

**ORDINANCE 2002-08**

**AN ORDINANCE AMENDING SECTIONS 15-4 AND 16-3 OF THE UNIFORM ZONING ORDINANCE OF TOOELE COUNTY, CREATING AN EXEMPTION TO AREA, WIDTH AND FRONTAGE REQUIREMENTS OF RURAL RESIDENTIAL, AGRICULTURAL AND MULTIPLE USE ZONING DISTRICTS FOR PUBLIC AND QUASI-PUBLIC USES.**

**THE COUNTY LEGISLATIVE BODY OF THE COUNTY OF TOOELE ORDAINS AS FOLLOWS:**

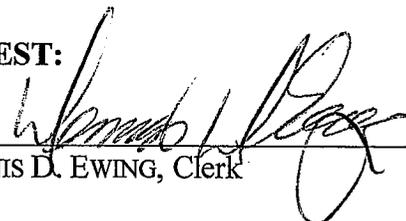
**SECTION I - SECTIONS AMENDED.** Sections 15-4 and 16-3 of the Uniform Zoning Ordinance of Tooele County are hereby amended to read as attached hereto, which will make an exemption to the area, width and frontage requirements in rural residential, agricultural and multiple-use zoning districts for public and quasi-public uses.

**SECTION II - REPEALER.** Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

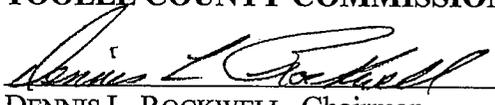
**SECTION III - EFFECTIVE DATE.** This ordinance shall take effect fifteen (15) days after its passage, provided the same has been published, with the name of the members voting for and against the same, for at least one publication in one issue of a newspaper published in and having general circulation in Tooele County.

**IN WITNESS WHEREOF**, the legislative body of Tooele County passed, approved and enacted this ordinance this 2<sup>nd</sup> day of April 2002.

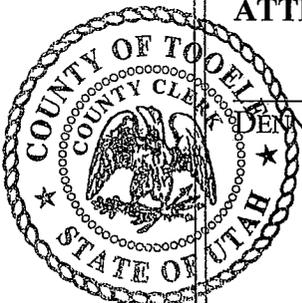
**ATTEST:**

  
DENNIS D. EWING, Clerk

**TOOELE COUNTY COMMISSION**

  
DENNIS L. ROCKWELL, Chairman

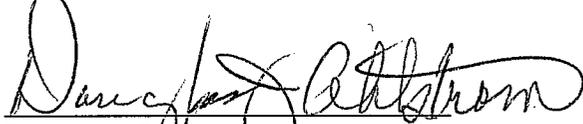
(SEAL)



Ord. 2002- 08

Commissioner Rockwell voted aye  
Commissioner Hunsaker voted absent  
Commissioner White voted aye

**APPROVED AS TO FORM:**



DOUGLAS J. AHLSTROM  
Tooele County Attorney

**PART 15-4**  
**EXEMPTION FROM AREA REQUIREMENTS**

**Section**

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

**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 fiberoptic 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 such 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 acre in area or less than 70% of the area, width or frontage as is required in the zoning district.

(c) if located in Multiple Use and Agricultural zoning districts:

- (i) 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;
  - (ii) the total number of acres exempted from a parcel shall not be greater than five acres in total area; and
  - (iii) the exempted parcel shall not be created from a lot where it reduces the parent parcel to less than 70% of the required area, width and frontage required in the zoning district, with all exemptions included.
- (3) The conditional exemption allowed by this section does not excuse the applicant or landowner from compliance with the subdivision ordinance.

**PART 16-3**  
**EXEMPTION FROM AREA REQUIREMENTS**

**Section**

**16-3-1. Uses conditionally exempt from frontage, width and area requirements of the zoning district.**

**16-3-1. 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 fiberoptic 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 such 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 acre in area or less than 70% of the area, width or frontage as is required in the zoning district.

(c) if located in Multiple Use and Agricultural zoning districts:

- (i) 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;
- (ii) the total number of acres exempted from a parcel shall not be greater than five acres in total area; and
- (iii) the exempted parcel shall not be created from a lot where it reduces the parent parcel to less than 70% of the required area, width and frontage required in the zoning district, with all exemptions included.

(3) The conditional exemption allowed by this section does not excuse the applicant or landowner from compliance with the subdivision ordinance.