

ORDINANCE 2005-30

AN ORDINANCE AMENDING CHAPTERS 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 22, 23, 26, 27, AND 28 OF THE TOOELE COUNTY LAND USE ORDINANCE; CHANGING REFERENCES FROM ZONING TO LAND USE; ADDING PROVISIONS TO THE MATRICES REGARDING CHILD CARE, PRESCHOOLS, ACCESSORY HOUSING UNITS, AND OTHER USES; AND MAKING TECHNICAL CORRECTIONS

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

SECTION I - PURPOSE. Numerous changes were made to zoning provisions in this year's Utah State legislative session to which the county needs to conform. This ordinance implements these changes as well as makes additional technical and grammatical amendments.

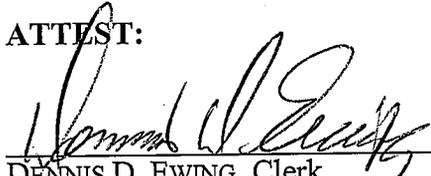
SECTION II - CHAPTERS REENACTED. Chapters 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 22, 23, 26, 27, and 28 of the Tooele County Land Use Ordinance are hereby amended to read as attached hereto, which attachment is, by this reference, made a part hereof.

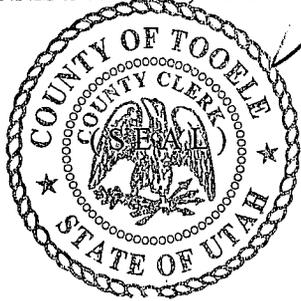
SECTION III - REPEALER. Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION IV - EFFECTIVE DATE. This ordinance shall become effective 15 days after its passage provided it has been published, or at such publication date if more than 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 22nd day of November 2005.

ATTEST:


DENNIS D. EWING, Clerk



APPROVED AS TO FORM:


DOUGLAS J. AHLSTROM
Tooele County Attorney

TOOELE COUNTY COMMISSION:


DENNIS ROCKWELL, Chairman

Commissioner Rockwell voted *aye*
Commissioner Lawrence voted *aye*
Commissioner Johnson voted *aye*

CHAPTER 10

MOBILE AND MANUFACTURED HOMES

Section

10-1. Purpose.

10-2. Location and use.

10-3. Permanent residential placement of mobile and manufactured homes.

10-1. Purpose.

This chapter is enacted to ensure that mobile and manufactured homes are included in the spectrum of available housing options, to ensure that they are treated as much like any other type of residential construction as is practicable and to protect the residential character of the neighborhoods in which these units are placed.

10-2. Location and use.

(1) No mobile or manufactured home shall be located, placed, used or occupied in any zoning district other than where allowed by this chapter.

(2) Mobile or manufactured homes may be stored, displayed and sold in commercial and manufacturing districts when such use is permitted or conditionally permitted. They may not be occupied except where a residential structure permit is issued for temporary placement as allowed in Chapter 4-26, Tooele County Land Use Ordinance.

10-3. Permanent residential placement of mobile and manufactured homes.

Mobile and manufactured homes may be placed in any zone where single-family residential units are permitted, provided:

(a) if the unit is a mobile home, it is inspected prior to being brought onto the lot and approved for use by the building official or designee;

(b) each unit is placed, with the wheels and running gear removed, on a permanent foundation in accordance with plans providing for vertical loads, uplift, lateral forces and frost protection in compliance with the applicable building code;

(c) a building permit has been issued for the unit.

(d) the unit is being placed on a buildable lot in accordance with Chapter 4-4 of the Tooele County Land Use Ordinance; and

(e) the unit complies with all local land use ordinance requirements and pertinent building codes, applicable to single-family residential uses within that zone.

CHAPTER 11

RECREATIONAL USES AND RECREATIONAL COACH PARKS

Section

11-1. Purpose.

11-2. Location and use.

11-3. Permanent residential placement of mobile and manufactured homes.

11-1. Purpose.

To permit and regulate the development of facilities for recreational uses in appropriate districts and to require that recreational site accommodations will be of such character as to promote the objectives and purposes of this ordinance, to protect the integrity and character of the districts contiguous to those in which recreational sites and parks are located, and to protect other uses and values contiguous to or near recreational areas.

11-2. Storage and use of recreational coaches.

(1) No recreational coach, boat, tent, lean to, or camper shall be located, placed, used, or occupied for residential purposes in any zoning district. Their use shall be kept to a temporary recreational occupancy within recreational coach parks, campgrounds and as otherwise provided in this chapter.

(2) Recreational coaches, boats, and campers may be stored in an off-premise outside self service storage which allows recreational vehicles, but shall not be kept in a state of disrepair, damaged or inoperable.

(4) Recreational coaches, boats, and campers may be commercially displayed and sold in commercial and manufacturing districts when such use is permitted or conditionally permitted.

(5) No recreational coach, boat, tent, lean to, or camper shall be occupied except where a residential structure permit is issued for temporary placement as allowed in Chapter 4-26, Tooele County Land Use Ordinance.

11-3. Recreational coach parks.

(1) Recreational coach parks shall be located in an area that is adjacent to or in close proximity to recreational sites, trailheads, interstates, or arterial, roads or near adequate shopping facilities.

(2) No individual space in a recreational coach park shall be used by one individual coach and/or any space rented or leased to any one individual for more than 30 consecutive days, and no other space in that same recreational coach park shall be used by that same coach for five consecutive days.

(3) Recreational coaches may be stored, in a confined area designated for coach storage only, but not used for living quarters.

(4) A recreational coach park shall not be constructed or operated, unless a conditional use permit is first approved by the planning commission, after review of plans the park which satisfy the Commission that the proposed development will:

(a) Be in keeping with the general character of the district where it is proposed to be located.

(b) Be located on a parcel of land containing not less than five acres.

(c) Have at least ten spaces completed and ready for occupancy before first occupancy is permitted.

(d) Meet all requirements of the Tooele County Health Department.

(e) Be designed by a qualified designer or design team. The determination of qualifications of such required professional individuals or firms shall be made by the planning commission.

(f) Contain not more than 20 units per acre. The spaces may be clustered, to the total number of units permitted on one acre, multiplied by the number of acres in the development. No unit shall be closer than ten feet to other units. The remaining land not contained in individual trailer spaces, roads or parking, shall be set aside and developed as park, playground, or service areas for the common use and enjoyment of occupants and visitors.

(g) The plan shall be drawn to a scale not smaller than one inch to 50 feet. At least six copies of the plan shall be submitted. The plan shall show:

(i) The boundaries of the park, the topography of the site and adjoining properties, represented by contours shown at not greater than two foot intervals;

(ii) The arrangement of land uses within the park including, but not limited to, the location of community facility areas, playgrounds and open spaces, existing public rights-of-way both within and adjacent to the proposed park, and tabulations showing the per cent of area to be devoted to parks, playgrounds and open space, and individual campsites (campsites shall be identified by number) and total area to be developed;

(iii) A drainage plan that permits adequate surface drainage of the area, is compatible with plans for drainage of adjacent property, and conforms with any adopted plans;

(v) A circulation plan showing the location and widths of all streets with exits and entrances to public rights-of-way designated, as well as all pedestrian walkways within the park;

(vi) Generalized landscaping and utility layout and easements of record, including size and necessary specifications for water, sewer, natural gas, and electrical installations, and fire hydrants;

(vii) The name and address of the owners, operators, as well as the legal description of the area and the present zoning district;

(viii) An outdoor lighting plan illustrating locations and types of light fixtures; and

(ix) Any other data the Planning Commission may require.

(5) Campsites may be used by or for the following:

(a) Recreational vehicle/travel trailers;

(b) Cabins without plumbing, to a maximum of 400 sq. ft.;

(c) Camping equipment;

(d) Convenience store and retail space with a maximum of 3,000 sq. ft.; and

(e) On-site manager housing.

(6) Each recreational vehicle/travel trailer shall display a current license plate.

(7) A recreational coach park may obtain a temporary conditional use permit to allow for temporary worker stays with the following conditions:

(a) those recreational vehicles must leave the recreational coach park seven days upon completion of the construction project;

(b) only those camp sites that are specifically permitted by the planning commission are used for the worker stays;

(c) the recreational vehicles being used remain licensed;

(d) the conditional use permit expires seven days after completion of the construction project; and

(e) any other conditions that the planning commission deems necessary to mitigate impacts to the other campers and surrounding landowners.

11-4. Temporary Use Of Recreational Coaches In Multiple-Use And Agricultural Districts During Recognized Hunting, Fishing Or Other Sports Activity Seasons.

(1) Recreational coaches may be used in M-U and A Districts for hunting, fishing, or other sports activity during recognized hunting, fishing, or other seasons.

(2) The recreational coach owner shall obtain a letter of authorization of temporary occupancy from the appropriate public agency or from the owner of the land if the owner requires prior permission.

(3) No such recreational coach shall be located and occupied in any Multiple-use or Agricultural District

for longer than 30 days in any one month or 60 days in any calendar year, or for any general habitation purpose other than for activity in a recognized and on-going outdoor recreational pursuit.

(4) The above requirements shall not govern in campgrounds or camping areas that are provided, regulated or administrated by local, county, state, or federal officials or agencies.

CHAPTER 12

SITE PLAN REVIEW

Section

- 12-1. Purpose.
- 12-2. Scope of application.
- 12-3. Scope of modifications authorized.
- 12-4. Site plan content for single lot detached single-family and two-family/twin home dwellings and accessory buildings to dwellings for building permits.
- 12-5. General site plan content..
- 12-6. Stormwater drainage.
- 12-7. Utilities.
- 12-8. Procedures for site plan review.

12 - 1. Purpose.

(1) The intent of the site plan review is to promote the safe and efficient use of land, to contribute to an orderly and harmonious appearance in the county and to further enhance the value of property. This process is intended to supplement the review and administrative procedures which are carried out under the Tooele County Land Use Ordinance and other county ordinances and regulations. The site plan review process is intended to help ensure that newly developed properties and redeveloped properties are compatible with adjacent development and that traffic, public safety issues, overcrowding, and environmental problems are minimized to the greatest extent possible. The purpose of the site plan review is to provide for a review of:

- (a) a project's compatibility with its environment and with other land uses and buildings existing in the surrounding area;
- (b) the quality, quantity, utility, size and type of a project's required open space and proposed landscaping improvements;
- (c) the ability of a project's traffic circulation system to provide for the convenient and safe internal and external movement of vehicles and pedestrians;
- (d) the quantity, quality, utility and type of a project's required community facilities; and
- (e) the location and adequacy of a project's provision for drainage and utilities.

12 - 2. Scope of application.

Site plan approval shall be required as a condition to receiving a building or conditional use permit for all permitted or conditional uses in all zoning districts.

12 - 3. Scope of modifications authorized.

(1) The authority of the zoning administrator through the site plan review process to require

modification of a proposed site development shall be limited to the following:

- (a) minimizing dangerous traffic movements and promoting the smooth and efficient flow of traffic in accordance with standards in the Institute of Traffic Engineers' Transportation Handbook, and other local sources of authority as adopted by resolution;
- (b) optimizing the efficient use of parking facilities through provisions for adequate interior circulation, parking stalls and travel aisles;
- (c) promoting compatibility with adjacent and nearby properties;
- (d) preserving and protecting valuable natural features and amenities to the greatest extent practical;
- (e) promoting the efficient provision of public services;
- (f) preserving existing healthy and long-lived trees wherever practically feasible;
- (g) designing of drainage facilities to promote the use and preservation of natural watercourse and patterns of drainage;
- (h) minimizing alterations to existing topography;
- (i) protecting important views and vistas as identified in adopted plans;
- (j) promoting the use of plant material compatible with the climate of the region and micro-climate conditions on the site;
- (k) ensuring that plant material can be maintained for long term health and continued growth;
- (l) maximizing water conservation;
- (m) ensuring that the arrangement of required landscaping produces the optimal visual effect;
- (n) ensuring that the location, size and orientation of signage do not impair the visibility of or distract motorists;
- (o) ensuring that the location, size and orientation of signage minimize obstructions and hazards to pedestrians;
- (p) designing or directing of outdoor lighting devices or fixtures; and
- (q) ensuring the proposed site development conforms to all applicable requirements of the land use ordinance and other ordinances and regulations.

12 - 4. Site plan content for single lot detached single-family and two-family/twin home dwellings and accessory buildings to dwellings for building permits.

(1) The application form, fees, two copies of a site plan and other supporting material as required by the county shall be submitted to the planning division. The planning division, upon receipt of the application, shall determine whether the application is complete and ready for review based on the stated requirements for submittal and requests for exceptions to the submittal requirements. If the material that has been submitted is determined to be incomplete, all review of the submittal will be delayed until the planning division receives the necessary material to make the submittal complete. The zoning administrator may waive items on the application form that are not applicable due to the particular circumstances or conditions of that development proposal.

(2) Two copies of a site plan, drawn to a scale of 20 feet to the inch or such other scale as the zoning administrator shall deem appropriate, shall be submitted along with the permit application and shall contain the following information:

(a) the owner's name, address and telephone number;

(b) the street address and parcel number or legal description of the subject property;

(c) the boundaries of the subject property, all existing property lines, setback lines, existing streets, buildings, water courses, water ways or lakes, wetlands, and other existing physical features in or adjoining on the project;

(d) on-site storm water drainage and retention;

(e) location of the on-site well, septic tank and drain field;

(f) location of a septic drain field and areas that confine animals such as barns, corrals or stables of an adjoining property if within 100 feet of the on site well;

(g) location of a well of an adjoining property if within 100 feet of the on-site septic drain field and areas that confine animals such as barns, corrals or stables;

(h) distance of driveway from the intersection of the two front yard property lines on corner lots;

(i) distance of the driveway to the nearest driveway if within 25 feet to any other driveway;

(j) locations, heights and distances of any existing and proposed fences;

(k) the location of all proposed buildings and structures, accessory and principal, showing:

(i) the number of stories and height;

(ii) the distance from all property lines and other existing or proposed structures; and

(iii) dwelling type and use.

(l) a signature panel for zoning administrator approval.

12 - 5. General site plan content.

(1) Except for single lot detached single-family and two-family/twin home dwellings for a building permit, all other applications shall submit a site plan that complies with this section. The application form, fees, two copies of a site plan and other supporting material as required by the county shall be submitted to the planning division. The planning division, upon receipt of the application, shall determine whether the application is complete and ready for review based on the stated requirements for submittal and requests for exceptions to the submittal requirements. If the submitted material is determined to be incomplete, all review of the submittal will be delayed until the planning division receives the necessary material to make the submittal complete.

(2) Two copies of a site plan, drawn to a scale of 20 feet to the inch or such other scale as the zoning administrator shall deem appropriate, shall be submitted along with any permit application and shall contain the following information:

(a) the applicant's name, address, telephone number and interest in the property;

(b) the owner's name, address and telephone number, if different than the applicant;

(c) the street address and parcel number or legal description of the subject property;

(d) the zoning district;

(e) a vicinity map with north point, and scale;

(f) the title of the project and the names, addresses and telephone numbers of the architect, landscape architect, planner, and engineer on the project if applicable;

(g) the boundaries of the subject property, all existing property lines, setback lines, existing streets, buildings, water courses, water ways or lakes, wetlands, and other existing physical features on the project;

(h) the finished grade for the entire site shall be shown as well as the first floor elevation of all buildings. Additionally, on all site plans the following information must be provided:

(i) significant topographical or physical features of the site, including existing trees;

(ii) the elevation of the curb if existing or proposed in front of each lot; and

(iii) elevations of the top and toe of slope, slope ratio of fill, and limits of fill, including access;

(i) the location and size of sanitary and storm systems, water, gas, telephone, electric and other

utility lines, culverts and other underground structures in or affecting the project, including existing and proposed facilities and easements for these facilities, and in the case of county-owned utilities, such information may be obtained from the appropriate county department;

- (j) the location, and dimensions of:
 - (i) proposed streets;
 - (ii) access to the project and the distance from:
 - (A) those on adjoining properties within 150 feet;
 - (B) the property lines; and
 - (C) if a corner lot, all street intersections that abut the property;
 - (iii) alleys;
 - (iv) loading areas;
 - (v) parking lots to include ADA accessible spaces including numbers and dimensions of parking and loading spaces;
 - (vi) outdoor lighting systems;
 - (vii) sidewalks, curbs and gutters and all curb cuts;
 - (viii) gasoline or diesel pumps and islands if located on the site; and
 - (ix) points for the connections to major utilities;
- (k) the location of all proposed buildings and structures, accessory and principal, showing:
 - (i) the number of stories and height;
 - (ii) the distance from all property lines and other existing or proposed structures;
 - (iii) type of use that will be located in the structure;
 - (iv) the percent of building coverage of the lot; and
 - (v) the total square footage of the floor area by proposed use of each building;
- (l) the location, height, type and material of all fences and walls;
- (m) if the development includes signs, the location, character, size, height and orientation of proposed signs, as proposed to be erected and elevations of buildings showing signs to be placed on exterior walls;
- (n) adequate measures to prevent pollution of surface or ground water, to minimize erosion and sedimentation, and to prevent changes in ground water levels, increased runoff and potential for flooding, drainage designed so that runoff shall not be increased, ground water recharge is maximized, and neighboring properties will not be adversely affected;
- (o) when the public road frontage has existing curbs or is required to install curbs as part of the

development improvements, street trees shall be required to be installed in the parkway;

- (p) on-site lighting showing compliance with the Tooele County Land Use Ordinance;
- (q) the location of dumpsters or other outdoor trash receptacles;
- (r) the location and dimensions of proposed recreation areas, open spaces and other required amenities and improvements;
- (s) a tabulation of the total number of acres in the project and the percentage and acreage thereof proposed to be allocated to off-street parking, open space, parks, and other reservations;
- (t) a tabulation of the total number of dwelling units in the project and the overall project density in the dwelling units per gross acre for residential projects; and
- (u) a signature panel for zoning administrator approval.

