e	Public, quasi-public, and public service utility lines, pipelines, water lines, and etc which extend more than 300 feet; that are used to transport their material, service or supply	C	C	C	C	C	C	C	C	C	C
f	Substations	C	C	C	C	C	C	C	C	C	C
g	Transmission lines of 50 KV or greater capacity	C	C	C	C	C	C	C	C	C	C
h	Large wind energy systems (i.e., wind turbine farms)	C	C	C	-	-	-	C	-	-	-

Table 15-5-3.7. Development Types.

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	5	10	20	40	1	5	10
a	Planned Unit Developments in accordance with Chapter 9 of this Ordinance	C	C	C	C	C	C	C	C	C	C

(Ord. 2011-04, 02-01-2011)

***permanent / temporary generators shall be a permitted use in the above districts subject to the following restrictions:**

- (i) the generator shall meet all front, side, and rear setbacks for the residing zoning district.
- (ii) the generator's exhaust shall, as much as practically feasible, be vented upwards or directed away from neighboring properties.
- (iii) the generator shall be used only during periods of emergency situations or for periodic testing and necessary maintenance operation.
- (iv) the generator shall be operated for routine testing and maintenance purposes not more than one time in any seven-day (7) period and no test shall exceed a total of thirty (30) minutes.

TOOELE COUNTY LAND USE ORDINANCE

CHAPTER 15 MULTIPLE USE, AGRICULTURAL, AND RURAL RESIDENTIAL DISTRICTS

- Part**
- 15-1 Multiple Use Districts.**
 - 15-2 Agricultural Districts.**
 - 15-3 Rural Residential Districts.**
 - 15-4 Exemption from Area Requirements.**
 - 15-5 Use Tables, Codes, Symbols, and Restrictions.**

PART 15-1

MULTIPLE USE DISTRICTS

Section

- 15-1-1. Purposes of multiple use districts.**
- 15-1-2. MU-40 development restrictions.**
- 15-1-3. MU-80 development restrictions.**
- 15-1-4. MU-160 development restrictions.**

15-1-1. Purpose of multiple use districts.

(1) The purposes of multiple use zoning districts are to establish areas in mountain, hillside, canyon, mountain valley, desert, and other open and generally undeveloped lands where human habitation would be limited in order to protect land and open space resources; to reduce unreasonable requirements for public utility and service expenditures through uneconomic and unwise dispersal and scattering of population; to encourage use of land, where appropriate, for forestry, grazing, agriculture, mining, wildlife habitat, and recreation; to avoid excessive damage to watersheds, water pollution, soil erosion, danger from brush fires, damage to grazing, livestock raising, and to wildlife values; and to promote the health, safety, convenience, order, prosperity and general welfare of the inhabitants of the county.

(2) The multiple use districts in Tooele County are MU-40, MU-80 and MU-160. (Ord 2005-30, 11/22/05)

15-1-2. MU-40 development restrictions.

The development restrictions in MU-40 zoning districts are as follows:

- (1) Minimum lot size is 40 acres (1,742,400 sq ft.). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to and past the affected lot or parcel.
- (2) Minimum width - 660 feet.

- (3) Minimum frontage on a public street or an approved private street - 60 feet.
- (4) Minimum yard setback requirements:
 - a) front yard - 30 feet,
 - b) rear yard:
 - i) main building - 60 feet, and
 - ii) Accessory buildings - 10 feet
 - c) side yard:
 - i) main building - 30 feet; and
 - ii) accessory buildings:
 - 1) from the front setback to distance ten feet behind the main dwelling - 30 feet.
 - 2) from a distance ten feet behind the dwelling to the rear of the lot - 10 feet.
- (5) On corner lots, two front yards and two side yards are required.
- (6) Maximum building height - 35 feet
- (7) Maximum building coverage: 5%
- (8) Required improvements:
 - a) street grading;
 - b) street base;
 - c) on-site surface drainage facilities;
 - d) culinary water facilities;
 - e) wastewater disposal; and
 - f) street monuments.(Ord 2005-30, 11/22/05)

15-1-3. MU-80 development restrictions.

