

**TOOELE COUNTY
ORDINANCE 2021-39**

**AN ORDINANCE AMENDING TABLE 15-5-3.1, AGRICULTURE,
FORESTRY AND KEEPING OF ANIMALS, OF CHAPTER 15,
MULTIPLE USE, AGRICULTURAL, AND RURAL RESIDENTIAL
DISTRICTS, OF THE TOOELE COUNTY LAND USE ORDINANCE**

WHEREAS, Planning Staff requested an amendment to Table 15-5-3.1 in Chapter 15 of the Tooele County Land Use Ordinance to allow property owners in certain zoning (A-5, RR-1, and RR-5) with five acres of land or less to be permitted to utilize the Urban Farming Assessment Act updates which were adopted in Title 2, Chapter 8 of the Tooele County Code;

WHEREAS, public notice of the requested land use amendment was provided as required by UCA Section 17-27a-205; and

WHEREAS, the Planning Commission conducted a public hearing and discussed the requested land use amendment; and

WHEREAS, the Planning Commission voted to recommend an amendment to the Tooele County Land Use Ordinance;

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


SECTION I – TABLE AMENDED. *Table 15-5-3.1, Agriculture, forestry and keeping of animals, of 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 II – REPEALER. Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION III – 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 Council, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 17th day of August, 2021.

ATTEST:



MARILYN K. GILLETTE, Clerk
Tenille Tingo

TOOELE COUNTY COUNCIL:




TOM TRIPP, Chair



Council Member Hamner voted aye
Council Member Hoffmann voted absent
Council Member Thomas voted aye
Council Member Tripp voted aye
Council Member Wardle voted aye

APPROVED AS TO FORM:



COLIN R. WINCHESTER
Deputy Tooele County Attorney

TOOELE COUNTY LAND USE ORDINANCE

CHAPTER 15 MULTIPLE USE, AGRICULTURAL, AND RURAL RESIDENTIAL DISTRICTS

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	Accessory buildings and uses customarily incidental to conditional uses	C	C	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	P
c	Apiary (beehives)	P	P	P	P	P	P	P	P	P	P	P
d	Agricultural industry or business	C	C	C	C	C	C	C	-	-	-	-
e	Aviary	P	P	P	P	P	P	P	-	C	P	P
f	<p>Educational Farm Animals (intended for FFA, 4H and/or similar) and/or Rehabilitation of Farm Animals – The planning commission may authorize up to a 50% increase in allowable animal units, specifically allocated for the keeping of educational farm animals and/or rehabilitation of farm animals as a conditional use in Rural Residential zones, subject to the following information being provided:</p> <ol style="list-style-type: none"> 1. Documented proof that the increased animal counts are strictly being authorized for educational and/or rehabilitation purposes. 2. A detailed list of all animal types and counts located on the property. 	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1

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
	3. Documented proof that sufficient water rights exist and will be allocated towards the increased animal units. 4. Acknowledgement by the property owner that the zoning administrator and/or county may revoke or reduce the increased animal units, if the increased animal units are determined to be a nuisance.										
g	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	-	-	-
h	Feedlot (lot or parcel must have the minimum area required in the zone)	C	C	C	C	C	C	C	-	-	-
i	Forestry, except forest industry	P	P	P	P	P	P	P	P	P	P
j	Forest industry, such as a saw mill, wood products plant, etc.	C	C	C	-	-	-	-	-	-	-
k	Fruit or vegetable stand	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1
l	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
m	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
	Kennel, breeding	C	C	C	C	C	C	C	-		C
	Kennel, private	C	C	C	C	C	C	C	-	C	C

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		40	80	160	5	10	20	40	1	5	10
n	Personal agriculture, including grazing and pasturing of animals	P	P	P	P	P	P	P	P	P	P
o	Plant materials nursery or green-house, not exceeding 20,000 square feet in area	P	P	P	P	P	P	P	P	P	P
p	Riding academy or riding ring, horse show barns or facilities	C	C	C	C	C	C	C	-	C	C
q	Rooftop mounted solar arrays	-	-	-	P	P	P	P	P	P	P
r	Stable										
	Stable (horses), commercial	P	P	P	P	P	P	P	-	-	-
	Stable (horses), private The planning commission may authorize up to a 50% increase in allowable animal units, specifically allocated for the keeping of horses as a conditional use in Rural Residential zones, subject to the following information being provided: 1. A detailed list of all animal types and counts located on the property. 2. A detailed site plan, indicating where the proposed stable will be constructed in relation to all existing buildings and surrounding neighbors. 3. The floorplan for the proposed stable, showing adequate accommodations for the anticipated number of animal units for horses. 4. Documented proof that sufficient water rights exist and will be allocated towards the increased animal units.	P	P	P	P	P	P	P	C1	C1	C1

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

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	5. Acknowledgement by the property owner that the zoning administrator and/or county may revoke or reduce the increased animal units, if the increased animal units are determined to be a nuisance.											
s	Storage, placement, keeping, locating, parking, maintaining, and keeping of agricultural equipment	P	P	P	P	P	P	P	P	P	P	P
t	<p>Temporary Animal Housing The Planning Commission may authorize a temporary 50% increase in allowable animal units (not to exceed 6 months within any 12-month period) for farm animals that may need to be temporarily relocated to a property located in the Rural Residential zones as a conditional use permit, subject to the following information being provided:</p> <ol style="list-style-type: none"> 1. An explanation for the temporary increase in animal units. 2. A detailed list of all animal types and counts located on the property. 3. Detailed information regarding how the property owner intends to prevent the temporary increase from becoming a nuisance. 4. Acknowledgement by the property owner that the zoning administrator and/or county may revoke or reduce the increased animal units, if the increased animal units are 	P	P	P	P	P	P	P	C1	C1	C1	

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	determined to be a nuisance.										
u	Urban Farming Assessment Act (per Title 2, Chapter 8 of the Tooele County Code)	-	-	-	P	-	-	-	P	P	-

TOOELE COUNTY LAND USE ORDINANCE

CHAPTER 15 MULTIPLE USE, AGRICULTURAL, AND RURAL RESIDENTIAL DISTRICTS

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e-b	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P	P	P	P
e-c	Apiary (beehives)	P	P	P	P	P	P	P	P	P	P
e-d	Agricultural industry or business	C	C	C	C	C	C	C	-	-	-
e-e	Aviary	P	P	P	P	P	P	P	-	C	P
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e-g	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-h	Feedlot (lot or parcel must have the minimum area required in the zone)	C	C	C	C	C	C	C	-	-	-
f-i	Forestry, except forest industry	P	P	P	P	P	P	P	P	P	P
g-i	Forest industry, such as a saw mill, wood products plant, etc.	C	C	C	-	-	-	-	-	-	-
h-k	Fruit or vegetable stand	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1
h-l	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-m	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
	Kennel, breeding	C	C	C	C	C	C	C	-		C
	Kennel, private	C	C	C	C	C	C	C	-	C	C

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m-p	Riding academy or riding ring, horse show barns or facilities	C	C	C	C	C	C	C	-	C	C
r-q	Rooftop mounted solar arrays	-	-	-	P	P	P	P	P	P	P
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