(3) The zoning administrator may waive any of the above listed requirements upon making a determination that such requirements are unnecessary due to the scope and nature of the proposed development.

12 - 6 Stormwater drainage.

Provisions for storm surface drainage shall be in accordance with the design standards of the road department indicating location, size, types and grades of sewers, drainage structures, ditches, and connection to existing drainage system. Disposition of storm or natural waters both on and off the site shall be provided in such a manner as not to have a detrimental effect on the property of others or the public right-of-way and in keeping with the above standards. The site plan must reflect compliance with this section.

12 - 7. Utilities.

Hook-ups to public utilities shall be the responsibility of the applicant. Connections shall be installed in accordance with the standards of the servicing utility. All connections shall be shown on the site plan.

12 - 8. Procedures for site plan review.

(1) Before filing an application for approval of a site development plan the applicant is encouraged to confer with the zoning administrator, county planner, sheriff department, health department, and fire department regarding the general proposal. Such action does not require formal application fees or filing of a site development plan or landscape plan and is not to be construed as an application for formal approval. No representation made by the zoning administrator or other county personnel or departments during such

conference shall be binding upon the county with respect to an application subsequently submitted.

(2) After the site plan, other applicable plans and related materials and fees have been submitted and the application has been determined by the zoning administrator to be complete, the application shall be reviewed and processed in coordination with the appropriate personnel and county departments. In considering and acting upon site plans and other applicable plans, the zoning administrator shall take into consideration the public health, safety, and welfare, the comfort and convenience of the public in general and of the immediate neighborhood in particular. If the plan is approved, the zoning administrator, shall certify approval on the site plan and state the conditions of such approval, if any. If the plan is disapproved, the zoning administrator shall indicate reasons in writing to the applicant. No permit may be issued by the zoning administrator, building inspector, or the planning commission without site plan approval.

(3) Any appeal of the zoning administrator's denial of a site plan shall be made to the board of adjustment. Any such appeal shall be filed within 30 days from the date of such denial.

(4) The action of the zoning administrator approving the application shall be noted on all copies of the site plan to be retained in the record, including any changes or conditions required as part of the site plan approval. One such copy shall be returned to the applicant, and others retained as required for records or further action by the zoning administrator or other affected agencies of the county.

(5) Building permits shall be issued in accordance with approved plans. A copy of the approved site plan shall be retained in the records of the office of the building inspector and all buildings and occupancy permits shall conform to the provisions of the site development plans.

(6) Amendments or modifications to approved site plans must be submitted to the zoning administrator. Such modifications shall be submitted in accordance with the procedures and requirements of this chapter and shall be distributed to the appropriate county departments for review. The zoning administrator may waive this requirement where the zoning administrator has determined that such modification of the site plan has no significant impact upon the original proposal and still remains in conformance with county standards and regulations.

(7) Approval of the site plan, shall be void unless a building permit, conditional use permit or use of the land has commenced within 12 months from the date of approval. Upon request, revalidation of the site plan may be granted for an additional 12 months if all

factors of the original site plan review are the same; provided, however, that written notice requesting revalidation must be received by the zoning administrator prior to expiration of the original 12 month period.

(8) A stop work order shall be put on the project if any improvements are inconsistent with the approved site plan.

CHAPTER 14

ZONING DISTRICTS

Section

14 - 1 Establishment of zoning districts.

14 - 2 Rules for locating boundaries.

14 - 1 Establishment of zoning districts.

Territory of Tooele County is divided into the following zoning districts:

- (1) Multiple Use (MU-40);
- (2) Multiple Use (MU-80);
- (3) Multiple Use (MU-160);
- (4) Agricultural (A-20);
- (5) Agricultural (A-40);
- (6) Rural Residential (RR-1);
- (7) Rural Residential (RR-5);
- (8) Rural Residential (RR-10);
- (9) Residential (R-1-21);
- (10) Residential (R-1-12);
- (11) Residential (R-1-10);
- (12) Residential (R-1-8);
- (13) Multiple Residential (R-M-7);
- (14) Multiple Residential (R-M-15);
- (15) Multiple Residential (R-M-30);
- (16) Commercial Neighborhood (C-N);
- (17) Commercial Shopping (C-S);
- (18) Commercial Highway (C-H);
- (19) Commercial General (C-G);
- (20) Manufacturing Distribution (M-D);
- (21) Manufacturing General (M-G);
- (22) Travel Influence (T);
- (23) Hazardous Industries (MG-H);
- (24) Railroad Travel Influence (R-T);
- (25) Highway Access (HA);
- (26) Mining, quarry, sand and gravel excavation (MG-EX);
- (27) Drinking water source protection overlay (DWSPO);
- (28) Construction debris overlay (CDO); and
- (29) Municipal solid waste (MSW).

14 - 2 Rules for locating boundaries.

Where uncertainty exists as to the boundary of any zoning district, the following rules shall apply:

(1) Wherever the district boundary is indicated as being approximately upon the center line of a street, alley, or block, or along a property line, the center line of such street, alley, block, or such property line, shall be deemed to be the boundary of such district.

(2) Whenever a boundary line is indicated as being approximately at the line of any river, irrigation canal or other waterway, or railroad right-of-way, or public

park or other public land, or any section line, then the center of such stream, canal or waterway, or such railroad right-of-way, or the boundary line in such public land or such section line shall be deemed to be the boundary of such district.

(3) Where the application of the above rules does not clarify the district boundary location, an administrative hearing officer shall interpret the district boundary.

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.

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

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.

- (5) On corner lots, two front yards and two side yards are required.
- (6) Maximum building height: 35 feet.
- (7) Maximum building coverage: five percent.
- (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.

15-1-1. 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.

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

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

(1) Minimum lot size: 40 acres (1,742,400 sq ft.). A six 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:

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

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

(1) Minimum lot size: 80 acres (3,484,800 sq ft.). A six 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: ten feet.

(c) side yard:

(i) main building: 30 feet; and

(ii) accessory buildings:

(A) from the front setback to distance ten feet behind the main dwelling, 30 feet.

(B) from a distance ten feet behind the main 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.
- (6) Maximum building coverage: five percent.
- (7) 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.

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

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

- (1) Minimum lot size: 160 acres (6,969,600 sq ft.). A six percent reduction in minimum lot size shall be allowed for dedication of public rights-of-way providing access to and past the affected lot.
- (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: ten feet.
 - (c) side yard:
 - (i) main building: 30 feet; and
 - (ii) accessory buildings:
 - (A) from the front setback to distance ten feet behind the main dwelling, 30 feet.
 - (B) from a distance ten feet behind the main 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: five percent.
- (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.

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 normally 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-20 and A-40.

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

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

- (1) Minimum lot size: 20 acres (871,200 sq ft.). A six 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: ten feet.
 - (c) side yard:
 - (i) main building: 30 feet; and
 - (ii) accessory buildings:
 - (A) from the front setback to distance ten feet behind the main dwelling, 30 feet.
 - (B) from a distance ten feet behind the main 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: five percent.
- (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.

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

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

- (1) Minimum lot size: 40 acres (1,742,400 sq ft.). A six 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
 - (ii) accessory buildings: ten feet; and
 - (c) side yard:
 - (i) main building: 30 feet; and
 - (ii) accessory buildings:
 - (A) from the front setback to distance ten feet behind the main dwelling, 30 feet.
 - (B) from a distance ten feet behind the main 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: five percent.
- (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.

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.

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

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

- (1) Minimum lot size: one acre (43,560 sq ft.).
- (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: ten feet.
 - (c) side yard:
 - (i) main building: 15 feet; and
 - (ii) accessory buildings:
 - (A) from the front setback to distance ten feet behind the main dwelling, 15 feet.
 - (B) from a distance ten feet behind the main 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 percent.
- (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.

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

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

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

- (1) Minimum lot size: five acres (217,800 sq ft.). A six 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: ten feet.
 - (c) side yard:

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) main building: 20 feet; and
 - (ii) accessory buildings:
 - (A) from the front setback to distance ten feet behind the main dwelling, 20 feet.
 - (B) from a distance ten feet behind the main 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: ten percent.
 - (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.
- 15-3-4. RR-10 development restrictions.**
- The development restrictions in RR-10 zoning districts are as follows:
- (1) Minimum lot size: ten acres (435,600 sq ft.). A six 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: ten feet.
 - (c) side yard:
 - (i) main building: 25 feet; and
 - (ii) accessory buildings:
 - (A) from the front setback to distance ten feet behind the main dwelling, 25 feet.
 - (B) from a distance ten feet behind the main 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: five percent.
 - (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.

- (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 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.

(1) 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.

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

(3) 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, "-".

(4) If a regulation applies in a given district, it is indicated in the appropriate column by a 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, "-".

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.

15-5-3. Use tables.

Table 15-5-3.1. Agriculture, forestry and keeping of animals.									
#	Use	Multiple use (MU-)			Agriculture (A-)		Rural Residential (RR-)		
		40	80	160	20	40	1	5	10
a	Apiary (beehives)	P	P	P	P	P	C	C	P
b	Agricultural industry or business	C	C	C	C	C	-	C	C
c	Aviary	P	P	P	P	P	-	C	P
d	<i>Farms devoted to raising and marketing of chickens, turkeys or other fowl or poultry, fish or frogs, including wholesale and retail sales</i>	P	P	P	P	P	-	C	C

Table 15-5-3.1. Agriculture, forestry and keeping of animals.

#	Use	Multiple use (MU-)			Agriculture (A-)		Rural Residential (RR-)		
		40	80	160	20	40	1	5	10
e	Feedlot (lot or parcel must have the minimum area required in the zone)	C	C	C	C	C	-	-	-
f	Forestry, except forest industry	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
i	Household pets (no more than 2)	P	P	P	P	P	P	P	P
j	Kennel								
	kennel, boarding	C	C	C	C	C	-	C	C
	kennel, breeding	C	C	C	C	C	-	C	C
	kennel, private	C	C	C	C	C	-	C	C
k	Personal agriculture, including grazing and pasturing of animals	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
m	Riding academy or riding ring, horse show barns or facilities	C	C	C	C	C	-	C	C
n	Stable								
	Stable, commercial	C	C	C	C	C	-	C	C
	Stable, private	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	Accessory buildings and uses customarily incidental to permitted uses	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

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

#	Use	Multiple use (MU-)			Agriculture (A-)		Rural Residential (RR-)		
		40	80	160	20	40	1	5	10
a	Adult day care	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	-	-	-
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
e	Child care, residential, that complies with the following conditions: 1. There shall be no more than six children per adult supervisor, with an infant, and six plus two school children with no infant in the home, at any one time, and that the stay of the children shall be not more than twelve hours in any one 24 hour period; 2. There shall be no more than 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 area that is used as the day care be made to conform to those standards of the current and any future updates of the Uniform Building Code for such a use; 5. The children shall have constant adult supervision, and never left to be on their own or out of site of an adult working with the child day care; 6. Parents or guardians shall make written permission at the enrollment of the child as to the names of people who may take or pickup the child; 7. Records of who picks up and drops off the child shall be	C1	C1	C1	C1	C1	C1	C1	C1

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

#	Use	Multiple use (MU-)			Agriculture (A-)		Rural Residential (RR-)		
		40	80	160	20	40	1	5	10
	<p>maintained by the child day care and kept for no less than 7 years;</p> <p>8. Insurance shall be maintained for such a use, and a copy of the insurance coverage shall be sent to the Department of Engineering once a year;</p> <p>9. The child day care shall maintain a list of medical insurance information and phone numbers of people appointed by the parent or guardian in the event of an emergency;</p> <p>10. All adults working at the child day care shall have current first aid and CPR certification;</p> <p>11. 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>12. The child day care shall comply with the requirements of the Tooele County Health Department on any regulations for child day care operations;</p> <p>13. Any person residing within the dwelling or employed from out of the dwelling shall not have a conviction of child abuse, child sexual abuse or any other crime against a child. Clearances of employees shall be made through the Tooele County Sheriffs office prior to any contact with any children;</p> <p>14. No more than 6 children per adult working at the daycare shall be allowed;</p> <p>15. Meals and treats shall be prepared in accordance with Health Department regulations and rules; and</p> <p>15. The employees of the Department of Engineering, Tooele County Health Department, and the Tooele County Sheriffs Department shall be permitted to inspect the child day care during its hours of operation.</p>								
f	Construction equipment and supply trailer, temporary	C1	C1	C1	C1	C1	C1	C1	C1
g	Construction field office, temporary	C1	C1	C1	C1	C1	C1	C1	C1

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

#	Use	Multiple use (MU-)			Agriculture (A-)		Rural Residential (RR-)		
		40	80	160	20	40	1	5	10
h	Electromagnetic Interference Testing (As described by FCC Docket No. 20780, Amendment 79-555 Governing Restricted Radiation Devices) (Rev. Or. 81-4)	C	C	C	C	C	C	C	C
i	Home occupations	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
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 arriving to school and leaving the school; 2. No food shall be prepared and served in the home for consumption by the students; 3. There shall be no more than 1 adult employed by the pre-school who resides outside of the home; 4. The inside area that is used as the pre-school be made to conform to those standards of the current and any future updates of the building code for such a use; 5. The children shall have constant adult supervision, and never left to be on their own or out of the sight of an adult working in the pre-school; 6. Parents or guardians shall make written permission at the enrollment of the child as to the names of the people who drop off or pick up the child; 7. A person who drops off or picks up a child shall sign their name and time on a form provided by the pre-	C1	C1	C1	C1	C1	C1	C1	C1

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

#	Use	Multiple use (MU-)			Agriculture (A-)		Rural Residential (RR-)		
		40	80	160	20	40	1	5	10
	<p>school.</p> <p>8. Records of who picks up and drops off the child shall be maintained by the pre-school and kept for no less than 7 years;</p> <p>9. Insurance shall be maintained for such a use, and a copy of the insurance coverage shall be sent to the department of engineering once annually;</p> <p>10. The pre-school shall maintain a list of medical insurance information and phone numbers of people appointed by the parent or guardian in the event of an emergency;</p> <p>11. All adults working at the pre-school shall have current first aid and CPR certification;</p> <p>12. The pre-school may operate Monday-Friday, with 2 separate 2½ hour sessions. The hours of operation shall be between 8:30 am and 4:00 pm.</p> <p>13. Any person residing within the dwelling or employed from out of the dwelling shall not have a conviction of child abuse, child sexual abuse or any other crime against a child. Clearances of employees shall be made through the tooele county sheriff's office prior to any contact with any children; and</p> <p>14. The number of children allowed at the pre-school at any one time shall be determined by the zoning administrator</p>								
m	Radio and television transmitting stations or towers	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 biosolids and other acceptable organic waste such as chicken manure	C	C	C	C	C	-	-	-
p	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P	P

Table 15-5-3.2. Commercial and industrial uses.									
#	Use	Multiple use (MU-)			Agriculture (A-)		Rural Residential (RR-)		
		40	80	160	20	40	1	5	10
q	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	C	C	C	C	C

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.									
#	Use	Multiple use (MU-)			Agriculture (A-)		Rural Residential (RR-)		
		40	80	160	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; 3. The accessory housing unit shall be subordinate to the single family dwelling; 4. The accessory housing unit does not result in excessive noise, traffic or parking congestion; 5. The accessory housing unit shall have the same address as the main house; 6. 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; 7. The floor area for accessory housing unit shall not exceed five hundred 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; 8. The conditional use permit for the accessory housing unit shall be in 	C	C	C	C	C	C	C	C

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.

#	Use	Multiple use (MU-)			Agriculture (A-)		Rural Residential (RR-)		
		40	80	160	20	40	1	5	10
	<p>effect only so long as the single family dwelling is occupied by the owner of record; and</p> <p>9. 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> <ol style="list-style-type: none"> 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; 2. The accessory housing unit shall be subordinate to the single family dwelling. A single-family dwelling exists or will be constructed in conjunction with the accessory housing unit; 3. The accessory housing unit shall not result in excessive noise, traffic or parking congestion; 4. The location and design of the accessory housing unit shall maintain a compatible relationship to adjacent properties and does not significantly impact the privacy, light, air, solar access or parking of adjacent properties; 5. The accessory housing unit shall have the same address as the single family dwelling; 6. There shall be 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. 	C	C	C	C	C	C	C	C

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.

#	Use	Multiple use (MU-)			Agriculture (A-)		Rural Residential (RR-)		
		40	80	160	20	40	1	5	10
	<p>Parking for the accessory housing unit is in addition to the required parking for the primary residence;</p> <p>7. The floor area for accessory housing unit shall not exceed 800 square feet. 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. Attached 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> <p>10. The accessory housing unit shall not be sold separately;</p> <p>12. 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>13. 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</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>	C1	C1	C1	C1	C1	C1	C1	C1

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.