The development restrictions in the MU-80 zoning districts are as follows:

- (1) Minimum lot size is 80 acres (3,484,800 sq ft.). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to and past the affected lot or parcel.
- (2) Minimum width - 1,320 feet.
- (3) Minimum frontage on a public street or an approved private street - 60 feet.
- (4) Minimum yard setback requirements:
 - a) front yard - 30 feet,
 - b) rear yard:
 - i) main building - 60 feet, and
 - ii) Accessory buildings - 10 feet
 - c) side yard:
 - i) main building - 30 feet; and
 - ii) accessory buildings:

**PART 15-2
AGRICULTURAL DISTRICTS**

Section

15-2-1. Purposes of agricultural districts.

15-2-2. A-20 development restrictions.

15-2-3. A-40 development restrictions.

15-2-1. Purposes of agricultural districts.

(1) The purposes of agricultural zoning districts are to promote and preserve in appropriate areas conditions favorable to agricultural uses and to maintain greenbelt open spaces. These districts are intended to include activities normal and necessarily related to the conduct of agriculture and to protect the district from the intrusion of uses adverse to the continuance of agricultural activity.

(2) The agricultural districts in Tooele County are A-5, A-10, A-20 and A-40.

15-2-2. A-5 development restrictions.

The development restrictions in A-5 zoning districts are as follows:

(1) Minimum lot size is 5 acres (217,800 sq ft). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to or past the affected lot or parcel.

(2) Minimum width – 220 feet.

(3) Minimum frontage on a public street or an approved private street - 50 feet.

(4) Minimum yard setback requirements:

a) front yard – 30 feet,

b) rear yard:

i) main building - 50 feet, and

ii) Accessory buildings - 10 feet

c) side yard:

i) main building - 20 feet; and

ii) accessory buildings:

1) from the front setback to distance ten feet behind the main dwelling -20 feet.

2) from a distance ten feet behind the dwelling to the rear of the lot – 10 feet.

(5) On corner lots, two front yards and two side yards are required.

(6) Maximum building height - 35 feet

(7) Maximum building coverage: 10%

(8) Required improvements:

a) street grading;

b) street base;

c) on-site surface drainage facilities;

d) wastewater disposal; and

e) street monuments.

1) from the front setback to distance ten feet behind the main dwelling - 30 feet.

2) from a distance ten feet behind the dwelling to the rear of the lot – 10 feet.

(5) On corner lots, two front yards and two side yards are required.

(6) Maximum building height - 35 feet

(7) Maximum building coverage: 5%

(8) Required improvements:

a) street grading;

b) street base;

c) on-site surface drainage facilities;

d) culinary water facilities;

e) wastewater disposal; and

f) street monuments.

(Ord 2005-30, 11/22/05)

15-1-4. MU-160 development restrictions.

The development restrictions in MU-160 zoning districts are as follows:

(1) Minimum lot size is 80 acres (3,484,800 sq ft). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to and past the affected lot or parcel.

(2) Minimum width - 1,320 feet.

(3) Minimum frontage on a public street or an approved private street - 60 feet.

(4) Minimum yard setback requirements:

a) front yard – 30 feet,

b) rear yard:

i) main building - 60 feet, and

ii) Accessory buildings - 10 feet

c) side yard:

i) main building: 30 feet; and

ii) accessory buildings:

1) from the front setback to distance ten feet behind the main dwelling -30 feet.

2) from a distance ten feet behind the dwelling to the rear of the lot – 10 feet.

(5) On corner lots, two front yards and two side yards are required.

(6) Maximum building height - 35 feet

(7) Maximum building coverage: 5%

(8) Required improvements:

a) street grading;

b) street base;

c) on-site surface drainage facilities;

d) culinary water facilities;

e) wastewater disposal; and

f) street monuments.

(Ord 2005-30, 11/22/05)

15-2-3. A-10 development restrictions

The development restrictions in A-10 zoning districts are as follows:

(1) Minimum lot size is 10 acres (435,600 sq ft). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to and past the affected lot or parcel.

(2) Minimum width - 330 feet.

(3) Minimum frontage on a public street or an approved private street - 60 feet.

(4) Minimum yard setback requirements:

- a) front yard – 30 feet,
- b) rear yard:
 - i) main building 60 feet, and
 - ii) Accessory buildings: 10 feet
- c) side yard:
 - i) main building - 25 feet; and
 - ii) accessory buildings:
 - 1) from the front setback to distance ten feet behind the main dwelling - 25 feet.
 - 2) from a distance ten feet behind the dwelling to the rear of the lot – 10 feet.

(5) On corner lots, two front yards and two side yards are required.