#	Use	Multiple use (MU-)			Agriculture (A-)		Rural Residential (RR-)		
		40	80	160	20	40	1	5	10
	3. The establishment shall not contain cooking facilities in guest rooms for preparation of meals by guests. 4. Meals are served only to residents and overnight guests. 5. The establishment shall conform to all applicable fire, building and health codes. 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	C	C	C	C	C
i	within the Erda Township	-	-	-	-	-	-	-	-
ii	percent of open space required for 100% density	65	75	85	50	65	35	40	45
iii	minimum size of lots in acres	1	5	5	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
v	the minimum parcel size in acres to be divided by conservation subdivisions	80	160	320	40	80	10	20	20
e	Dwellings or residential facilities for elderly or disabled persons	P	P	P	P	P	P	P	P
f	Farm or ranch housing	C	C	C	C	C	-	-	-
g	Single family dwellings	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
i	Two-family dwellings (duplex)	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

Table 15-5-3.3. Dwellings, living quarters and long or short term residences.									
#	Use	Multiple use (MU-)			Agriculture (A-)		Rural Residential (RR-)		
		40	80	160	20	40	1	5	10
k	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	C	C	C	C	C

Table 15-5-3.4. Public and quasi-public uses.									
#	Use	Multiple use (MU-)			Agriculture (A-)		Rural Residential (RR-)		
		40	80	160	20	40	1	5	10
a	Church	C	C	C	C	C	C	C	C
b	Cemetery	C	C	C	C	C	C	C	C
c	Dams and reservoirs	C	C	C	C	C	C	C	C
d	Private road	C	C	C	C	C	C	C	C
e	Public owned parks and recreational facilities	P	P	P	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	C	C	C	C	C
g	Accessory buildings and uses customarily incidental to permitted uses	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

Table 15-5-3.5. Recreational, camping and amusement uses.									
#	Use	Multiple use (MU-)			Agriculture (A-)		Rural Residential (RR-)		
		40	80	160	20	40	1	5	10
a	Dude ranch, family vacation ranch	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

#	Use	Multiple use (MU-)			Agriculture (A-)		Rural Residential (RR-)		
		40	80	160	20	40	1	5	10
c	Commercial paintball course and paintball target range.	C1	C1	C1	C1	C1	C1	C1	C1
d	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P	P
e	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	C	C	C	C	C

#	Use	Multiple use (MU-)			Agriculture (A-)		Rural Residential (RR-)		
		40	80	160	20	40	1	5	10
a	Power generation for on-site use:								
	i solar	P	P	P	P	P	P	P	P
	ii wind driven under 5.9 KVA	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
	iii Steam, hydro, or reciprocating engine with more than 10.05 KVA, but less than 150 KVA output	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
c	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	C	C	C	C	C

CHAPTER 16

RESIDENTIAL AND MULTIPLE RESIDENTIAL DISTRICTS

Part

- 16-1. Residential Districts.
- 16-2. Multiple Residential Districts
- 16-3. Exemption from Area Requirements.
- 16-4. Use Tables, Codes, Symbols and Restrictions.

PART 16-1

RESIDENTIAL DISTRICTS

Section

- 16-1-1. Purposes of Residential District R-1-8.
- 16-1-2. R-1-8 development restrictions.
- 16-1-3. Purposes of Residential District R-1-10.
- 16-1-4. R-1-10 development restrictions.
- 16-1-5. Purposes of Residential District R-1-12.
- 16-1-6. R-1-12 development restrictions.
- 16-1-7. Purposes of Residential District R-1-21.
- 16-1-8. R-1-21 development restrictions.

16-1-1. Purposes of Residential District R-1-8.

The purposes of Residential District R-1-8 are to provide areas for medium to high density single-family residential neighborhoods and minimize costs of infrastructure, development and maintenance.

16-1-2. R-1-8 development restrictions.

The development restrictions in R-1-8 zoning districts are as follows:

- (1) Minimum lot size: 8,000 square feet.
- (2) Minimum width: 70 feet.
- (3) Minimum frontage on a public street or an approved private street: 40 feet.
- (4) Minimum yard setback requirements:
 - (a) front yard: 25 feet.
 - (b) rear yard:
 - (i) main building: 20 feet; and
 - (ii) accessory buildings: three feet providing that they do not encroach on any easement.
 - (c) side yard:
 - (i) main building: eight feet; and
 - (ii) accessory buildings: three feet, provided they do not encroach on any easement.
- (5) On corner lots, two front yards and two side yards are required.
- (6) Maximum building height: 35 feet.

- (7) Maximum building coverage: 35 percent.
- (8) Required improvements:
 - (a) street grading;
 - (b) street base;
 - (c) curb and gutter;
 - (d) sidewalk;
 - (e) on-site surface drainage facilities;
 - (f) culinary water facilities;
 - (g) wastewater disposal; and
 - (h) street monuments.

16-1-3. Purposes of Residential District R-1-10.

The purposes of Residential District R-1-10 are to provide areas for medium to low density single-family residential neighborhoods and to minimize costs of infrastructure, development and maintenance.

16-1-4. R-1-10 development restrictions.

The development restrictions in R-1-10 zoning districts are as follows:

- (1) Minimum lot size: 10,000 square feet.
- (2) Minimum width: 80 feet.
- (3) Minimum frontage on a public street or an approved private street: 45 feet.
- (4) Minimum yard setback requirements:
 - (a) front yard: 20 feet.
 - (b) rear yard:
 - (i) main building: 20 feet; and
 - (ii) accessory buildings: three feet, provided they do not encroach on any easement.
 - (c) side yard:
 - (i) main building: eight feet; and
 - (ii) accessory buildings: three feet, provided they do not encroach on any easement.
- (5) On corner lots, two front yards and two side yards are required.
- (6) Maximum building height: 35 feet.
- (7) Maximum building coverage: 35 percent.
- (8) Required improvements:
 - (a) street grading;
 - (b) street base;
 - (c) curb and gutter;
 - (d) sidewalk;
 - (e) on-site surface drainage facilities;
 - (f) culinary water facilities;
 - (g) wastewater disposal; and
 - (h) street monuments.

16-1-5. Purposes of Residential District R-1-12.

The purposes of Residential District R-1-12 are to provide areas for medium to low density single-family residential neighborhoods of spacious, uncrowded character and to minimize costs of infrastructure, development and maintenance.

16-1-6. R-1-12 development restrictions.

The development restrictions in R-1-12 zoning districts are as follows:

- (1) Minimum lot size: 12,000 square feet.
- (2) Minimum width: 80 feet.
- (3) Minimum frontage on a public street or an approved private street: 45 feet.
- (4) Minimum yard setback requirements:
 - (a) front yard: 30 feet.
 - (b) rear yard:
 - (i) main building: 25 feet; and
 - (ii) accessory buildings: three feet, provided they do not encroach on any easement.
 - (c) side yard:
 - (i) main building: eight feet; and
 - (ii) accessory buildings: three feet, provided they do not encroach on any easement.
- (5) On corner lots, two front yards and two side yards are required.
- (6) Maximum building height: 35 feet.
- (7) Maximum building coverage: 30 percent.
- (8) Required improvements:
 - (a) street grading;
 - (b) street base;
 - (c) curb and gutter;
 - (d) sidewalk;
 - (e) on-site surface drainage facilities;
 - (f) culinary water facilities;
 - (g) wastewater disposal; and
 - (h) street monuments.

16-1-7. Purposes of Residential District R-1-21.

The purposes of Residential District R-1-21 are to provide areas for low density single-family residential neighborhoods of spacious and uncrowded character and to minimize costs of infrastructure, development and maintenance.

16-1-8. R-1-21 development restrictions.

The development restrictions in R-1-21 zoning districts are as follows:

- (1) Minimum lot size: 21,780 square feet (½ acre).
- (2) Minimum width: 100 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: 30 feet; and

(ii) accessory buildings: three feet, provided they do not encroach on any easement.

(c) side yard:

(i) main building: eight feet; and

(ii) accessory buildings: three feet, provided they do not encroach on any easement.

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

(6) Maximum building height: 35 feet.

(7) Maximum building coverage: 20 percent

(8) Required improvements:

(a) street grading;

(b) street base;

(c) curb and gutter;

(d) sidewalk;

(e) on-site surface drainage facilities;

(f) culinary water facilities;

(g) wastewater disposal; and

(h) street monuments.

PART 16-2

MULTIPLE RESIDENTIAL DISTRICTS

Section

16-2-1. Purposes of Multiple Residential District R-M-7.

16-2-2. R-M-7 development restrictions.

16-2-3. Purposes of Multiple Residential District R-M-15.

16-2-4. R-M-15 development restrictions.

16-2-5. Purposes of Multiple Residential District R-M-30.

16-2-6. R-M-30 development restrictions.

16-2-1. Purposes of Multiple Residential District R-M-7.

The purposes of Multiple Residential District R-M-7 are to provide for areas for medium to high residential density with the opportunity for varied housing styles and character.

16-2-2. R-M-7 development restrictions.

The development restrictions in R-M-7 zoning districts are as follows:

(1) Minimum lot size:

(a) 7,000 sq ft. for the first dwelling unit;

(b) 6,000 sq ft. for each additional dwelling unit; and

- (c) maximum density is seven dwelling units per acre.
- (2) Minimum width: 70 feet.
- (3) Minimum frontage on a public street or an approved private street: 45 feet.
- (4) Minimum yard setback requirements:
 - (a) front yard: 25 feet.
 - (b) rear yard:
 - (i) main building: 30 feet; and
 - (ii) accessory buildings: three feet, provided they do not encroach on any easement.
 - (c) side yard:
 - (i) main building: eight feet; and
 - (ii) accessory buildings: three feet, provided they do not encroach on any easement.
- (5) On corner lots, two front yards and two side yards are required.
- (6) Maximum building height: 35 feet.
- (7) Maximum building coverage: 35 percent.
- (8) Required improvements:
 - (a) street grading;
 - (b) street base;
 - (c) curb and gutter;
 - (d) sidewalk;
 - (e) on-site surface drainage facilities;
 - (f) culinary water facilities;
 - (g) wastewater disposal; and
 - (h) street monuments.

16-2-3. Purposes of Multiple Residential District R-M-15.

The purposes of Multiple Residential District R-M-15 are to provide areas for high residential density with the opportunity for varied housing styles and character.

16-2-4. R-M-15 development restrictions.

The development restrictions in R-M-15 zoning districts are as follows:

- (1) Minimum lot size:
 - (a) 8,000 sq ft. for the first dwelling unit;
 - (b) 2,500 sq ft. for each additional dwelling unit; and
 - (c) maximum density is 15 dwelling units per acre.
- (2) Minimum width: 70 feet.
- (3) Minimum frontage on a public street or an approved private street: 45 feet.
- (4) Minimum yard setback requirements:
 - (a) front yard: 25 feet.
 - (b) rear yard:
 - (i) main building: 20 feet; and

- (ii) accessory buildings: three feet, provided they do not encroach on any easement.
- (c) side yard:
 - (i) main building: eight feet; and
 - (ii) accessory buildings: three feet, provided they do not encroach on any easement.
- (5) On corner lots, two front yards and two side yards are required.
- (6) Maximum building height: 55 feet.
- (7) Maximum building coverage: 50 percent.
- (8) Required improvements:
 - (a) street grading;
 - (b) street base;
 - (c) curb and gutter;
 - (d) sidewalk;
 - (e) on-site surface drainage facilities;
 - (f) culinary water facilities;
 - (g) wastewater disposal; and
 - (h) street monuments.

16-2-5. Purposes of Multiple Residential District R-M-30.

The purposes of Multiple Residential District R-M-30 are to provide for high residential density with the opportunity for varied housing styles and character.

16-2-6. R-M-30 development restrictions.

The development restrictions in R-M-30 zoning districts are as follows:

- (1) Minimum lot size:
 - (a) 8,000 sq ft. for the first dwelling unit;
 - (b) 1,200 sq ft. for each additional dwelling unit; and
 - (c) maximum density is 30 dwelling units per acre.
- (2) Minimum width: 70 feet.
- (3) Minimum frontage on a public street or an approved private street: 45 feet.
- (4) Minimum yard setback requirements:
 - (a) front yard: 25 feet.
 - (b) rear yard:
 - (i) main building: 20 feet; and
 - (ii) accessory buildings: three feet, provided they do not encroach on any easement.
 - (c) side yard:
 - (i) main building: eight feet; and
 - (ii) accessory buildings: three feet, provided they do not encroach on any easement.
- (5) On corner lots, two front yards and two side yards are required.
- (6) Maximum building height: 75 feet.

- (7) Maximum building coverage: 50 percent.
- (8) Required improvements:
 - (a) street grading;
 - (b) street base;
 - (c) curb and gutter;
 - (d) sidewalk;
 - (e) on-site surface drainage facilities;
 - (f) culinary water facilities;
 - (g) wastewater disposal; and
 - (h) street monuments.

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 residential or residential multi-family 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.

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

PART 16-4

USE TABLES, CODES, SYMBOLS AND RESTRICTIONS

Section

- 16-4-1. Codes and symbols.**
- 16-4-2. Uses.**
- 16-4-3. Use tables.**
- 16-4-3.1. Agriculture, forestry and keeping of animals.**
- 16-4-3.2. Commercial and industrial uses.**
- 16-4-3.3. Dwellings, living quarters and long or short-term residences.**
- 16-4-3.4. Public and quasi-public uses.**
- 16-4-3.5. Recreational, camping and amusement uses.**
- 16-4-3.6. Utilities and utility services.**

16-4-1. Codes and symbols.

(1) In this Part are uses of land or buildings which are allowed in the various districts as follows:

(a) "permitted uses", indicated by a "P" in the appropriate column; and (b) "conditional uses", indicated by a "C" or "C1" in the appropriate column.

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

(3) 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, "-".

(4) If a regulation applies in a given district, it is indicated in the appropriate column by a 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, "-".

16-4-2. 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 residential and multiple residential districts except as provided in this Chapter.

16-4-3. Use tables.

Table 16-4-3.1. Agriculture, forestry and keeping of animals.								
#	Use	Residential (R-1-__)				Multiple Residential (R-M-__)		
		21	12	10	8	7	15	30
a	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P
b	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	C	C	C	C
c	Household pets (no more than 2)	P	P	P	P	P	P	P
d	Personal agriculture, the tilling of the soil, the raising of crops, horticulture, and gardening	P	P	P	P	P	P	P

Table 16-4-3.2. Commercial and industrial uses.								
#	Use	Residential (R-1-__)				Multiple Residential (R-M-__)		
		21	12	10	8	7	15	30
a	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P
b	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	C	C	C	C
c	Adult day care facility	C	C	C	C	C	C	C
d	Child care, commercial	C	C	C	C	C	C	C
e	Child care, residential, that complies with the following conditions: 1. There shall be no more than six children per adult supervisor, with an infant, and six plus two school children with no infant in the home, at any one time, and that the stay of the children shall be not more than twelve hours in any one 24 hour period; 2. There shall be no more than 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 area that is used as the day care be made to conform to those standards of the current and any future updates of the Uniform Building	C1	C1	C1	C1	C1	C1	C1

Table 16-4-3.2. Commercial and industrial uses.

#	Use	Residential (R-1-__)				Multiple Residential (R-M - __)		
		21	12	10	8	7	15	30
	<p>Code for such a use;</p> <p>5. The children shall have constant adult supervision, and never left to be on their own or out of site of an adult working with the child day care;</p> <p>6. Parents or guardians shall make written permission at the enrollment of the child as to the names of people who may take or pickup the child;</p> <p>7. Records of who picks up and drops off the child shall be maintained by the child day care and kept for no less than 7 years;</p> <p>8. Insurance shall be maintained for such a use, and a copy of the insurance coverage shall be sent to the Department of Engineering once a year;</p> <p>9. The child day care shall maintain a list of medical insurance information and phone numbers of people appointed by the parent or guardian in the event of an emergency;</p> <p>10. All adults working at the child day care shall have current first aid and CPR certification;</p> <p>11. 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>12. The child day care shall comply with the requirements of the Tooele County Health Department on any regulations for child day care operations;</p> <p>13. Any person residing within the dwelling or employed from out of the dwelling shall not have a conviction of child abuse, child sexual abuse or any other crime against a child. Clearances of employees shall be made through the Tooele County Sheriffs office prior to any contact with any children;</p> <p>14. No more than 6 children per adult working at the daycare shall be allowed;</p> <p>15. Meals and treats shall be prepared in accordance with Health Department regulations and rules; and</p> <p>15. The employees of the Department of Engineering, Tooele County Health Department, and the Tooele County Sheriffs Department shall be permitted to inspect the child day care during its hours of operation.</p>							
f	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	-	-	-
g	Construction equipment and supply trailer, temporary	C1	C1	C1	C1	C1	C1	C1
h	Construction field office, temporary	C1	C1	C1	C1	C1	C1	C1
i	Home occupation	C1	C1	C1	C1	C1	C1	C1
j	Preschool with the following conditions:	C1	C1	C1	C1	C1	C1	C1

Table 16-4-3.2. Commercial and industrial uses.

#	Use	Residential (R-1-___)				Multiple Residential (R-M-___)		
		21	12	10	8	7	15	30
	<p>1. All pre-school activities shall take place inside the residence. The students shall remain in the home except when arriving to school and leaving the school;</p> <p>2. No food shall be prepared and served in the home for consumption by the students;</p> <p>3. There shall be no more than 1 adult employed by the pre-school who resides outside of the home;</p> <p>4. The inside area that is used as the pre-school be made to conform to those standards of the current and any future updates of the building code for such a use;</p> <p>5. The children shall have constant adult supervision, and never left to be on their own or out of the sight of an adult working in the pre-school;</p> <p>6. Parents or guardians shall make written permission at the enrollment of the child as to the names of the people who drop off or pick up the child;</p> <p>7. A person who drops off or picks up a child shall sign their name and time on a form provided by the pre-school.</p> <p>8. Records of who picks up and drops off the child shall be maintained by the pre-school and kept for no less than 7 years;</p> <p>9. Insurance shall be maintained for such a use, and a copy of the insurance coverage shall be sent to the department of engineering once annually;</p> <p>10. The pre-school shall maintain a list of medical insurance information and phone numbers of people appointed by the parent or guardian in the event of an emergency;</p> <p>11. All adults working at the pre-school shall have current first aid and CPR certification;</p> <p>12. The pre-school may operate Monday-Friday, with 2 separate 2½ hour sessions. The hours of operation shall be between 8:30 am and 4:00 pm.</p> <p>13. Any person residing within the dwelling or employed from out of the dwelling shall not have a conviction of child abuse, child sexual abuse or any other crime against a child. Clearances of employees shall be made through the tooele county sheriff's office prior to any contact with any children; and</p> <p>14. The number of children allowed at the pre-school at any one time shall be determined by the zoning administrator</p>							

Table 16-4-3.3. Dwellings, living quarters and long or short term residences.

#	Use	Residential (R-1-___)				Multiple Residential (R-M-___)		
		21	12	10	8	7	15	30
a	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P
b	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	C	C	C	C
c	Conservation subdivisions	C	C	C	C	C	C	C
i	within the Erda Township	-	-	-	-	-	-	-
	ii percent of open space required for 100% density	30	25	20	15	15	15	15
	iii minimum size of lots in square feet	18,000	8,000	7,000	5,000	5,000	5,000	5,000
	iv for every 15% in contiguous open space, awarded 10% in density	A	A	A	A	A	A	A
	v the minimum parcel size in acres to be divided by conservation subdivisions	15	10	5	5	10	10	10
d	Dwellings or residential facilities for elderly or disabled persons	P	P	P	P	P	P	P
e	Four-family dwellings (fourplex)	-	-	-	-	C1	C1	C1
f	Groups of dwellings when approved as a conservation subdivision	-	-	-	-	C	C	C
g	Multi-family dwellings	-	-	-	-	C	C	C
h	Single family dwellings	P	P	P	P	P	P	P
i	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
j	Three-family dwellings (threeplex)	-	-	-	-	C	C	C
k	Two-family dwellings (duplex)	-	-	-	-	C	C	C

Table 16-4-3.4. Public and quasi-public uses.								
#	Use	Residential (R-1-___)				Multiple Residential (R-M-___)		
		21	12	10	8	7	15	30
a	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P
b	Accessory and buildings uses customarily incidental to conditional uses	C	C	C	C	C	C	C
c	Church	C	C	C	C	C	C	C
d	Cemetery	C	C	C	C	C	C	C
e	Golf Course	C	C	C	C	C	C	C
f	Hospital; medical or dental clinic accessory to a hospital and located on the same premises	-	-	-	-	C	C	C
g	Private educational institution having a curriculum similar to that ordinarily given in public schools	C	C	C	C	C	C	C
h	Private road	C	C	C	C	C	C	C
i	Public parks and play grounds	P	P	P	P	P	P	P

Table 16-4-3.5. Recreational, camping and amusement uses.								
#	Use	Residential (R-1-___)				Multiple Residential (R-M-___)		
		21	12	10	8	7	15	30
a	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P
b	Accessory uses and buildings customarily incidental to conditional uses	C	C	C	C	C	C	C
c	Private recreational ground and facilities not open to the general public and there is no charge for admission	C	C	C	C	C	C	C

Table 16-4-3.6. Utilities and utility services.

#	Use	Residential (R-1-___)				Multiple Residential (R-M-___)		
		21	12	10	8	7	15	30
a	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P
b	Accessory buildings and uses customarily incidental to conditional uses	C	C	C	C	C	C	C
c	Essential service facilities	C	C	C	C	C	C	C
d	Public, quasi-public, and public service utility lines, pipelines, power lines and etc., which extend more than 500 feet; that are used to transport their material, service or supply	C	C	C	C	C	C	C
e	Substations or transmission lines of 50 KV or greater capacity	C	C	C	C	C	C	C

CHAPTER 17

COMMERCIAL, INDUSTRIAL AND HAZARDOUS INDUSTRIES ZONING DISTRICTS

Part

- 17-1. Commercial zoning districts.
- 17-2. Industrial zoning districts.
- 17-3. Hazardous industries zoning districts.
- 17-4. Exemption from area requirements.
- 17-5. Use tables, codes, symbols and restrictions.

dependent upon or catering to thoroughfare traffic and the traveling public may be established, maintained, and protected. The regulations of this district are designed to encourage harmony between traffic needs and centers for retail commercial, entertainment, automotive facilities, and other appropriate highway-related activities.

PART 17-1

COMMERCIAL ZONING DISTRICTS

Section

- 17-1-1. Purpose of Commercial Neighborhood (C-N) zoning districts.
- 17-1-2. Purpose of Commercial Shopping (C-S) zoning districts.
- 17-1-3. Purpose of Commercial Highway (C-H) zoning districts.
- 17-1-4. Purpose of Commercial General (C-G) zoning districts.
- 17-1-5. Development restrictions in commercial zones.
- 17-1-6. Maximum building heights.

17-1-4. Purpose of Commercial General (C-G) zoning districts.

The purpose of Commercial General (C-G) zoning districts are to provide areas in appropriate locations where a combination of business, commercial, entertainment, and related activities may be established, maintained and protected. Regulations of this district are designed to provide a suitable environment for those commercial and service uses that are vital to economic life, some of which would be intrusive and disruptive in a shopping center-type of commercial development.

17-1-1. Purpose of Commercial Neighborhood (C-N) zoning districts.

The purpose of Commercial Neighborhood (C-N) zoning districts are to provide areas in appropriate locations where convenience buying outlets may be established to serve surrounding residential neighborhoods. The regulations of this district are designed to promote a combination of retail and service facilities which in character and scale are necessary to meet day-to-day needs of area residents.

17-1-5. Development restrictions in commercial zones.

In commercial zoning districts:

(1) Any parcel larger than one acre shall be divided or developed only as a planned unit development.

(2) Minimum yard setback requirements shall be established in the conditional use permit or planned unit development approval, except no commercial building shall be located closer than 50 feet to any residential district boundary line or to any street line which continues as frontage into a residential district, and no such building shall encroach on any easement.

17-1-2. Purpose of Commercial Shopping (C-S) zoning districts.

The purpose of Commercial Shopping (C-S) zoning districts are to provide areas in appropriate locations where a combination of businesses, commercial, entertainment, and related activities may be established, maintained and protected. The regulations of this district are designed to promote and encourage the development of comparison shopping centers.

(3) Buildings and structures shall cover no more than 30% of the lot area except as may otherwise be allowed through planned unit development approval, except coverage shall not exceed 50% in C-G zoning districts.

17-1-3. Purpose of Commercial Highway (C-H) zoning districts.

The purpose of Commercial Highway (C-H) zoning districts are to provide areas in appropriate locations adjacent to highways or major streets where activities

(4) All uses shall be free from objectionable noise, hazards, or nuisances.

(5) Improvements required by the planning commission may include:

- (a) street grading;
- (b) street base;
- (c) curb and gutter;
- (d) sidewalk;
- (e) on-site surface drainage facilities;
- (f) culinary water facilities;
- (g) wastewater disposal;
- (h) street monuments; and
- (i) any other infrastructure deemed necessary.

(6) Not more than 20% of the building shall be used for wholesale business.

17-1-6. Maximum building heights.

(1) The maximum building height in C-N zones shall be 35 feet.

(2) The maximum building height in C-S, C-G and C-H zoning districts shall be 75 feet.

**PART 17-2
INDUSTRIAL ZONING DISTRICTS**

Section

17-2-1. Purpose of Manufacturing Distribution (M-D) zoning districts.

17-2-2. Purpose of Manufacturing General (M-G) zoning districts.

17-2-3. Development restrictions to manufacturing zoning districts generally.

17-2-4. Development restrictions specific to M-D zoning districts.

17-2-5. Maximum building heights.

17-2-1. Purpose of Manufacturing Distribution (M-D) zoning districts.

The purpose of Manufacturing Distribution (M-D) zoning districts are to provide areas in appropriate locations where light manufacturing, industrial processes and warehousing not producing objectionable effects may be established, maintained and protected. The regulations of this district are designed to protect environmental quality of the district and adjacent areas.

17-2-2. Purpose of Manufacturing General (M-G) zoning districts.

The purpose of Manufacturing General (M-G) zoning districts are to provide areas in appropriate locations where heavy industrial processes necessary to the economy may be conducted. The regulations of this district are designed to protect environmental quality of the district and adjacent areas.

17-2-3. Development restrictions to manufacturing zoning districts generally.

In manufacturing zoning districts:

(1) Any parcel larger than one acre may be divided or developed only as a planned unit development.

(2) Minimum yard setback requirements shall be established in the conditional use permit or planned unit development approval, except that no commercial building shall be located closer than 50 feet to any residential district boundary line or to any street line which continues as frontage into a residential district, and providing they do not encroach on any easement.

(4) Buildings and structures shall cover no more

than 50% of the lot area except as may otherwise be allowed through planned unit development approval.

(5) Improvements required by the planning commission may include:

- (a) street grading;
- (b) street base;
- (c) curb and gutter;
- (d) sidewalk;
- (e) on-site surface drainage facilities;
- (f) culinary water facilities;
- (g) wastewater disposal;
- (h) street monuments; and
- (i) any other infrastructure deemed necessary.

17-2-4. Development restrictions specific to M-D zoning districts.

(1) Any area outside of a building used for any activity other than off-street parking and loading shall be completely enclosed within a solid fence or wall of a height sufficient to completely screen such activity from the street or from adjoining parcels.

(2) All uses shall be free from objectionable noise, hazards and nuisances.

17-2-5. Maximum building heights.

The maximum building height in M-D zoning districts shall be 35 feet. There is no maximum building height in M-G zoning districts.

**PART 17-3
HAZARDOUS INDUSTRIES
ZONING DISTRICTS**

Section

17-3-1. Purpose of Hazardous Industries (MG-H) zoning districts.

17-3-2. Permits - Compliance.

17-3-3. Development restrictions.

17-3-1 Purpose of Hazardous Industries (MG-H) zoning districts.

The purpose of Hazardous Industries (MG-H) zoning districts are to provide areas in appropriate remote locations where hazardous and radioactive wastes may be stored, treated and disposed of in a safe manner. The regulations of this district are designed to protect the environmental quality of the district and adjoining areas.

17-3-2. Permits - Compliance.

No new MG-H zones shall be created after September 26, 2005. Any industry having a prior-approved hazardous or radioactive waste conditional

use permit may amend that permit in accordance with Chapter 18.

17-3-3. Development restrictions.

In Hazardous Industries (MG-H) zoning districts:

(1) Any parcel larger than one acre shall be divided or developed only as a planned unit development.

(2) Minimum yard setback requirements shall be established in the conditional use permit or planned unit development approval, except that no building or structure shall be located closer than 300 feet to any district boundary line.

(3) There shall be no maximum building height.

(4) Buildings and structures shall cover no more than 50% of the lot area except as may be allowed through planned unit development approval.

(5) Improvements required by the planning commission may include:

- (a) street grading;
- (b) street base;
- (c) curb and gutter;
- (d) sidewalk;
- (e) on-site surface drainage facilities;
- (f) culinary water facilities;
- (g) wastewater disposal;
- (h) street monuments; and
- (i) any other infrastructure deemed necessary.

PART 17-4

EXEMPTION FROM AREA REQUIREMENTS

Section

17-4-1. Uses conditionally exempt from frontage, width and area requirements of the zoning district.

17-4-1. Uses conditionally exempt from frontage, width and area requirements of the zoning district.

In commercial, industrial and hazardous industries zoning districts, a bona fide division or partition of land for the purpose of siting an unmanned facility appurtenant to a pipeline, electrical service, telecommunications, transmission line, radio transmission, regeneration, or fiberoptic equipment owned or operated by a public or private utility service regulated by the Public Utility Commission or Federal Communications Commission may be sited on a parcel less than that required with no frontage subject to the following:

- (1) The parcel shall have a legal access to it.
- (2) A conservation easement or deed restriction shall be given to Tooele County that will prohibit any use or

structure from being placed on the property than those listed in this section.

(3) The site shall be fenced and approved through a conditional use permit.

(4) Where a residential or manned structure is within 800 feet, the site shall be large enough that the height of the tallest structure placed in a vertical position from its base, plus ten feet, will mark the minimum property edge.

(5) The site shall be fenced with chain link fencing, and screened by drought resistant landscaping and trees.

(6) The applicant or landowner shall comply with the subdivision ordinance.

PART 17-5

USE TABLES, CODES, SYMBOLS AND RESTRICTIONS

Section

17-5-1. Codes and symbols.

17-5-2. Uses.

17-5-3. Use tables.

17-5-3.1. Agriculture, forestry and keeping of animals.

17-5-3.2. Automobile, truck and recreational vehicle sales and service.

17-5-3.3. Commercial sales and service.

17-5-3.4. Dwellings, living quarters and long- or short-term residences.

17-5-3.5. Industrial uses.

17-5-3.6. Manufacturing, curing, compounding, processing, packaging, production and treatment.

17-5-3.7. Public and quasi-public uses.

17-5-3.8. Recreation, camping and amusement.

17-5-3.9. Storage, shipping, transporting and warehousing.

17-5-3.10. Utilities and utility services.

17-5-1. Codes and symbols.

(1) In this Part are tables describing uses of land or buildings that are allowed in the various districts as shown. Permitted uses are indicated by a "P" in the appropriate column. Uses that may be permitted by a conditional use permit issued by a planning commission are indicated by a "C" in the appropriate column. Uses that may be permitted by a conditional use permit issued by the zoning administrator are indicated by a "C1" in the appropriate column.

(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 a 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, "-".

17-5-2. 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 commercial, industrial or hazardous industries zoning districts except as provided in this Part.

17-5-3. Use tables.

Table 17-5-3.1. Agriculture, forestry and keeping of animals.								
	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
a	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P
b	Accessory uses buildings customarily incidental to conditional uses	C	C	C	C	C	C	C
c	Agricultural industries	-	-	-	-	P	-	-
d	Beauty shop for pets, dog grooming	-	P	P	P	-	-	-
e	Tilling of the soil, raising of crops, horticulture and gardening	-	-	-	-	P	-	-

Table 17-5-3.2. Automobile, truck and recreational vehicle sales and services.								
	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
a	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P
b	Accessory uses buildings customarily incidental to conditional uses	C	C	C	C	C	C	C
c	Automatic car wash	-	P	P	P	C	C	-
d	Automobile service station	C	C	C	C	C	C	-
e	Automobile or recreation vehicle sales, service, lease, rental and repair, new or used, conducted entirely within an enclosed building	-	P	P	P	-	P	-
f	Body and fender shop; tire recapping; motor vehicle, bicycle, and recreation vehicle assembling, painting, upholstering and rebuilding.	-	-	-	C	P	P	-

Table 17-5-3.2. Automobile, truck and recreational vehicle sales and services.

	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
	Dismantling or wrecking of used motor vehicles and storage or sale of dismantled, inoperative or wrecked vehicles or their parts	-	-	-	-	-	C	-
g	Indoor auto parts sales	-	P	P	P	P	P	-
h	Parking lot incidental to a use conducted on the premises	P	P	P	P	P	P	P
i	Parking lot not incidental to a use conducted on the premises	C	C	C	C	C	C	C
j	Recreation vehicles, rentals, leases, sales and service, outdoor and indoor	-	P	P	P	P	P	-
k	Truck and heavy equipment service station and repair facility	-	-	P	C	P	P	C
l	Truck wash	-	-	P	C	P	P	C

Table 17-5-3.3. Commercial sales and service.

	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
a	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P
b	Accessory uses buildings customarily incidental to conditional uses	C	C	C	C	C	C	C
c	Addressograph shop	-	-	-	P	P	P	-
d	Animal hospital	-	C	-	P	P	-	-
e	Art needlework shop; art shop; art supply	P	P	P	P	C1	C1	-
f	Awning sales/repair	-	P	-	P	-	-	-
g	Baby formula service; baby diaper service; sitter agency	P	P	P	P	-	-	-
h	Bakery, retail sales	P	P	P	P	-	-	-
i	Bank	P	P	P	P	P	-	-
j	Barber shop	P	P	P	P	-	-	-

Table 17-5-3.3. Commercial sales and service.

	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
k	Bath and massage (not part of medical or health spa)	-	-	C1	C1	-	-	-
l	Beauty shop	P	P	P	P	-	-	-
m	Beer outlet, Class A, Class B	-	C	C	C	-	C	-
n	Bookstore	P	P	P	P	-	-	-
o	Building material sales, enclosed area	-	P	-	P	P	P	-
p	Building material sales yard, outside, with sale of rock, sand, gravel and the like as an incidental part of the main business, but excluding concrete mixing	-	C	-	C	P	P	-
	Business incubator							
q	Café, cafeteria, catering establishment, restaurant (not a drive-thru)	P	P	P	P	P	P	C
r	Candy, confectionery, nut shop	P	P	P	P	-	-	-
s	Carbonated and purified water sales	P	P	P	P	-	-	-
t	Carpet and/or rug cleaning	-	C1	-	P	P	-	-
u	Clothes cleaning, dyeing, pressing, dry cleaners	P	-	P	P	P	-	-
v	China and/or silver shop	P	P	P	P	-	-	-
w	Child or adult day care facility	C	C	-	C	C	-	-
x	Clothing store	P	P	P	P	-	-	-
y	Coal/fuel sales office	-	-	-	C	C	P	-
z	Convenience store with gasoline sales	C	C	C	C	P	P	-
A	Copy store, blueprinting, photostating, duplicating	-	P	-	P	-	-	-
B	Costume rental	-	P	P	P	-	-	-
C	Delicatessen	P	P	P	P	-	-	-
D	Department store	P	P	P	P	-	-	-
E	Dramatics school	P	P	-	P	-	-	-
F	Drapery-curtain store	P	P	P	P	-	-	-
G	Dressmaking	P	P	-	P	P	-	-

Table 17-5-3.3. Commercial sales and service.