(6) Maximum building height - 35 feet

(7) Maximum building coverage: 10%

(8) Required improvements:

- a) street grading;
- b) street base;
- c) on-site surface drainage facilities;
- d) culinary water facilities;
- e) wastewater disposal; and
- f) street monuments.

15-2-42. A-20 development restrictions.

The development restrictions in A-20 zoning districts are as follows:

(1) Minimum lot size is 20 acres (871,200 sq ft). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to and past the affected lot or parcel.

(2) Minimum width - 330 feet.

(3) Minimum frontage on a public street or an approved private street - 60 feet.

(4) Minimum yard setback requirements:

- a) front yard – 30 feet,
- b) rear yard:
 - i) main building - 60 feet, and
 - ii) accessory buildings - 10 feet
- c) side yard:
 - i) main building - 30 feet; and

ii) accessory buildings:

1) from the front setback to distance ten feet behind the main dwelling -30 feet.

2) from a distance ten feet behind the dwelling to the rear of the lot – 10 feet.

(5) On corner lots, two front yards and two side yards are required.

(6) Maximum building height - 35 feet

(7) Maximum building coverage: 5%

(8) Required improvements:

- a) street grading;
 - b) street base;
 - c) on-site surface drainage facilities;
 - d) culinary water facilities;
 - e) wastewater disposal; and
 - f) street monuments.
- (Ord 2005-30,11/22/05)

15-2-53. A-40 development restrictions

The development restrictions in A-40 zoning districts are as follows:

(1) Minimum lot size is 40 acres (1,742,400 sq ft). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to and past the affected lot or parcel.

(2) Minimum width - 660 feet.

(3) Minimum frontage on a public street or an approved private street - 60 feet.

(4) Minimum yard setback requirements:

- a) front yard – 30 feet,
- b) rear yard:
 - i) main building - 60 feet, and
 - ii) Accessory buildings - 10 feet
- c) side yard:
 - i) main building - 30 feet; and
 - ii) accessory buildings:
 - 1) from the front setback to distance ten feet behind the main dwelling - 30 feet.
 - 2) from a distance ten feet behind the dwelling to the rear of the lot – 10 feet.

(5) On corner lots, two front yards and two side yards are required.

(6) Maximum building height - 35 feet

(7) Maximum building coverage: 5%

(8) Required improvements:

- a) street grading;
 - b) street base;
 - c) on-site surface drainage facilities;
 - d) culinary water facilities;
 - e) wastewater disposal; and
 - f) street monuments.
- (Ord 2005-30,11/22/05)

PART 15-3

RURAL RESIDENTIAL DISTRICTS

Section

15-3-1. Purposes of rural residential districts.

15-3-2. RR-1 development restrictions

15-3-3. RR-5 development restrictions

15-3-4. RR-10 development restrictions

15-3-1. Purposes of rural residential districts.

(1) The purposes of rural residential districts are to promote and preserve in appropriate areas conditions favorable to large-lot family life, the keeping of limited numbers of animals and fowl, and reduced requirements for public services. These districts are intended to be primarily residential in character and protected from encroachment by commercial and industrial uses.

(2) The rural residential zoning districts in Tooele County are RR-1, RR-5, and RR-10. (Ord 2005-30, 11/22/05)

15-3-2. RR-1 development restrictions.

The development restrictions in RR-1 zoning districts are as follows:

- (1) Minimum lot size is one (1) acre.
- (2) Minimum width - 125 feet.
- (3) Minimum frontage on a public street or an approved private street - 25 feet.
- (4) Minimum yard setback requirements:
 - a) front yard - 30 feet,
 - b) rear yard:
 - i) main building - 30 feet, and
 - ii) accessory buildings - 10 feet
 - c) side yard:
 - i) main building - 15 feet; and
 - ii) accessory buildings:
 - 1) from the front setback to distance ten feet behind the main dwelling - 15 feet.
 - 2) from a distance ten feet behind the dwelling to the rear of the lot - 10 feet.
- (5) On corner lots, two front yards and two side yards are required.
- (6) Maximum building height - 35 feet
- (7) Maximum building coverage: 20%
- (8) Required improvements:
 - a) street grading;
 - b) street base;
 - c) on-site surface drainage facilities;
 - d) culinary water facilities;

- e) wastewater disposal; and
- f) street monuments.
(Ord 2005-30,11/22/05)

15-3-3. RR-5 development restrictions.