	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
H	Drive-ins; refreshment stand, eating and/or drinking place	C1	P	P	P	C1	C1	-
I	Drugstore	P	P	P	P	-	-	-
J	Dry goods store	P	P	P	P	-	-	-
K	Electrical, appliances and fixtures, electronic instruments sales, repair and/or service	C1	P	P	P	P	-	-
L	Employment agency or employment office	-	P	P	P	-	-	-
M	Fix-it shop, repair shop, for household items	P	P	-	P	-	-	-
N	Flooring, carpet repair and sales	-	P	-	P	-	-	-
O	Florist shop	P	P	P	P	-	-	-
P	Frozen food lockers	-	C1	-	P	P	-	-
Q	Frozen food locker incidental to a main grocery store or food business	P	P	P	P	P	P	-
R	Fountain equipment supply, restaurant supply	-	-	-	P	P	-	-
S	Fruit/fruit juice store; fruit and/or vegetable stand, or store; natural foods/health store	P	P	P	P	-	-	-
T	Fur sales, storage, repair	-	P	-	P	-	-	-
U	Furniture sales, and/or repair	-	P	-	P	-	-	-
V	Gift shop; hobby or crafts shop	P	P	P	P	-	-	-
W	Greenhouse, nursery; plant materials; soil & lawn service	-	P	-	P	C1	-	-
X	Grocery; meat sales	P	P	-	P	-	-	-
Y	Gunsmith	-	P	-	P	C1	-	-
Z	Hardware store, not including the sale of lumber	P	P	P	P	P	-	-
1	Hardware store, including the sale of lumber providing all lumber storage is in completely enclosed in a building	-	P	P	P	P	-	-
2	Heating, ventilating, air conditioning; equipment (HVAC), sales/repair	C1	C1	C1	C1	C1	C1	C1

Table 17-5-3.3. Commercial sales and service.

	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
3	Hospital supplies	-	-	-	C	P	-	-
4	Household cleaning/repair, house equipment displays	-	P	-	P	-	-	-
5	Ice cream shop; ice sales, retail sales and rentals	P	P	P	P	-	-	-
6	Ice manufacture, storage, and wholesale sales	-	-	-	C1	P	P	-
7	Ice vendor units and/or reach-in ice merchandise units, electric ice-maker; ice storage, not more than five (5) tons capacity	P	P	P	P	P	P	-
8	Insulation sales	-	-	-	P	P	P	P
9	Interior decorating store	P	P	-	P	-	-	-
10	Jewelry store	P	P	P	P	-	-	-
11	Kennel, conducted entirely within a soundproof and air conditioned building	-	C1	-	C1	C1	-	-
12	Laundry, automatic self-help; laundry agency	P	P	P	P	-	-	-
13	Leather goods	-	P	-	P	-	-	-
14	Linen shop	P	P	-	P	-	-	-
15	Liquor and beer sales; places for the drinking of liquor or beer	-	C	C	C	-	C	-
16	Lithographing, including engraving, photo engraving	-	P	-	P	P	-	-
17	Luggage sales	-	P	P	P	-	-	-
18	Lumber yard	-	C	-	C	P	P	-
19	Manufactured home sales and storage	-	C	-	P	P	C	-
20	Medical/dental clinic, laboratories, infirmary, immediate care facility	-	P	P	P	P	-	-
21	Military store	-	-	-	C	C	C	-
22	Milk distributing station; sale of dairy products, excluding processing/bottling	P	P	P	P	-	-	-
23	Monument sales, retail	-	-	-	P	P	P	-

Table 17-5-3.3. Commercial sales and service.

	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
24	Mobile home sales and storage	-	C	-	P	P	C	-
25	Mortuary	-	C	-	P	-	-	-
26	Motorboat sales	-	P	P	P	P	-	-
	Mortuary, undertaking or funeral establishment							
27	Music store	P	P	P	P	-	-	-
28	News stand; magazine shop; book store	P	P	P	P	-	-	-
29	Notions, variety store	P	P	P	P	-	-	-
30	Novelty shop, variety store	P	P	P	P	-	-	-
31	Nurses' agency	P	P	-	P	-	-	-
32	Office, business or professional	C1	P	C1	P	P	P	-
33	Office, supply; office machines sales, repair	-	P	-	P	P	-	-
34	Oil burner shop	-	P	-	P	P	-	-
35	Optometrist; oculist	P	P	-	P	-	-	-
36	Ornamental iron, sales only	-	P	-	P	-	-	-
37	Package agency	-	C	C	C	-	C	-
38	Painter/paint store	-	P	P	P	P	-	-
39	Pest extermination and control office	-	-	-	P	P	P	-
40	Pet shop	P	P	-	P	-	-	-
41	Photographer or photography shop, sales and service	P	P	P	P	-	-	-
42	Plumbing shop	-	P	P	P	P	-	-
43	Popcorn and/or nut shop	P	P	P	P	-	-	-
44	Printing, including engraving, photo engraving	-	P	-	P	P	-	-
45	Printing and small paper reproduction service	P	P	P	P	P	-	-
46	Radio and television sales and repair	P	P	-	P	-	-	-
47	Radio and television station	-	-	-	C1	C1	P	-

Table 17-5-3.3. Commercial sales and service.

	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
48	Reception center and/or wedding chapel	C1	C1	-	C1	-	-	-
49	Roofing sales	-	P	-	P	P	-	-
50	Second-hand shop, antiques, conducted within a building or enclosure	P	P	P	P	-	-	-
51	Seed/feed store	-	-	-	C1	P	P	-
52	Sexually oriented businesses	-	-	-	-	-	C	-
53	Sign painting shop	-	C1	-	P	P	-	-
54	Sewing machine shop	P	P	-	P	-	-	-
55	Shoe shop; shoeshine; shoe repair	P	P	P	P	-	-	-
56	State store	-	C	C	C	-	-	-
57	Stationary and greeting card sales	P	P	P	P	-	-	-
58	Tailor shop	P	P	-	P	-	-	-
59	Taxidermist	-	P	-	P	P	-	-
	<p>Technical office for research and development, laboratory & research facility subject to the restrictions below:</p> <p>Limited manufacturing activity shall be considered an allowed accessory use to a technical research and development office, laboratory or research facility in a nonindustrial district provided that the following requirements are satisfied:</p> <p>(1) Such manufacturing activity is related to research and development activities of the principal use.</p> <p>(2) No manufacturing activity customarily occurs within 50 feet of a residence or residential district.</p> <p>(3) All manufacturing activity customarily occurs inside of buildings; however, outside research work and incidental outside fabrication of equipment to conduct outside experimentation shall be permitted.</p> <p>(4) Outside research in nonindustrial districts should not customarily involve noxious activity which creates disturbances off of the premises.</p> <p>(5) Manufacturing activity, excluding incidental fabrication of outside experiments, shall not occupy an area in excess of 60 percent of the gross floor area of a building or group of associated buildings owned by the same establishment.</p>	-	-	C1	C1	C1	C1	-
60	Tire shop, sales and repair	-	P	P	P	-	-	-
61	Tobacco shop	P	P	P	P	-	-	-

Table 17-5-3.3. Commercial sales and service.								
	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
62	Towel and linen supply service	-	-	-	P	P	-	-
63	Travel bureau	-	P	P	P	-	P	-
64	Variety store, notions	P	P	P	P	-	-	-
65	Wallpaper store	-	P	P	P	-	-	-
66	Wholesale business	-	-	-	P	P	P	-
67	Upholstery shop	-	-	-	-	P	P	-
68	Veterinary	-	-	-	C	C	-	-
69	Veterinary - providing operations are completely enclosed within an air-conditioned and soundproof building	-	C1	C1	C1	C1	-	-
70	Weather-stripping shop	-	P	-	P	P	P	-

Table 17-5-3.4. Dwellings, living quarters and long or short-term structures.								
	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
a	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P
b	Accessory uses buildings customarily incidental to conditional uses	C	C	C	C	C	C	C
c	Bed and breakfast, providing 1. The owner must reside in the residence. 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. 3. The establishment shall not contain cooking facilities in guest rooms for preparation of meals by guests. 4. Meals are served only to residents and overnight guests. 5. The establishment shall conform to all applicable fire, building and health codes. 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.	C1	C1	C1	C1	C1	C1	C1

Table 17-5-3.4. Dwellings, living quarters and long or short-term structures.							
Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
	N	S	H	G	D	G	MG-H
d Bed and breakfast inn, providing 1. The owner must reside in the residence. 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. 3. The establishment shall not contain cooking facilities in guest rooms for preparation of meals by guests. 4. The establishment shall conform to all applicable fire, building and health codes. 5. The establishment shall be open to inspection by the Tooele County Engineer, Sheriff, Health Department Director and their authorized personnel. 6. The establishment shall obtain and maintain a Tooele County business license.	C1	C1	C1	C1	C1	C1	C1
e Hotel, motel, inn	-	C	P	P	P	C	-
f Recreational vehicle park	-	C	C	C	-	P	-
g 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
h Construction equipment and supply trailer, temporary	C1	C1	C1	C1	C1	C1	C1
i Construction field office, temporary	C1	C1	C1	C1	C1	C1	C1

Table 17-5-3.5. Industrial uses.							
Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
	N	S	H	G	D	G	MG-H
a Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P
b Accessory uses buildings customarily incidental to conditional uses	C	C	C	C	C	C	C
c Bag cleaning	-	-	-	-	P	P	-
d Baking, ice cream making, and/or candy making	P	P	P	P	P	P	-
e Blacksmith shop	-	-	-	-	P	P	-

Table 17-5-3.5. Industrial uses.

	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
f	Boiler works	-	-	-	-	P	P	-
g	Bottling works	-	-	-	-	P	P	P
h	Bookbinding	-	-	-	P	P	P	-
i	Breweries	-	-	-	-	C	C	-
j	Central mixing plant, related to construction industry for cement, mortar, plaster, or paving materials	-	-	-	-	-	C	-
k	Construction of buildings to be sold and moved off the premise	-	-	-	P	P	P	-
l	Dairy	-	-	-	P	P	P	-
m	Egg candling, sales, or processing	-	-	-	C1	P	P	-
n	Fertilizer and soil conditioner manufacture, processing and/or sales, providing only non-animal products & by-products are used	-	-	-	-	C	C	-
o	Forage plant	-	-	-	-	P	P	-
p	Foundry, casting light-weight non-ferrous metal	-	-	-	-	-	C	-
q	Hatchery	-	-	-	-	P	P	-
r	Honey extraction	-	-	-	P	P	P	-
s	Incinerator, non-accessory	-	-	-	-	C	C	C
t	Knitting mill	-	-	-	-	P	P	-
u	Laboratories	-	-	C	C	C	C	C
v	Laundry	P	-	P	P	P	-	-
w	Machine shop	-	-	-	C	P	P	C
x	Mobile lunch service	-	P	P	P	P	P	C
y	Monument works	-	-	-	C	P	P	-
z	Motion picture studio	-	-	-	-	P	P	-
A	Planning mill	-	-	-	-	C	C	-
B	Power generation (electrical) for on-site use:							

Table 17-5-3.5. Industrial uses.

	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
C	1. solar	P	P	P	P	P	P	P
D	2. wind under 5.9 kva	-	-	-	C	P	P	C
E	3. auxiliary, temporary, wind, with more than 6 kva, but less than 10 kva output	C1	C1	C1	P	P	P	P
F	4. steam, hydro, or reciprocating engine with more than 10.05 kva, but less than 150 kva output	-	C1	C1	C1	P	P	P
G	5. steam, hydro, or reciprocating engine with more than 150 kva	-	-	-	-	-	C	C
H	Printing - convenience for drop-in customers	P	P	P	P	P	P	-
I	Publishing and contract printing	-	-	-	P	P	P	-
J	Sandblasting	-	-	-	-	C	C	C
K	Saw mill	-	-	-	-	-	C	-
L	Tire, recycling into fuels and useable products	-	-	-	-	C	C	-
M	Tire retreading, or vulcanizing	-	-	-	-	C	P	-
N	Tire disposal, long term storage or landfilling not incidental to recycling facilities located in Tooele county	-	-	-	-	-	-	-
O	Treatment of materials from sand and grease interceptors, resulting in inert materials	-	-	-	-	-	C	C
P	Upholstering, including mattress manufacture rebuilding or renovating	-	-	-	P	P	P	-
Q	Weaving	-	C1	-	C1	P	P	-
R	Welding shop	-	-	-	C	P	P	-
S	Storage, treatment and disposal of wastes classified as "hazardous wastes"	-	-	-	-	-	-	C
T	Production of salts in solid or liquid form by the collection, pumping and evaporation of naturally occurring brines and the processing of salts into salt products	-	-	-	-	-	P	-

Table 17-5-3.5. Industrial uses.								
	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
U	Recycling, reformation, refinement and utilization of salts, and its byproducts, in solid or liquid form, to produce other materials, chemicals or products	-	-	-	-	-	C1	-

Table 17-5-3.6. Manufacturing, curing, compounding, processing, packaging, production and treatment.								
	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
a	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P
b	Accessory uses buildings customarily incidental to conditional uses	C	C	C	C	C	C	C
c	Acetylene gas	-	-	-	-	-	C	-
d	Acid	-	-	-	-	-	C	-
e	Airplane and associated parts	-	-	-	-	-	C	-
f	Alcohol	-	-	-	-	-	C	-
g	Ammonia	-	-	-	-	-	C	-
h	Animal by-products, offal or dead, reduction or dumping, fat rendering, grease or lard located at least 300 feet from any district boundary	-	-	-	-	-	C	C
i	Automobiles and their associated parts	-	-	-	-	-	C	-
j	Bakery goods	-	-	-	-	C	C	-
k	Batteries	-	-	-	-	C	C	-
l	Billboards and commercial advertising structures	-	-	-	C	P	P	-
m	Blast furnace or foundry located at least 300 feet from any district boundary	-	-	-	-	-	C	C
n	Bleaching powder	-	-	-	-	-	C	-
o	Boats	-	-	-	C	P	P	-
p	Bone	-	-	-	C	C	C	-
q	Brass	-	-	-	-	-	C	-

Table 17-5-3.6. Manufacturing, curing, compounding, processing, packaging, production and treatment.

	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
r	Business machines	-	-	-	C	P	P	-
s	Cameras and photo equipment, film	-	-	-	C	P	P	-
t	Candy	-	-	-	-	C	C	-
u	Candles	-	-	-	-	-	C	-
v	Canvas, cloth, textiles, wool or yarn	-	-	-	C	C	C	-
w	Cast stone, cement, cinder, terra cotta; tile, brick, synthetic cast stone, pumice stone and gypsum products	-	-	-	-	-	C	-
x	Cellophane	-	-	-	C	C	C	-
y	Celluloid	-	-	-	-	-	C	-
z	Cereal	-	-	-	-	C	C	-
A	Chemicals of an objectionable or dangerous nature	-	-	-	-	-	C	-
B	Chlorine	-	-	-	-	-	C	-
C	Coal	-	-	-	-	-	C	-
D	Copper	-	-	-	-	-	C	-
E	Cork	-	-	-	C	C	C	-
F	Cosmetics	-	-	-	-	C	C	-
G	Creosote	-	-	-	-	-	C	-
H	Dairy products	-	-	-	-	C	C	-
I	Detergents	-	-	-	-	-	C	-
J	Dyestuffs	-	-	-	-	-	C	-
K	Disinfectants	-	-	-	-	-	C	-
	Electrical, electronic and communication instruments	-	-	-	C	C	C	-
L	Electric or neon signs	-	-	-	C	P	P	-
M	Emery cloth	-	-	-	-	-	C	-
	Engineering, laboratory and scientific instruments, temperature controls	-	-	-	C	C	C	-
N	Excelsior	-	-	-	-	-	C	-

Table 17-5-3.6. Manufacturing, curing, compounding, processing, packaging, production and treatment.