The development restrictions in RR-5 zoning districts are as follows:

- (1) Minimum lot size is 5 acres (217,800 sq ft). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to and past the affected lot or parcel.
- (2) Minimum width - 220 feet.
- (3) Minimum frontage on a public street or an approved private street - 50 feet.
- (4) Minimum yard setback requirements:
 - a) front yard - 30 feet,
 - b) rear yard:
 - i) main building - 50 feet, and
 - ii) accessory buildings - 10 feet
 - c) side yard:
 - i) main building - 20 feet; and
 - ii) accessory buildings:
 - 1) from the front setback to distance ten feet behind the main dwelling - 20 feet.
 - 2) from a distance ten feet behind the dwelling to the rear of the lot - 10 feet.
- (5) On corner lots, two front yards and two side yards are required.
- (6) Maximum building height - 35 feet
- (7) Maximum building coverage: 10%
- (8) Required improvements:
 - a) street grading;
 - b) street base;
 - c) on-site surface drainage facilities;
 - d) culinary water facilities;
 - e) wastewater disposal; and
 - f) street monuments.
(Ord 2005-30,11/22/05)

15-3-4. RR-10 development restrictions.

The development restrictions in RR-10 zoning districts are as follows:

- (1) Minimum lot size is 10 acres (435,600 sq ft). A six (6) percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to and past the affected lot or parcel.
- (2) Minimum width - 330 feet.
- (3) Minimum frontage on a public street or an approved private street - 60 feet.
- (4) Minimum yard setback requirements:
 - a) front yard - 30 feet,
 - b) rear yard:
 - i) main building 60 feet, and

- ii) accessory buildings: 10 feet
- (c) side yard:
 - i) main building - 25 feet; and
 - ii) accessory buildings:
 - 1) from the front setback to distance ten feet behind the main dwelling - 25 feet.
 - 2) from a distance ten feet behind the dwelling to the rear of the lot - 10 feet.
- (5) On corner lots, two front yards and two side yards are required.
- (6) Maximum building height - 35 feet
- (7) Maximum building coverage: 5%
- (8) Required improvements:
 - a) street grading;
 - b) street base;
 - c) on-site surface drainage facilities;
 - d) culinary water facilities;
 - e) wastewater disposal; and
 - f) street monuments.

(Ord 2005-30,11/22/05)

PART 15-4

EXEMPTION FROM AREA REQUIREMENTS

Section

15-4-1. Uses conditionally exempt from frontage, width, and area requirements of the zoning district.

(1) A bona fide division or partition of land which does not meet the area, width or frontage requirements may be created for the purpose of siting the following uses approved through a conditional use permit:

- a) an unmanned facility appurtenant to a pipeline, electrical service, telecommunication equipment, a transmission line, radio transmission facility, regeneration, or fiber optic equipment, any of which is owned or operated by a public or private utility service regulated by the Public Utility Commission or Federal Communications Commission;
- b) a publicly-owned facility as a fire station, sheriff's substation, communication, tower, equipment shed; or
- c) a quasi-public facility such as a church cemetery, hospital or 24-hour emergency care facility.

(2) The division or partition of land for a parcel exempted under Subsection (1) shall be subject to the following:

- a) the parcel shall have a legal access to it;
- b) if located in a Rural Residential zoning district:
 - i) the site shall be large enough that the height of the tallest structure measured horizontally from its base, plus ten feet will mark the minimum distance to the property line, and the perimeter shall be fenced with chain link fencing and screened by drought resistant landscaping and trees;
 - ii) if the parcel is being created for a manned public facility such as a fire station or emergency care station, the exempted parcel shall have frontage on a public road; and
 - iii) creation of the exempted parcel shall not create a remnant parcel that is less than one (1) acre in area or less than 70% of the area, width or frontage as is required in the zoning district.

(3) The conditional exemption allowed by this section does not excuse the applicant or landowner from compliance with the subdivision ordinance. (Ord 2005-30,11/22/05)

PART 15-5

USE TABLES, CODES, SYMBOLS AND RESTRICTIONS

Section

- 15-5-1. Codes and symbols**
- 15-5-2. Uses**
- 15-5-3. Use tables.**
- 15-5-3.1 Agriculture, forestry and keeping of animals.**
- 15-5-3.2 Commercial and industrial uses**
- 15-5-3.3 Dwellings, living quarters and long or short-term residences.**
- 15-5-3.4 Public and quasi-public uses.**
- 15-5-3.5 Recreational, camping, and amusement uses.**
- 15-5-3.6 Utilities and utility services.**

15-5-1. Codes and symbols

In this part are uses allowed in the various districts as follows:

- a) "permitted uses," indicated by a "P" in the appropriate column; or
- b) "conditional uses," indicated by a "c" or "C1" in the appropriate column

(1) Conditional uses marked by "C" means issuance by planning commission. Those marked "C1" means it may be approved administratively by the zoning administrator.

(2) If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash, "-".

(3) If a regulation applies in a given district, it is indicated in the appropriate column by an alphanumeric character that will show the linear feet, or square feet, or acres required, or by the letter "A." If the regulation does not apply, it is

indicated in the appropriate column by a dash, "-".
(Ord 2005-30, 11/22/05)

15-5-2. Uses

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the multiple use, agricultural or rural residential districts except as provided in this Chapter.
(Ord 2005-30, 11/22/05)

Table 15-5-3.1. Agriculture, forestry and keeping of animals.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
a	Apiary (beehives)	P	P	P	<u>P</u>	<u>P</u>	P	P	C	C	P
b	Agricultural industry or business	C	C	C	<u>C</u>	<u>C</u>	C	C	-	C	C
c	Aviary	P	P	P	<u>P</u>	<u>P</u>	P	P	-	C	P
d	Farms devoted to raising and marketing of chickens, turkeys or other fowl or poultry, fish or frogs, hogs or swine including wholesale and retail sales	C	C	C	<u>C</u>	<u>C</u>	C	C	-	-	-
e	Feedlot (lot or parcel must have the minimum area required in the zone)	C	C	C	<u>C</u>	<u>C</u>	C	C	-	-	-
f	Forestry, except forest industry	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
g	Forest industry, such as a saw mill, wood products plant, etc.	C	C	C	=	=	-	-	-	-	-
h	Fruit or vegetable stand	C1	C1	C1	<u>C1</u>	<u>C1</u>	C1	C1	C1	C1	C1
i	Household pets	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
	Maximum number of dogs as household pets:	5	5	5	<u>5</u>	<u>5</u>	5	5	3	3	3
j	Kennel (Minimum lot size: 4.7 acres; Minimum distance to all property lines 100 feet; Minimum distance to all neighboring dwellings to be 150 feet)										
	kennel, boarding	C	C	C	<u>C</u>	<u>C</u>	C	C	-	C	C
	kennel, breeding	C	C	C	<u>C</u>	<u>C</u>	C	C	-	C	C
	kennel, private	C	C	C	<u>C</u>	<u>C</u>	C	C	-	C	C

Table 15-5-3.1. Agriculture, forestry and keeping of animals.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
k	Personal agriculture, including grazing and pasturing of animals	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
l	Plant materials nursery or green-house, not exceeding 20,000 square feet in area	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
m	Riding academy or riding ring, horse show barns or facilities	C	C	C	<u>C</u>	<u>C</u>	C	C	-	C	C
n	Stable										
	Stable, commercial	C	C	C	<u>C</u>	<u>C</u>	C	C	-	C	C
	Stable, private	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
o	Storage, placement, keeping, locating, parking, maintaining, and keeping of agricultural equipment	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
p	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
q	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C

Table 15-5-3.2. Commercial and industrial uses.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
a	Adult day care	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C
b	Beer sales at public recreational facilities where it has been approved by the Board of County Commissioners.	C	C	C	=	=	C	C	-	-	-

Table 15-5-3.2. Commercial and industrial uses.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
c	Canals, evaporation ponds, settlement ponds, and mining operations, all in connection with the concentration and purification of naturally occurring brines and the extraction of salts from the brines	C	C	C	=	=	-	-	-	-	-
d	Child care, commercial	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C
e	Child care, residential, that complies with the following conditions: 1. No more than sixteen (16) children with up to eight (8) children per one (1) adult working at the day care, shall be permitted. This includes no more than two children under the age of two. The number of children in care includes the providers' own children under the age of four. Further guidelines for supervision and ratio are found in the State of Utah's residential certificate rules: Supervision and Ratios. 2. There shall be no more than one (1) adult employed by the day care facility who resides outside of the home: 3. The day care shall be licensed with the State of Utah, and will cease operation upon revocation, suspension or failure to renew license; 4. The inside and outside areas that are used for the day care shall be made to conform to the standards of the current and any future updates of the Uniform Building Code. 5. All child care activities shall take place at the home unless written consent by parent or guardian. All indoor and		C1	C1	<u>C1</u>	<u>C1</u>	C1	C1	C1	C1	C1

Table 15-5-3.2. Commercial and industrial uses.