	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
O	Explosives and fireworks	-	-	-	-	-	C	-
P	Feathers	-	-	-	C	C	C	-
Q	Fertilizer and soil conditioner located at least 300 feet from any district boundary	-	-	-	-	-	C	C
R	Fish, sauerkraut, pickles vinegar, yeast and the rendering of fat	-	-	-	-	-	C	-
S	Food products (excluding fish, sauerkraut, pickles, vinegar, yeast, and rendering of fat)	-	-	-	-	C	C	-
T	Repealed							
U	Gasoline and petroleum	-	-	-	-	-	C	-
V	Gelatine	-	-	-	-	-	C	-
W	Glass	-	-	-	-	-	C	-
X	Glucose	-	-	-	-	-	C	-
Y	Glue	-	-	-	-	-	C	-
Z	Hair and horn	-	-	-	C	C	C	-
1	Hardware	-	-	-	-	-	C	-
2	Ink	-	-	-	-	-	C	-
3	Insecticides	-	-	-	-	-	C	-
4	Iron	-	-	-	-	-	C	-
5	Lampblack	-	-	-	-	-	C	-
6	Leather or hides	-	-	-	C	C	C	-
7	Linoleum	-	-	-	-	-	C	-
8	Lime	-	-	-	-	-	C	-
9	Lubricating grease, oil, oilcloth and oiled rubber goods	-	-	-	-	C	C	-
10	Machinery	-	-	-	-	-	C	-
11	Malt	-	-	-	-	-	C	-
12	Matches	-	-	-	-	-	C	-
13	Meat products	-	-	-	-	C	C	-

Table 17-5-3.6. Manufacturing, curing, compounding, processing, packaging, production and treatment.								
	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
	Medical and dental instruments and supplies, optical instruments and lenses							
14	Musical instruments	-	-	-	C1	P	P	-
15	Novelties	-	-	-	C1	P	P	-
	Office machines, including cash registers, computing machines and typewriters, scales and balances	-	-	-	C	C	C	-
16	Oxygen	-	-	-	-	-	C	-
17	Paper and paperboard products	-	-	-	C	C	C	-
18	Paint	-	-	-	C	C	C	-
19	Pharmaceuticals	-	-	-	C	C	C	-
20	Pickles	-	-	-	-	-	C	-
21	Pipe for use in building construction or for sewer or drainage purposes (excluding rock or gravel crushing of raw materials except that which is incidental to the manufacture or fabrication of the above-described products) provided that such crushing facilities be located not closer than 200 feet to any property line	-	-	-	-	C	C	-
22	Plastics	-	-	-	C	C	C	-
23	Pottery, plaster, incidental plaster, plaster of paris, ceramic, and clay	-	-	-	-	-	C	-
24	Pyroxylin	-	-	-	-	-	C	-
25	Roofing or water proofing material	-	-	-	-	-	C	-
26	Rubber or guttapercha	-	-	-	C	C	C	-
27	Rubber and metal stamps	-	-	-	C	P	P	-
28	Sheetmetal products, light, (including heating and ventilation ducts and equipment, cornices and eaves, venetian blinds, window shades, awnings)	-	-	-	C1	P	P	-
29	Sheet metal heavy	-	-	-	-	-	C	-
30	Steel or metal crushing	-	-	-	-	-	C	-

Table 17-5-3.6. Manufacturing, curing, compounding, processing, packaging, production and treatment.								
	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
31	Shell	-	-	-	C	C	C	-
32	Shellac, shoddy; and shoe polish	-	-	-	-	-	C	-
33	Straw	-	-	-	C	C	C	-
34	Soap	-	-	-	-	-	C	-
35	Soda	-	-	-	-	-	C	-
36	Starch	-	-	-	-	-	C	-
37	Tallow	-	-	-	-	-	C	-
38	Tar	-	-	-	-	-	C	-
39	Tobacco	-	-	-	C	C	C	-
40	Toiletries	-	-	-	-	C	C	-
41	Toys	-	-	-	C	P	P	-
42	Turpentine and varnish	-	-	-	-	-	C	-
43	Wood	-	-	-	C1	C1	C1	-
44	Vinegar	-	-	-	-	-	C	-
45	Yeast	-	-	-	-	-	C	-

Table 17-5-3.7. Public and quasi-public uses.								
	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
a	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P
b	Accessory uses buildings customarily incidental to conditional uses	C	C	C	C	C	C	C
c	Cemeteries	-	-	-	C	C	-	-
d	Churches	C	C	C	C	-	-	-
e	College or university not exempt by statute	-	C	C	C	C	C	-
f	Correctional facilities (public and private) providing:	-	-	-	-	-	C	-

Table 17-5-3.7. Public and quasi-public uses.

	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
	(1) they are located at least 600 feet from any district boundary; (2) they are located at least 600 feet as measured from the property line on which the correctional facility is located to the property line of the following: A. Schools; B. Churches; C. Day care and preschools; D. Establishments that sell beer or liquor for on or off premise consumption; E. Motels or hotels; F. Residential (dwellings, lodging houses, dormitory, congregate residences, etc.							
g	Dams and reservoirs	-	-	-	C	C	P	C
h	Hospital, public or private	-	-	C	C	C	C	-
i	Noncommercial research facility	-	C	C	C	C	C	-
j	Parks, golf courses, swimming pools and other recreation areas	P	P	P	P	-	-	-
k	Public buildings	C	C	C	C	C	C	C
l	Radio/television transmitting towers	-	-	-	-	C1	P	C1
m	Private road	C	C	C	C	C	C	C
n	Private schools	C	C	C	C	C	-	-
o	Vocational or other schools not exempted by statute	-	C	C	C	C	C	-

Table 17-5-3.8. Recreation, camping and amusement.

	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
a	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P
b	Accessory uses buildings customarily incidental to conditional uses	C	C	C	C	C	C	C
c	Archery shop/range, if conducted in enclosed building	-	P	P	P	-	-	-

Table 17-5-3.8. Recreation, camping and amusement.

Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
	N	S	H	G	D	G	MG-H
d Athletic club; health club; athletic goods store; gymnasium	-	P	P	P	P	-	-
e Bicycle shop	P	P	P	P	-	-	-
f Billiards or pool hall; commercial skating rink	-	P	P	P	-	-	-
g Bowling alley	P	P	P	P	-	-	-
h Boxing arena	-	-	C1	C1	-	-	-
i Campground	-	-	C	C	-	C	-
j Dance hall; dancing	-	C1	C1	C1	-	-	-
k Drag strip racing; auto racing; go-cart racing	-	-	-	-	C	C	-
l Golf course; commercial miniature golf course	-	P	P	P	-	-	-
m Night club / social club	-	C	C	C	-	C	-
n Private non-profit locker club or private club	-	C	C	C	-	-	-
o Recreational center, facilities or area that is private and/or commercial	-	C	C	C	C	C	-
p Recreational coach parks	-	-	C	C	-	C	-
q Swimming pool, commercial	-	C1	C1	P	-	-	-
r Theater, indoor	P	P	P	P	-	-	-
s Theater, outdoor, providing: (1) A solid fence or masonry wall with a minimum height of six feet shall be constructed on all sides; (2) Driveways and parking areas shall be provided with properly maintained dustless surfaces; (3) Automobile off-street storage areas for automobiles awaiting entrance to theater shall have a capacity of at least fifteen percent of the number of auto parking spaces provided inside the theater; (4) Minimum area for single screen theater shall be ten acres, and the minimum area for a two screen theater shall be twelve acres.	-	-	C	C	-	-	-

Table 17-5-3.9. Storage, shipping, transporting and warehousing.

	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
a	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P
b	Accessory uses buildings customarily incidental to conditional uses	C	C	C	C	C	C	C
c	Bus terminal and railroad passenger station, intemodal terminal, public transit hub	-	C1	C1	P	P	-	-
d	Coal, fuel and wood yards	-	-	-	-	C	C	-
e	Contractors' equipment storage yard	-	-	-	C1	-	P	-
f	Distribution center, parcel delivery center, delivery warehouse	-	-	-	-	P	P	-
g	Drive-it-yourself agency, car, equipment rental	-	-	P	P	C1	-	-
h	Explosives, class a, b, and c	-	-	-	-	-	C	C
i	Express office	-	P	P	P	P	-	-
j	Freight or trucking yard or terminal	-	-	-	C1	C1	P	-
k	Garage, public	-	C1	-	P	P	C	-
l	Hazardous material with in the threshold planning qualities of SARA Title III	-	-	-	C	C	C	C
m	Hazardous material over the threshold planning qualities of SARA Title III, CERCLA, RCRA	-	-	-	-	-	-	C
n	Junk yard	-	-	-	-	-	C	-
o	Railroad yards; shop and/or roundhouse for railroads	-	-	-	-	P	P	C
p	Storage units, self storage							
	1. Without outside storage	-	-	C1	P	P	P	-
	2. With off-premise outside self service storage	-	-	C1	C1	C1	C1	-
q	Taxi stand	P	P	P	P	P	P	-
r	Terminal, parking and maintenance facilities	C1	C1	C1	C1	C1	C1	-

Table 17-5-3.9. Storage, shipping, transporting and warehousing.								
	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
s	Transfer company	-	-	-	C1	P	P	-
t	Warehouse	-	-	-	C1	P	P	-

Table 17-5-3.10. Utilities and utility services.								
	Use	Commercial (C-)				Industrial (M-)		Haz. Ind.
		N	S	H	G	D	G	MG-H
a	Accessory buildings and uses customarily incidental to permitted uses	P	P	P	P	P	P	P
b	Accessory uses buildings customarily incidental to conditional uses	C	C	C	C	C	C	C
c	Essential service facilities	C	C	C	C1	C1	C1	C1
d	Power Plant for the non-nuclear production, generation, and distribution of electricity or steam	-	-	-	-	-	C	C
e	Substations or transmission lines of fifty KV or greater capacity	C	C	C	C	C	C	C

CHAPTER 18

HAZARDOUS WASTE INDUSTRIES

Section

- 18-1-1. Purpose.
- 18-1-2. Prohibitions.
- 18-1-3. Existing permit amendment procedure.
- 18-1-4. Tooele County Environmental Impact Board.
- 18-1-5. EIB action on the Environmental Impact Study.
- 18-1-6. Location criteria emphasis in the EIS.
- 18-1-7. Action of the Board of County Commissioners.

18-1-1. Purpose.

The purposes of Hazardous Industries (MG-H) zoning districts are to provide areas in appropriate remote locations where hazardous and low-level radioactive wastes may be stored, treated, and disposed in a safe manner. The regulations of this district are designed to protect the environmental quality of the district and adjoining areas.

18-1-2. Prohibitions.

(1) All activities relating to the storage, treatment, and disposal of hazardous or radioactive wastes are hereby declared to be a public nuisance.

(2) The storage, treatment, or disposal of wastes regulated by the laws identified in this Section are prohibited except where application has been made to Tooele County prior to September 26, 2005, leading to a determination which authorizes and permits such uses in an MG-H zoning district and then only upon strict compliance with all industrial performance standards, ordinances, regulations, laws, and permits of Tooele County, the State of Utah, and the United States of America:

(a) wastes regulated by the Utah Solid and Hazardous Waste Act, Utah Code Annotated 19-6-101, et seq., the Toxic Substance Control Act (TSCA), and the Comprehensive Environmental Response Compensation and Liability Act (CERCLA);

(b) low-level or mixed wastes regulated by the Radiation Control Act, Title 19, Chapter 3 of the Utah Code Annotated, or those wastes defined as such in 10 CFR 61.55; and

(c) "high level" nuclear wastes which are hotter than class A, B, and C wastes under 10 CFR 61.55, such as spent nuclear rods.

18-1-3. Existing permit amendment procedure.

(1) Any hazardous industry facility with a Tooele County permit issued before September 26, 2005 may make application to amend its conditional use permit. The amendment shall not be to accept wastes for which the facility is not already approved. An amendment may be made to expand to land adjacent the immediate area utilized in the storage, treatment, and disposal of those approved waste streams at the time the conditional use permit was issued within existing MG-H zoning onto the rest of the property owned in fee title. This provision shall not allow for the purchase of additional property with which to expand, but does allow that all property held at the time the more restrictive ordinance was passed can be used for the intended purpose.

(2) An application to amend a conditional use permit shall be submitted with the required fee as established by the Board of County Commissioners. The application fee less the administrative fee portion shall be used by Tooele County to facilitate its review of the proposal and to pay for the expenses it incurs in managing the required Environmental Impact Statement.

(3) An application shall include a statement of facts that show that there is a national need for the facility and the existing and proposed waste stream of the facility.

(4) The planning commission shall review the application for the conditional use permit amendment in accordance with Chapter 7 of this land use ordinance.

(5) The Environmental Impact Board (EIB) shall be formed by the Board of County Commissioners to review the Environmental Impact Statement (EIS) as outlined in Section 18-5 of this chapter.

(6) Upon the conclusion of the study conducted by the planning commission, a recommendation shall be forwarded to the county commission for the conditional use permit amendment along with proposed conditions.

(7) Upon the conclusion of the study conducted by the EIB, the EIB shall make a recommendation to the county commission for the conditional use permit amendment and proposed conditions that pertain to environmental protection of the site.

(8) The Board of County Commissioners shall review the recommendations of the planning commission and the EIB and approve or deny the amendment application.

(9) No new MG-H zones shall be created after September 25, 2005.

18-1-4. Tooele County Environmental Impact Board.

Upon payment of the application fee, the Board of County Commissioners shall organize an Environmental Impact Board (EIB), consisting of a representative from the Tooele County Department of Engineering, Tooele County Health Department, Tooele County Attorney, and other applicable local, state and federal agencies. The EIB shall be the Environmental Impact Statement (EIS) manager, and shall select a third party consultant by a request for proposal.

18-1-5. EIB action on the Environmental Impact Study.

(1) Upon selection of members to the Tooele County Environmental Impact Board, a meeting shall be scheduled between the applicant and the EIB. The Tooele County Department of Engineering shall act as support staff for the EIB.

(2) The EIB shall publish a request for proposal to qualified firms to perform a EIS study of the proposed site in accordance with this chapter. The request for proposal shall have a closing date in which all applicants are to submit their proposals to the department of engineering.

(3) The EIB shall review the proposals along with the applicant and choose the person or firm that is best qualified at a reasonable price as the EIS contractor.

(4) The study shall use the funds submitted as the application fee to begin the study less the administrative fee portion. When a firm is selected and a contract signed by all parties, the applicant shall make deposit of funds with Tooele County to cover the cost of the contract plus ten percent, before the contract is consummated with the consultant and any further action ensues.

(5) Upon payment by the applicant of the fees, the contractor shall then enter into a contract with Tooele County to perform the EIS study.

(6) With the exception of any portion of the fees that are non-refundable, all amounts not expended by Tooele County shall be reimbursed to applicant. If the County's costs of reviewing and managing the EIS exceeds the initial fee, a change order shall be made to the contract and the applicant shall remit to the County such additional amounts as are necessary to cover the entire expenses incurred by the County.

18-1-6. Location criteria emphasis in the EIS.

All hazardous and low-level radioactive waste industries regulated under Section 17-3 of the Tooele County Land Use Ordinance shall be located in those areas allowed by Tooele County's General Plan, as amended by the Hazardous Waste Corridor, and shall conform to the stricter of the following location standards or those promulgated by the State of Utah Solid and Hazardous Waste Committee:

(1) The facility shall not be established or constructed in a wetland as defined by the Army Corp of Engineers under Section 404 of the Clean Water Act or in the recharge zone of an aquifer.

(2) The facility shall not be established in a 100 year flood plain. This information may be obtained from 100 year flood plain maps or other supportive documents.

(3) For protection of waters of the State, the following factors shall be considered:

(a) The distance from waters of the State so that an unintentional release or discharge of hazardous waste will not contaminate such waters.

(b) Hydrogeological characteristics of the site and surrounding land, i.e., soil type, groundwater table, geology, topography, etc.

(c) The quantity, quality, and direction of flow of groundwater.

(d) Proximity to and withdrawal rates from nearby wells. Consultation with public water suppliers and State Engineer's office.

(e) Availability of alternative water supplies.

(4) Consideration must be given to the type and permeability of the soil and depth to bedrock at the proposed site.

(5) The facility shall not be established, constructed, or operated on an active Holocene Fault or within a recognized zone of deformation along that fault.

(6) Transportation routes to the site must be addressed. The following items shall be considered:

(a) methods by which wastes will be transported to and from the site;

(b) the types of roads that will provide principal access to the site;

(c) the extent to which weather renders such roads hazardous;

(d) the accident rates to determine if routes are above or below the average for a similar type road;

(e) the number of residential, school, and hospital structures along access routes;

(f) safety, noise, and traffic disruption; and

(g) the number of intersections per linear mile between the entrance of a facility and the nearest arterial highway.

(7) The location of facilities shall avoid watershed management areas and agricultural lands that are available for crop production.

(8) The location of facilities shall comply with State and Federal Wildlife Regulations.

(9) Historical significance of the location and aesthetics, including visual and noise level aspects, shall be considered. Natural areas designated as having county, state, regional, or national significance due to their recreational, historical, educational, aesthetic value, or importance as a natural resource or a value to the economy shall be avoided.

(10) The economic and environmental impact of the proposed facility upon local government, adjacent to, or within which, the facility is proposed for location shall be considered.

(11) Compatibility with current land use plans shall be considered, to include the following:

(a) Existing land use adjacent to and in the general area of the site. No facility shall be located closer than five miles from any existing dwelling.

(b) Areas with existing compatible industrial development and areas that are planned or zoned for hazardous industrial development.

(c) Densities of population near proposed site.

(12) Any exception to these guidelines will be considered by the planning commission and the county commission on a case by case basis. The following shall be considered in granting an exception to the foregoing provisions:

(a) protection of public health and the environment;

(b) type of hazardous waste activity, whether it be treatment, storage, or disposal;

(c) type and volumes of hazardous wastes to be managed; and

(d) other information that may be submitted or required.

(13) Environmental Impact Statement (EIS): Each facility shall be reviewed on its own site specific merits by means of an environmental impact statement conforming to and including all elements required under the National Environmental Policy Act (NEPA) for natural and human resources, and shall address in detail each of the following items:

(a) Mining Claims and Natural Resources, Surface Water (Flood and Erosion), Aquatic Species, Natural Hazards, Groundwater, Air Quality, Rare Plants, Wilderness, Wildlife, Geology.

(b) Closure and Post-Closure Assurances, Description of Wastes, Treatments and processes, Monitoring and Quality Assurance, Infrastructure (Utilities and Services), Public Finance and Services, Public Safety and Emergency, Employment and

Labor Force, Paleontological Resources, Grazing and Agriculture, Construction Resources, Economic Feasibility, Response Services, Health Services, Quality of Life, Transportation, Archeological, Evaporation, Population, Recreation, Education, Earnings, Land Use, Housing, Energy.

(14) The analysis of impacts under this section may be more or less intensive than that required by other permitting agencies, i.e., the EPA Toxic Substance Control Act (TSCA) review and Utah Department of Health Resource Conservation and Recovery Act (RCRA) review. The principal objective of these requirements shall be to identify and quantify those impacts that affect the local community and units of government.

18-1-7. Action of the Board of County Commissioners.

(1) The Board of County Commissioners shall take into consideration the recommendations of the planning commission and the environmental impact board in making a decision to amend a conditional use permit.

(2) Each applicant for a facility shall demonstrate its financial capability to construct, operate, and properly close the facility to the satisfaction of the County, together with a demonstration of the need for such a facility to be located within Tooele County. Financial statements shall be submitted for the business, together with a list of its financial supporters. Statements showing the cost estimates for construction, first year of operation, and closing costs shall be submitted with financial statements. Need shall be demonstrated by evidence that the proposed facility has a proven market including information on the source, quantity, hazard potential of waste stream, and a review of other existing and proposed commercial facilities regionally and nationally that would also provide a means of disposal materials, and why Tooele County should host those wastes as opposed to other locales.