(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
	<p>outdoor activities shall be in accordance with the State of Utah's Residential Certificate Rules*: Indoor Environment, Outdoor Environment and Activities.</p> <p>6. The hours of operation shall be no more than 6:00 a.m. to 9:00 p.m., Monday through Saturday with outside activities restricted to the hours of 9:00 a.m. to 4:00 p.m.</p> <p>7. The child care facility shall comply with the requirements of the Tooele County Health Department, the Utah Department of Health and any other local health departments for child day care facilities.</p> <p>8. Meals and treats shall be provided in accordance with the Tooele County Health Department Regulations and State of Utah's Residential Certificate Rules*: Child Nutrition.</p> <p>9. The employees of the Department of Engineering, Tooele County Health Department, Tooele County Sheriff's Department and the Utah Department of Health shall be permitted to inspect the day care facility during its hours of operation.</p>										
f	Construction equipment and supply trailer, temporary	C1	C1	C1	<u>C1</u>	<u>C1</u>	C1	C1	C1	C1	C1
g	Construction field office, temporary	C1	C1	C1	<u>C1</u>	<u>C1</u>	C1	C1	C1	C1	C1
h	Electromagnetic Interference Testing (As described by FCC Docket No. 20780, Amendment 79-555 Governing Restricted	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C

Table 15-5-3.2. Commercial and industrial uses.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
	Radiation Devices) (Rev. Or. 81-4)										
i	Home occupations	C1	C1	C1	<u>C1</u>	<u>C1</u>	C1	C1	C1	C1	C1
j	Cottage industry that may be permitted to employ up to 10 employees that reside outside of the dwelling providing adequate off-street parking can be made available on the property	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C
k	Home based businesses that may be permitted to employ up to 10 employees that reside outside of the dwelling providing adequate off-street parking can be made available on the property.	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C
l	Preschool with the following conditions: 1. All pre-school activities shall take place inside the residence. The students shall remain in the home except when an outdoor activity is related to the child's education or arriving to school and leaving school; 2. No food shall be prepared and served in the home for consumption by the students; 3. There shall be no more than one (1) adult employed by the preschool who resides outside of the home. 4. The inside area that is used as the preschool be made to conform to those standards of the current and any future updates of the building code for such a use; 5. The preschool shall comply with the requirements of the Tooele County Health	C1	C1	C1	<u>C1</u>	<u>C1</u>	C1	C1	C1	C1	C1

Table 15-5-3.2. Commercial and industrial uses.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
	Department, and any other local health departments for preschool facilities; 6. The preschool may operate Monday through Friday, with two (2) separate two and one half (2 1/2) hour sessions. The hours of operation shall be between 8:30 a.m. and 4:00 p.m.; 7. No more than sixteen (16) children, with up to eight (8) children per one (1) adult working at the preschool, shall be permitted.										
m	Radio and television transmitting stations or towers	C1	C1	C1	<u>C1</u>	<u>C1</u>	C1	C1	-	-	-
n	Storage, placement, keeping, locating, parking, maintaining, keeping of commercial, construction, military surplus, or specialized equipment	C	C	C	=	=	-	-	-	-	-
o	Processing and composting of State regulated Class A, B, and C bio-solids and other acceptable organic waste such as chicken manure	C	C	C	<u>C</u>	<u>C</u>	C	C	-	-	-
p	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
q	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
a	<p>One accessory housing unit located within the single family dwelling structure. On lots or parcels with less than one acre, accessory housing shall only be located in the single family dwelling. The single family dwelling shall be owner occupied. No townhouses, manufactured or mobile homes shall have accessory housing units. The accessory housing unit shall comply with the following conditions:</p> <ol style="list-style-type: none"> 1. Any separate entrance shall be located so that the appearance of a single family dwelling is preserved; 2. The accessory housing unit shall be subordinate to the single family dwelling; 3. The accessory housing unit does not result in excessive noise, traffic, or parking congestion; 4. The accessory housing unit shall have the same address as the main house; 5. One parking space shall be provided on-site for each studio and one bedroom accessory housing unit. Two parking spaces shall be provided on site for each two bedroom accessory housing unit. The parking requirements for the accessory housing unit is in addition to the required parking for the single family dwelling; 6. The floor area for the accessory housing unit shall not exceed five hundred (500) square feet for lots between 	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
	<p>5000 and 7500 square feet. If a lot exceeds 7500 square feet, an accessory housing unit may be up to 640 square feet and, for lots in excess of 10,000 square feet, a unit may be up to 800 square feet.</p> <p>7. The conditional use permit for the accessory housing unit shall be in effect only so long as the single family dwelling is occupied by the owner of record; and</p> <p>8. The above conditions are binding upon any successor in ownership of the property; lack of compliance shall be cause for code enforcement and/or revoking the conditional use permit.</p>										
b	<p>For lots or parcels larger than one acre, one detached accessory housing unit in conjunction with a single family dwelling that is owner occupied. No townhouses, manufactured or mobile homes shall have accessory housing units. The accessory housing unit may be a separate structure or part of a garage structure that is accessory to a single family dwelling. Only one accessory housing unit shall be allowed for each parcel and shall comply with the following conditions:</p> <p>1. Exterior design of the accessory housing unit shall be compatible with the existing single family dwelling on the lot through architectural use of building forms, construction,</p>	C	C	C	C	C	C	C	C	C	C