(3) No facility shall be permitted until such time as a properly executed and binding impact mitigation agreement and bond is accepted by the Board of County Commissioners. Prior to the execution of such an agreement, the applicant shall identify, with the concurrence of Tooele County, the impacts that the proposed facility will have upon Tooele County, and will submit a plan to mitigate such impacts. All amendments to the use permits authorized under this section or other sections dealing with the MG-H zone shall also be reviewed and approved by the Board of County Commission.

(4) All hazardous waste facilities shall comply with the Utah State Solid and Hazardous Waste Act and other applicable state and federal regulations pertaining

to the siting of such facilities. Failure to do so will be just cause for the revocation of the conditional use permit.

CHAPTER 19

TRAVEL INFLUENCE DISTRICT T

Section

19-1. Purpose.

19-2. Location and use.

19-3. Permitted uses.

19-4. Conditional uses.

19-5. Special provisions.

19-6. Area, width, frontage, yard, coverage, and height regulations.

19-6. Area, width, frontage, yard, coverage, and height regulations.

Regulations shall be the same as required for the underlying, regular district, except as they may be modified by conditional use permit.

19-1. Purpose.

To encourage and require land uses and density of uses adjacent to freeways, freeway interchanges, and freeway approach routes which will facilitate free and unimpeded traffic flow to and from such freeways, will allow reasonable and harmonious uses on such adjacent lands, and will insure attractive and orderly views of adjacent developments from freeways and their approach zones. Among other requirements, visual images are deemed critical to the freeway drivers' safety, convenience, and comfort and are, therefore, to be reviewed and controlled by the planning commission.

19-2. Application.

The Travel Influence District "T" is an over-lay district which fits over the regular district applied to the land extending for 1,000 feet on each side of freeway right-of-way lines; and for 300 feet on each side of freeway approach street or right-of-way lines for a distance of 2,000 feet from the beginning of freeway interchange ramps, or as such T District boundaries are shown on the zoning map.

19-3. Permitted uses.

All uses require conditional use permits.

19-4. Conditional uses.

Any uses allowed in the regular underlying district is permitted, subject to the granting of a conditional use permit.

19-5. Special provisions.

All conditional use permit applications shall be submitted to the planning commission for review. The planning commission may apply such conditions to the granting of a permit and will effectuate the purposes outlined in Chapter 7 of these ordinances, and may revoke permits if the required conditions are not met.

CHAPTER 20

RESIDENTIAL FACILITIES FOR ELDERLY AND DISABLED PERSONS

Section

20 - 1. Purpose.

20 - 2. Residential facilities for elderly persons.

20 - 3. Residential facilities for persons with a disability.

20 - 1. Purpose.

The purposes of this section are:

(1) to comply with section 17-27-504 and 17-27-605 of the Utah Code; and

(2) establish an administrative process for the approval of permits to operate residential facilities for elderly and disabled persons that balances the need to prevent discrimination against elderly and disabled persons in the interests which are rationally related to legitimate land-use concerns. The county commission finds these equally valid and competing interests can be best accommodated and balanced by adopting an administrative process ensuring legitimate governmental interests are protected while guarding against discrimination and providing flexibility in residential facilities for elderly and disabled persons which do not cause undue hardship, fiscal or administrative burden on the County and do not undermine the basic purposes that the land use ordinance seeks to achieve.

20 - 2. Residential facilities for elderly persons.

(1) A "residential facility for elderly persons" shall not include any facility:

(a) operated as a business; provided, that such facility may not be considered to be operated as a business solely because a fee is charged for food or for actual and necessary costs of operation and maintenance of the facility;

(b) where persons being treated for alcoholism or drug abuse are placed;

(c) where placement is not on a strictly voluntary basis or where placement is part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional institution;

(d) which is a health care facility as defined by section 26-21-2 of the Utah Code; or

(e) which is a residential facility for persons with a disability.

(2) "Elderly person" means a person 60 years or older who desires or needs to live with other elderly persons in a group setting but who is capable of living independently.

(3) A residential facility for elderly persons shall:

(a) meet all applicable building, safety, land use, and health ordinances applicable to similar dwellings;

(b) be subject to the same minimum site development standards as those for a single-family dwelling or dwelling unit in the zone in which the facility is located; and

(c) be capable of use as such facility without structural or landscaping alterations that would change the structure's residential character.

(4) The use granted and permitted by this section is nontransferable and terminates if the structure is devoted to a use other than as a residential facility for the elderly, or if the structure fails to comply with the applicable health, safety, and building codes. (Ord.2003-09, 7/01/03)

20 - 3. Residential facilities for persons with a disability.

(1) As used in this chapter, "Disability" is defined in Section 57-21-2 UCA.

(2) "Residential facility for persons with a disability" means a residence in which more than one person with a disability resides and which is:

(a) licensed or certified by the department of human services under Title 62A, Chapter 2 of the Utah Code, licensure of programs and facilities; or

(b) licensed or certified by the department of health under Title 26, Chapter 21 of the Utah Code, Health Care Facility Licensing and Inspection Act.

(3) A residential facility for persons with a disability shall be a permitted use in any zoning district where a dwelling is allowed. Each such facility shall conform to the following requirements:

(a) The facility shall comply with all building, safety, and health regulations applicable to similar structures. As part of this requirement the following site development standards and parking standards shall be applicable:

(i) Each facility shall be subject to minimum site development standards applicable to a single-family dwelling or other similar dwelling in the zone in which the facility is located; and

(ii) The minimum number of parking spaces required for a residential facility for persons with a disability shall be the same as those for a single-family dwelling located in the same zoning district in which the facility is located.

(b) No facility shall be made available to an individual whose tenancy would:

(i) constitute a direct threat to the health or safety of other individuals, or

(ii) result in substantial physical damage to the property of others. It is not the intention of this subsection to establish any legal basis for tort liability on the part of the facility operator.

(c) Prior to the occupancy of any facility, the person or entity licensed or certified by the department of human services or the department of health to establish and operate the facility shall provide to the zoning administrator:

(i) a copy of such license or certification; and

(ii) a sworn affidavit that no person will reside or remain in the facility whose tenancy would likely:

(1) constitute a direct threat to the health or safety of other individuals, or

(2) result in substantial physical damage to the property of others.

(d) the use permitted by this section is nontransferable and shall terminate if:

(i) the facility is devoted to a use other than a residential facility for persons with a disability;

(ii) the license or certification issued by the department of human services or the department of health terminates or is revoked, or

(iii) the facility fails to comply with this section.

(4) None of the foregoing conditions shall be interpreted to limit any reasonable accommodation necessary to allow the establishment or occupancy of a residential facility for persons with a disability.

(5) Any person or entity who wishes to request a reasonable accommodation shall make application to the zoning administrator and articulate in writing the basis for the requested accommodation.

(6) Each application for a reasonable accommodation shall be decided within 30 days.

(7) If a request for a reasonable accommodation is denied, such decision may be appealed to the board of adjustment in the manner provided for appeals of administrative decisions.

CHAPTER 22

RAILROAD TRAVEL INFLUENCE DISTRICT (R-T)

Section

22-1. Purpose.

22-2. Location and use.

22-3. Permitted uses.

22-4. Conditional uses.

22-5. Special provisions.

22-6. Area, width, frontage, yard, coverage, and height regulations.

22-6. Area, width, frontage, yard, coverage, and height regulations.

Regulations shall be the same as required for the underlying, regular district, except as they may be modified by a conditional use permit.

22-1. Purpose.

To encourage and require land uses and density of uses adjacent to specific, historic railroad sidings, railroad spurs and railroad tracks which will facilitate free and unimpeded railroad traffic flow and will allow reasonable and harmonious uses on such adjacent lands, and will insure attractive and orderly views from adjacent developments.

Among other requirements, compatible uses for specific railroad related activities are deemed critical to the welfare of the County, and are, therefore, to be reviewed and controlled by the Planning Commission.

22-2. Application.

The Railroad Travel Influence District (R-T) is an overlaid district which fits over the regular district applied to the land extending 300 feet on each side of the railroad right-of-way lines for a distance of 300 feet from the beginning of the railroad sidings or spurs, or as such R-T District boundaries are shown on the zoning map.

22-3. Permitted uses.

All uses require conditional use permits.

22-4. Conditional uses.

Any use allowed in the regular underlying district is permitted, subject to the granting of a conditional use permit.

22-5. Special provisions.

All conditional use permit applications shall be submitted to the Planning Commission for review. The Planning Commission may apply such conditions to the granting of a permit and will effectuate the purposes as outlined in Chapter 7 of the Tooele County Land Use Ordinance, and may deny or revoke permits if the required conditions are not met.

CHAPTER 23

HIGHWAY ACCESS DISTRICT (HA)

Section

- 23-1. Purpose.
- 23-2. Application.
- 23-3. Zone 1.
- 23-4. Zone 2.
- 23-5. Zone 3.
- 23-6. Zone 4.
- 23-7. Public drinking water systems data.

23-1. Purpose.

This chapter is for the purpose of regulating access to land contiguous to highways in order to facilitate minimal impediments to traffic flow, mitigate potential and actual conditions that contribute to vehicular accidents, and allow reasonable and harmonious uses on such lands, as well as to insure unobstructed views of access points. Traffic safety and land uses are critical to the use of highways. Access must be reviewed and controlled by the planning commission within the standards established in this chapter. To this end, access to highways encumbered by a Highway Access District (HA) shall be at points controlled with respect for the safety of the traveling public.

23-2. Application.

The Highway Access District (HA) is an over-lay district that fits over the existing zoning district and along highway right of way lines.

23-3. Land Uses.

(1) All land uses, except any provisions for access, that are permitted or require conditional use permits under regulations relative to the underlying zoning district are allowed in the HA District.

(2) Permitted and conditional uses of the underlying zoning district do not affect or limit the application of this chapter.

23-4. Conditional Use Permits Required.

(1) Access from adjoining land to a highway within a HA District shall require a conditional use permit. The permit shall insure compliance with Tooele County Land Use Ordinance Chapter 6 regarding off street parking requirements, except that the permit may allow a single access for two parcels on the property line if it is within the general purpose and intent of the Tooele County Land Use Ordinance.

(2) The planning commission may require a surety bond or other reasonable security which may

be forfeited in the event the regulations or the conditions of a permit are breached.

23-5. Area, Width, Height, and Coverage Regulations.

Area, width, height, and coverage regulations in HA Districts shall be the same as required in the underlying zoning district and for the clear view of intersecting streets.

23-6. Standards.

(1) The minimum distance between accesses in HA Districts shall be 800 feet.

(2) Frontages which are equal to or less than the minimum distance in feet shall be allowed but limited to one access.

(3) Lots with frontages greater than 800 feet may have multiple accesses, which shall maintain the minimum standard in distance between the accesses on that property as well as those of neighboring properties on the same side of the highway.

(4) The planning commission may impose new setbacks for the construction, location, or placement of new structures, and modifications to existing structures along HA district roads to reflect approved plans that modify the routing or widening of right of ways. Imposing such setbacks shall supersede setbacks required in the underlying zone.

(5) This chapter shall not be applied so as to deny reasonable ingress and egress to property adjoining a public highway except where the county has acquired such right of ingress and egress by gift, agreement, purchase, eminent domain, or otherwise or where no right of ingress or egress exists between the right-of-way and the adjoining property, nor to restrict the height of agricultural crops or trees growing on private property along a highway, except at the point of access to allow clear view of traffic.

23-7. Violations.

(1) No HA District shall have any approach road, driveway, or any other structure or object of any kind or character placed, constructed, or maintained except as permitted by, and in accordance with, the land use ordinance, and other county codes.

(2) If any person, firm, or corporation installs, places, constructs, alters, repairs, or maintains any approach road, driveway, outdoor advertising sign, or any other structure or object of any kind or character within the boundaries of a HA District without

complying with this chapter, the department of engineering may:

(a) give written notice to the person, firm, or corporation to remove the installation from the boundaries; or

(b) remove the installation.

(3) Notice under Subsection [b-1-]2(a) shall be served by:

(a) personal service; or

(b) (i) mailing the notice to the person, firm, or corporation by certified mail; and

(ii) posting a copy on the installation for ten days.

(4) If the installation is not removed within ten days after the notice is served, the department of engineering may remove the installation at the expense of the person, firm, or corporation. The department of engineering may recover:

(a) the costs and expenses incurred in removing the installation, serving notice, and the costs of a lawsuit if any; and

(b) \$10 for each day the installation remained within the boundaries after notice was served.

(5) If the person, firm, or corporation disputes or denies the existence, placement, construction, or maintenance of the installation, or refuses to remove or permit its removal, the department of engineering may cause an action be brought to abate the installation as a public nuisance, and may recover the costs of having the public nuisance abated.

(6) The department, its agents, or employees, if acting in good faith, incur no liability for causing removal of an installation within a HA District.

23-8. Pre-Existing Accesses.

Accesses that existed prior to a HA District being imposed on any highway will exist as legal non-conforming uses.

23-9. Abandonment.

Any access in a HA District that is not used in any twelve consecutive months will be required to be removed. If a property owner desires to reinstate that access, it shall conform to this chapter.

CHAPTER 26

CONSTRUCTION DEBRIS AND MUNICIPAL SOLID WASTE ZONES

Part

1. General.
2. Construction debris overlay zone (CDO).
3. Municipal solid waste zone (MSW).
4. Use tables.

PART 1

GENERAL

Section

- | | |
|---------|--|
| 26-1-1. | Purpose. |
| 26-1-2. | Definitions. |
| 26-1-3. | Conditional use permit application. |
| 26-1-4. | Reporting. |
| 26-1-5. | Waste facility inspections. |

26-1-1. Purpose.

The purpose of this chapter is to provide policies, standards, requirements, and procedures to regulate and control the location and expansion of non-hazardous waste facilities and ensure that all such facilities are consistent with the general plan and are constructed and operated in a manner that will promote public health, safety, general welfare and the physical, social and economic development of the area.

26-1-2. Definitions.

(1) As used in this chapter:

(a) "Commercial solid waste" means all types of solid waste generated by stores, offices, restaurants, warehouses, and other non-manufacturing activities, excluding household waste and industrial wastes.

(b) "Construction debris landfill" means a landfill that receives nonhazardous construction and demolition waste and inert waste.

(c) "Construction waste" or "demolition waste" means solid waste from building materials, packaging, and rubble resulting from construction, remodeling, repair, abatement, rehabilitation, renovation, and demolition operations on houses, commercial buildings, and other structures. Such waste may include bricks, concrete, other masonry materials, soil, rock, and rebar. It does not include drywall, asphalt, asbestos, contaminated soils or tanks resulting from remediation or clean-up at any release or spill, waste paints, solvents, sealers,

adhesives, or similar hazardous or potentially hazardous materials.

(d) "Contaminate" means to make impure by exposure to or addition of a poisonous or polluting substance.

(e) "Household waste" means any solid waste, including garbage, trash, and sanitary waste in septic tanks, derived from households including single and multiple residences, and bunkhouses.

(f) "Inert waste" means noncombustible, municipal solid wastes that retain their physical and chemical structure under expected conditions of disposal, including resistance to biological or chemical attack.

(g) "Municipal solid waste" means household waste, yard waste, nonhazardous commercial solid waste, and non-hazardous sludge.

(h) "Municipal solid waste facility" means a facility that receives municipal solid waste for treatment, storage or disposal.

(i) "Yard waste" means vegetative matter resulting from landscaping, land maintenance, and land clearing operations including grass clippings, prunings, and other discarded material generated from yards, gardens, parks, and similar areas. "Yard waste" does not include garbage, paper, plastic, processed wood, sludge, septage, or manure.

26-1-3. Conditional use permit application.

Each conditional use permit application shall be submitted and receive approval by the planning commission before any operation is commenced. A copy of the application submitted to the State of Utah shall accompany the conditional use permit application to the county. Submission of an application does not constitute an assurance or presumption that such use will be approved. Each proposed landfill shall be evaluated on an individual basis in relation to its compliance with the standards and conditions set forth in this chapter and with the standards for the zoning district in which it is located to determine whether the use is appropriate at the particular location.

26-1-4. Reporting.

Each owner or operator of any facility, including a facility performing post-closure care, shall prepare an annual report and submit it to the county health

department and the county department of engineering by March 1. The annual report shall cover facility activities during the previous year.

26-1-5. Waste facility inspections.

The zoning administrator or any duly authorized officer, employee, or representative of the county health department may, at any reasonable time and upon presentation of appropriate credentials, enter any waste facility and inspect the property, records, monitoring systems, activities and practices, or waste being handled for the purpose of ascertaining compliance with this chapter and the approved plan of operation for the facility. The inspector may:

- (1) conduct monitoring or testing, or collect samples for testing, to verify the accuracy of information submitted by the owner or operator or to ensure that the facility is in compliance, and the owner or operator may request split samples and analysis parameters on any samples collected by the inspector;
- (2) use photographic equipment, video camera, electronic recording device, or any other reasonable means to record information during any inspection; and
- (3) cause notice of the results of any inspection to be sent promptly to the owner or operator of the facility if not left on site.

PART 2

CONSTRUCTION DEBRIS OVERLAY ZONE (CDO)

Section

- 26-2-1. Purpose of the construction debris overlay zone (CDO).**
 - 26-2-2. Application of the construction debris overlay zone (CDO).**
 - 26-2-3. Materials allowed.**
 - 26-2-4. Location standards for construction debris disposal facilities.**
 - 26-2-5. Plan of operation.**
- 26-2-1. Purpose of the construction debris overlay zone (CDO).**

The purpose of this part is to provide policies, standards, requirements, and procedures to regulate and control the location and expansion of construction debris disposal facilities and ensure that all such facilities are consistent with the general plan and are constructed and operated in a manner that will promote public health, safety, general welfare and the physical, social and economic development of

the area. The Construction Debris Overlay zone (CDO) will insure that the site remains intact while possibly permitting some post-closure activity to occur.