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
	<p>materials, colors, landscaping, and other methods that conform to acceptable construction practices;</p> <p>2. The accessory housing unit shall be subordinate to the single family dwelling. A single-family dwelling exists or will constructed in conjunction with the accessory housing unit;</p> <p>3. The accessory housing unit shall not result in excessive noise, traffic, or parking congestion;</p> <p>4. The location and design of the accessory housing unit shall be in close proximity to the primary residence and maintain a compatible relationship to adjacent properties and does not significantly impact the privacy, light, air, solar access or parking of adjacent properties;</p> <p>5. The accessory housing unit shall have the same address as the single family dwelling;</p> <p>6. There shall be one parking space provided on-site for each studio and one bedroom accessory housing unit. Two parking spaces shall be provided on site for each two bedroom accessory housing unit. Parking for the accessory housing unit is in addition to the required parking for the primary residence;</p> <p>7. The floor area for the accessory housing unit shall not exceed 800 square feet or 30% of the primary residence, whichever is greater, for lots</p>										

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
	<p>between 1 and 4.69 acres. For lots 4.7 and larger, accessory housing shall not exceed 1,500 square feet or 30% of the primary residence, whichever is greater. In no case may any combination of buildings occupy more than the required rear yard for the district in which it is located;</p> <p>8. Accessory housing units shall meet the same setbacks as a single family dwelling in the zoning district;</p> <p>9. Building height and stories shall be as follows:</p> <p>a. A one story detached accessory housing unit shall be no more than thirteen feet in height.</p> <p>b. A one and one-half to two story detached accessory housing unit shall be no more than twenty-two feet in height measured to the roof peak.</p> <p>c. An attached accessory housing unit may occupy a first or second story of a main residence if it is designed as an integral part of the single family dwelling and meets the setbacks required for the single family dwelling.</p> <p>d. If the design of the main dwelling has special roof features that should be matched on the detached accessory housing unit, the maximum building height of the accessory housing unit may be exceeded to include such similar special roof features subject to review and approval of the Zoning Administrator;</p>										

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
	<p>10. The accessory housing unit shall not be sold separately or converted to a condominium or any other form of legal ownership different from the ownership of the primary residence. The Engineering Department shall record a notice of this limitation against the property upon issuance of the permit;</p> <p>11. The use permit for the accessory housing unit shall be in effect only so long as the single family dwelling is occupied by the owner of record as the principal residence; and</p> <p>12. The above conditions are binding upon any successor in ownership of the property; lack of compliance shall be cause for ordinance enforcement and revoking the conditional use permit. (Ord. 2012-10)</p>										
c	<p>Bed and breakfast, providing</p> <p>1. The owner must reside in the residence.</p> <p>2. The site must be maintained and landscaped so as to minimize the impact on neighboring properties and in order to retain the character of the neighborhood.</p> <p>3. The establishment shall not contain cooking facilities in guest rooms for preparation of meals by guests.</p> <p>4. Meals are served only to residents and overnight guests.</p> <p>5. The establishment shall conform to all applicable fire, building and health codes.</p>	C1	C1	C1	<u>C1</u>	<u>C1</u>	C1	C1	C1	C1	C1

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
	6. The establishment shall be open to inspection by the Tooele County Engineer, Sheriff, Health Department Director and their authorized personnel. 7. The establishment shall obtain and maintain a Tooele County business license.										
d	Conservation subdivisions	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C
	i within the Erda Township	-	-	-				-	-	-	-
	ii percent of open space required for 100% density	65	75	85	<u>40</u>	<u>45</u>	50	65	35	40	45
	iii minimum size of lots in acres	1	5	5	<u>1</u>	<u>1</u>	1	1	.25	.5	.75
	iv for every 15% in contiguous open space, awarded 10% in density	A	A	A	<u>A</u>	<u>A</u>	A	A	A	A	A
	v acres to be divided by conservation subdivisions	80	160	320	<u>20</u>	<u>20</u>	40	80	10	20	20
e	Dwellings or residential facilities for elderly or disabled persons	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
f	Farm or ranch housing	C	C	C	<u>C</u>	<u>C</u>	C	C	-	-	-
g	Single family dwellings	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
h	Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work	C1	C1	C1	<u>C1</u>	<u>C1</u>	C1	C1	C1	C1	C1
i	Two-family dwellings (duplex)	-	-	-	=	=	-	-	-	-	-

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
a.	within the Pine Canyon Township	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
j	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
k	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C

(Ordinance 2007-18, June 19, 2007) (Duplexes Ordinance 2010-16, August 24, 2010)

Table 15-5-3.4. Public and quasi-public uses.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
a	Church	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C
b	Cemetery	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C
c	Dams and reservoirs	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C
d	Private road	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C
e	Public owned parks and recreational facilities	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
f	Public use, quasi-public use, essential services, including private school, with a curriculum corresponding to a public school	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C
g	Accessory buildings and uses customarily incidental to permitted uses.	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
h	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C

Table 15-5-3.5. Recreational, camping and amusement uses.

(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
a	Dude ranch, family vacation ranch	C	C	C	<u>C</u>	<u>C</u>	C	C	-	-	-
b	Private park, recreational grounds or private recreational camp or resort, including accessory or supporting dwellings or dwelling complexes and commercial service uses which are owned or managed by the recreational facility to which it is accessory	C	C	C	=	=	C	C	-	C	C
c	Commercial paintball course and paintball target range.	C	C	C	=	=	-	-	-	-	-
d	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
e	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C

(Ordinance 2007-22, September 11, 2007)

Table 15-5-3.6. Utilities and utility services.

(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
a	Power generation for on-site use, unless intended for emergency situations as depicted below the table*										
	i solar	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
	ii wind driven under 5.9 KVA	P	P	P	<u>P</u>	<u>P</u>	P	P	C	P	P

Table 15-5-3.6. Utilities and utility services.
(Ord.2005-30, 11/22/05)

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
	iii auxiliary, temporary, and/or wind, with more than 6 KVA, but less than 10 KVA output	P	P	P	<u>P</u>	<u>P</u>	P	P	-	P	P
	iv Steam, hydro, or reciprocating engine with more than 10.05 KVA, but less than 150 KVA output	C	C	C	<u>C</u>	<u>C</u>	C	C	-	C	C
b	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
c	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C
d	Essential service facilities	P	P	P	<u>P</u>	<u>P</u>	P	P	P	P	P
e	Public, quasi-public, and public service utility lines, pipelines, water lines, and etc which extend more than 300 feet; that are used to transport their material, service or supply	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C
f	Substations	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C
g	Transmission lines of 50 KV or greater capacity	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C
h	Large wind energy systems (i.e., wind turbine farms)	C	C	C	=	=	-	C	-	-	-

Table 15-5-3.7. Development Types.

#	Use	Multiple use (MU-)			Agriculture (A-)				Rural Residential (RR-)		
		40	80	160	<u>5</u>	<u>10</u>	20	40	1	5	10
a	Planned Unit Developments in accordance with Chapter 9 of this Ordinance	C	C	C	<u>C</u>	<u>C</u>	C	C	C	C	C

(Ord. 2011-04, 02-01-2011)

***permanent / temporary generators shall be a permitted use in the above districts subject to the following restrictions:**

- (i) the generator shall meet all front, side, and rear setbacks for the residing zoning district.**
- (ii) the generator's exhaust shall, as much as practically feasible, be vented upwards or directed away from neighboring properties.**
- (iii) the generator shall be used only during periods of emergency situations or for periodic testing and necessary maintenance operation.**
- (iv) the generator shall be operated for routine testing and maintenance purposes not more than one time in any seven-day (7) period and no test shall exceed a total of thirty (30) minutes.**