26-2-2. Application of the construction debris overlay zone.

- (1) The Construction Debris Overlay (CDO) zone is a zoning district that fits over an existing zoning district. It identifies the operation and location of a construction debris disposal facility.
- (2) A CDO may be located in any MU-40, A-20, M-D, or M-G zoning district. The zone modifies the underlying zoning district to protect construction debris facilities and allow only those uses that can be permitted on the site during operation and post closure of the facility.
- (3) The regulations of uses in this chapter shall supercede those conflicting of the underlying zone.
- (4) An application for a CDO shall comply with the requirements of Chapter 3 of this land use ordinance.

26-2-3. Materials allowed.

- (1) A construction debris disposal facility shall landfill only inert waste, brick material, concrete, or rock.
- (2) Wastes that contain contaminated materials are prohibited in construction debris disposal facilities.

26-2-4. Location standards for construction debris disposal facilities.

- (1) Applications for a CDO zoning district shall comply with Utah Administrative Code Rule R315-302, Solid Waste Facility Location Standards.
- (2) No new construction debris disposal facility or lateral expansion of an existing facility shall be located within:
 - (a) one-fourth mile of farmland which is designated by the county as an agricultural protection area;
 - (b) two miles of any airport runway end unless the owner or operator demonstrates that the facility design and operation will not increase the likelihood of bird and aircraft collisions, which will reduce the distance to one mile; or
 - (c) a ground water primary recharge area, groundwater classified as IB or located over a sole source aquifer as determined by a hydrogeologic study.
- (3) If a new construction debris landfill or a lateral expansion of an existing construction debris landfill is located within five miles of an airport

runway end, the owner or operator must notify the affected airport and the Federal Aviation Administration.

26-2-5. Permitted and conditional uses.

(1) Each application for a conditional use permit shall include all drawings, maps, specifications, statements and records required by Chapters 7, 12 and this chapter. All applications that are incomplete upon submission shall be returned to the applicant.

(2) Prior to any conditional use permit being issued that will permit a construction debris facility, the applicant shall show a demonstrated need for the facility within Tooele County.

(3) All conditional use permit applications for construction debris disposal facilities shall be reviewed by the planning commission, which shall impose such requirements and conditions as are necessary for protection of adjacent properties and the public welfare. As a minimum all conditional use permits shall have the following conditions:

(a) The construction debris facility is permitted for ancillary and support facilities necessary to conduct its business, including offices, maintenance facilities, laboratories, records storage facilities, process stations and equipment, fuel and chemical storage, and support services to maintain a workforce.

(b) The construction debris facility shall maintain all facilities and activities in such fashion to assure conformity to all Tooele County land use, health, building, plumbing, mechanical and electrical codes, National Fire Protection Association Standards (NFPA), and other County ordinances, rules and regulations.

(c) Copies of the licenses and permits issued by the State of Utah, Department of Environmental Quality, Division of Solid and Hazardous Waste shall be filed with the Department of Engineering. The facility shall not operate without the proper permits being in force.

(d) The construction debris facility shall maintain a contingency plan and shall report to Tooele County any conditions that may endanger human health or the environment outside the facility. Any such information shall be reported orally as soon as practicable once the operator of the construction debris facility becomes aware of the circumstances of such incident.

(e) The operator of the construction debris facility shall take all reasonable steps to minimize and correct any adverse impacts on the public health and environment. The operator shall address "on-site" monitoring, which may be required for assessment of impacts to air, water, soil, vegetation and public

health exposures on all property under the control of the construction debris facility. Any air, soil or groundwater monitoring assessments shall be provided to Tooele County upon the written request of Tooele County. Tooele County reserves the right to monitor and assess all subject properties that may be impacted at its discretion and expense.

(f) The operator of a construction debris facility shall allow Tooele County representatives, upon the presentation of credentials and other documents as may be required by law to:

(i) enter at reasonable times upon the premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this permit;

(ii) have access to copy any records that must be kept under the conditions of this permit;

(iii) inspect any facilities, equipment, practices, or operations regulated or required under this permit; and

(iv) sample or monitor for the purpose of assuring permit compliance.

(g) The operator of the construction debris facility shall submit to the Tooele County Engineer, two copies of its annual operating report no later than April 15 of each year. The annual report will be an executive summary of the major activities of the previous year and a projection of any major facility changes planned for the current year. The major activities to be summarized are as follows:

(i) the amount of waste received and transferred;

(ii) occurrences where human health or the environment were threatened, on and off the site, such as explosions, major fires, and reportable quantity spills;

(iii) major changes to the facility, or its mission; and

(iv) monitoring activities and any abnormal results that have not already been reported to Tooele County.

(h) The provisions of the permit are severable. If any provisions of the permit, or the application of any provision of the permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of the permit shall not be affected.

(i) The conditional use permit shall be reviewed upon any change in the facility's operation. Either Tooele County, the landowner or the operator may review the permit at any time.

(j) This conditional use permit is revocable by the planning commission at any time due to failure of the permittee to observe any condition specified or failure to observe other requirement of the Tooele

County Land Use Ordinance and the Tooele County Code.

(k) All cells shall be covered to prevent fugitive dust and sand from blowing.

(l) Before startup, an operations plan shall be submitted to the Tooele County Planning Commission for review. The plan shall be updated and reviewed every five years with the Tooele County Planning Commission. Each five year plan shall expire and all operation shall cease until a new plan is approved.

(m) At the time that the operation is 95% complete the landowner shall submit a state-approved closure plan to Tooele County which will include post-closure activities.

(n) The operator of the construction debris facility shall comply with the licensing and inspection requirements of Title 7, Chapter 3 of the Tooele County Code.

(o) All internal roads shall be constructed with a dust-free surface or treatment.

(p) Any debris that is spilled as a result of the transportation or processing of waste from the operation of the facility shall be cleaned up daily.

(q) The construction drawings of cells shall be submitted to the Tooele County Department of Engineering for review by the county engineer.

(r) The operator of the construction debris facility shall obtain a mitigation agreement from the Board of County Commissioners.

(s) The operator of the construction debris facility shall build a perimeter security fence of a sufficient size to prevent unauthorized access.

(4) The land owner and operator shall be responsible to insure all conditions are complied with.

PART 3

MUNICIPAL SOLID WASTE ZONE (MSW).

Section

26-3-1. Purpose.

26-3-2. Creation and location.

26-3-3. Facility location criteria -
Environmental assessment.

26-3-4. Permitted and conditional uses.

26-3-1. Purpose.

The purpose of this part is to provide zones where municipal solid waste facilities can be located in such a way as to ensure that all such facilities are consistent with the general plan and are constructed and operated in a manner that will promote public

health, safety, general welfare and the physical, social and economic development of the area.

26-3-2. Creation and location.

The Municipal Solid Waste (MSW) zone is a zoning district where industries that treat, store and dispose of municipal solid waste shall be located. MSW zoning districts shall be created under Chapter 3 of the Tooele County Land Use Ordinance and shall only be located in the county's designated Municipal Solid Waste corridors. The zone shall not be located within one mile of any district boundary that allows for residential dwellings.

26-3-3. Facility location criteria - Environmental assessment.

(1) All municipal solid waste facilities regulated under this chapter shall be located in an MSW zone.

(2) An application to amend the zoning map of Tooele County for a MSW zoning district shall be accompanied by a full environmental assessment and a copy of the application submitted to the State of Utah, Department of Environmental Quality. The planning commission upon review of the environmental assessment may require further study or clarification on any aspect as it pertains to the suitability of the site and its effect upon adjoining land.

(3) The environmental assessment shall include data and determination as to actual on-site conditions with emphasis in the following areas:

(a) liquefaction potential;

(b) on site soil suitability for limitations on municipal waste landfills;

(c) potential for storm water and groundwater contamination;

(d) potential for water contamination in the Great Salt Lake;

(e) 100 year flood and high water level for the Great Salt Lake;

(f) determination on wetlands;

(g) geotechnical study on seismic factors;

(h) operation plan;

(i) closure plan;

(j) wildlife impact;

(k) erosion control;

(l) annual wind and climate study; and

(m) fugitive waste control on site and during transport.

26-3-4. Permitted and conditional uses.

(1) A conditional use permit shall be obtained prior to constructing or operating a municipal solid waste facility within the MSW zoning district. No presumption of approval shall be made regarding an

application. All applications for conditional use permits made to the planning commission shall include all drawings, maps, specifications, statements and records as required by Chapters 7, 12 and this chapter. Applications that are incomplete upon submission shall be returned to the applicant. The land owner and operator shall be responsible to insure all conditions are complied with.

(2) Prior to any conditional use permit being issued, the applicant shall show a demonstrated need for the facility within Tooele County.

(3) All conditional use permits issued within an MSW zoning district shall be reviewed by the planning commission who shall impose such requirements and conditions as are necessary for protection of adjacent properties and the public welfare. As a minimum all conditional use permits shall have the following conditions:

(a) The municipal solid waste facility is permitted for ancillary and support facilities necessary to conduct its business such as offices, maintenance facilities, laboratories, records storage facilities, process stations and equipment, fuel and chemical storage, and support services to maintain a workforce.

(b) The operator of the municipal solid waste facility shall maintain all facilities and activities in such fashion to assure conformity to all Tooele County land use, health, building, plumbing, mechanical and electrical codes, National Fire Protection Association Standards (NFPA), and other County ordinances, rules and regulations.

(c) Copies of the licenses and permits issued by the State of Utah, Department of Environmental Quality, Division of Solid and Hazardous Waste shall be filed with the County Department of Engineering. The facility shall not operate without the proper permits being in force.

(d) The operator of the municipal solid waste facility shall maintain a contingency plan and shall report to Tooele County any conditions that may endanger human health or the environment outside the facility. Any such information shall be reported orally as soon as practicable once the operator of the municipal solid waste facility becomes aware of the circumstances of such incident.

(e) The operator of the municipal solid waste facility shall take all reasonable steps to minimize and correct any adverse impacts on the public health and environment. At a minimum, The operator may be required to address "on-site" monitoring; which may be required for assessment of impacts to air, water, soil, vegetation and public health exposures on all property under the control of the municipal solid waste facility. Any air, soil or groundwater

monitoring assessments shall be provided to Tooele County. Tooele County reserves the right to monitor and assess all subject properties that may be impacted at its discretion and expense.

(f) The operator of the municipal solid waste facility shall allow Tooele County or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:

(i) enter at reasonable times upon the municipal solid waste facility's premises where a regulated facility and/or activity is located or conducted, or where records must be kept under the conditions of this permit;

(ii) have access to copy any records that must be kept under the conditions of this permit;

(iii) inspect any facilities, equipment, practices, or operations regulated or required under this permit; and

(iv) sample or monitor for the purpose of assuring permit compliance or as otherwise directed by Tooele County, any substances or parameters at any location.

(g) The operator of the municipal solid waste facility shall submit to the Tooele County Engineer, two copies of its annual operating report no later than April 15 of each year. The annual report will be an executive summary of the major activities of the previous year and a projection of any major facility changes planned for the current year. The major activities to be summarized are as follows:

(i) the amount of waste received and transferred;

(ii) occurrences where human health or the environment were threatened, on and off the site, such as explosions, major fires, and reportable quantity spills;

(iii) major changes to the facility, or its mission; and

(iv) monitoring activities and any abnormal results that have not already been reported to Tooele County.

(h) The provisions of the permit are severable. If any provisions of the permit, or the application of any provision of the permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of the permit shall not be affected.

(i) The conditional use permit shall be reviewed upon any change in the facility's operation. Either Tooele County, the landowner or the operator may review the permit at any time.

(j) This conditional use permit is revocable by the planning commission at any time due to failure of the permittee to observe any condition specified or failure to observe other requirements of the Tooele

County Land Use Ordinance or the Tooele County Code.

(k) Loose materials shall be off-loaded in a covered structure to prevent fugitive waste from escaping into the landscape and off site. Bailed waste may be off loaded at the cell. The operator may submit an alternative plan and guarantee to be approved by the planning commission that will allow handling of loose waste with out a covered structure for off-loading.

(l) All cell berms and walls not covered with a liner and clay shall be covered with gravel to prevent fugitive dust and sand from blowing. The operator may submit an alternative plan and guarantee to be approved by the planning commission that will insure containment of fugitive dust.

(m) Before startup, an operations plan shall be submitted to the Tooele County Planning Commission for review. The plan shall be updated and reviewed every five years with the Tooele County Planning Commission. Each five year plan shall expire and all operation shall cease until a new plan is approved.

(n) At the time that the operation is 95% complete the landowner shall submit a state approved closure plan to Tooele County which will include post-closure activities.

(o) The operator and landowner of the municipal solid waste facility shall comply with the licensing and inspection requirements of Title 7, Chapter 3 of the Tooele County Code.

(p) All internal roads shall be constructed with a dust free surface or treatment.

(q) Any waste that is blown as a result of the transportation or processing of waste from the operation of the facility shall be cleaned up daily.

(r) The construction drawings of cells shall be submitted to the Tooele County Department of Engineering for review by the county engineer.

(s) The operator of the municipal solid waste facility shall complete a mitigation agreement with the Board of County Commissioners.

(t) The operator of the municipal solid waste facility shall build a perimeter security fence of a sufficient size to prevent unauthorized access.

PART 4

USE TABLES.

Section	Codes and symbols.
26-4-1.	Uses.
26-4-2.	Uses.
26-4-3.1.	Construction debris overlay (CDO) zone uses.
26-4-3.2.	Municipal solid waste (MSW) zone uses.

26-4-1. Codes and symbols.

(1) In this Part are tables describing uses of land or buildings that are allowed in the various districts as shown. Permitted uses are indicated by a "P" in the appropriate column. Uses that may be allowed by a conditional use permit issued by a planning commission are indicated by a "C" in the appropriate column. Uses that may be permitted by a conditional use permit issued by the zoning administrator are indicated by a "C1" in the appropriate column.

(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, "-".

26-4-2. 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 construction debris overlay (CDO) or municipal solid waste (MSW) zoning districts except as provided in this Part.

Table 26-4-3.1. Construction debris overlay (CDO) zone uses.		
	Use	CDO
a	Accessory uses buildings customarily incidental to conditional uses	C1
b	Agriculture, grazing of animals, raising of crops	P
c	Construction equipment and supply trailer, temporary	C1
d	Construction field office, temporary	C1
e	Construction debris landfill	C

Table 26-4-3.2. Municipal solid waste (MSW) zone uses.		
	Use	MSW
a	Accessory uses buildings customarily incidental to conditional uses	C1
b	Construction equipment and supply trailer, temporary	C1
c	Construction field office, temporary	C1
d	Grazing of animals	P
e	Municipal solid waste landfill	C
f	Waste recycling facilities	C
g	Waste to energy facilities	C

CHAPTER 27

MINING, QUARRY, SAND AND GRAVEL EXCAVATION ZONE (MG-EX)

Section

- 27-1 Purpose.
- 27-2 Permitted and conditional uses.
- 27-3 Application.
- 27-4 Operation categories.
- 27-5 Minimum Requirements.
- 27-6 Codes and symbols.
- 27-7 Uses.
- 27-7.1. Mining, quarry, sand and gravel excavation and support uses table.
- 27-7.2. Manufacturing, curing, compounding, processing, packaging, production and treatment table.

27-1 Purpose.

(1) The mining, quarry, sand and gravel excavation zone (MG-EX) is a zoning district which allows and protects the mining, quarry, sand and gravel excavation industry while protecting the environment. This zone is to assure that the operations of such sites do not impact adjoining uses, and are not encroached upon by surrounding non-compatible land uses.

(2) This chapter regulates the location, operations and reclamation of mining, quarries, and gravel pits to provide safe conditions and protection of the environment in Tooele County. These regulations are to protect the owner, employees and the public at large.

27-2 Permitted and conditional uses.

The conditional use permit required by this chapter shall be obtained prior to the commencement of use of any sand or gravel pit, mine or quarry within Tooele County. No presumption of approval shall be made regarding an application. All applications for conditional use permits made to the Department of Engineering shall include all drawings, maps, specifications, statements and records as required by Chapters 7, 12 and this chapter. All applications that are incomplete upon submission shall be returned to the submitter. The land owner and operator shall be responsible to insure all conditions are complied with.

27-3 Operation categories.

All mining, quarry, sand and gravel excavation operations shall fit into one of the two following categories:

(1) Permanent commercial operations are those that supply materials to the public on a continual

basis. A permanent commercial operations may be approved by the zoning administrator with the minimum requirements. If it is determined by the zoning administrator that the minimum requirements do not adequately mitigate potential or actual impacts to surrounding properties, it shall then be submitted to the planning commission. All commercial pit operations shall work under an approved five year operation plan. Upon expiration of the previous plan, a new five year plan shall be submitted, otherwise closure and reclamation operations shall begin within six months. The conditional use permit shall remain in effect until such time that full reclamation has been made on the site.

(2) Temporary project specific operations supply material for specific projects, the termination of which shall also terminate the conditional use permit and the use of the pit. A temporary project may be approved by the zoning administrator with the minimum requirements. If it is determined by the zoning administrator that the minimum requirements do not adequately mitigate potential or actual impacts to surrounding properties, it shall then be submitted to the planning commission. A temporary project shall be allowed to operate for a period up to six months and may be extended in six month intervals for a period not to exceed two years. It is the responsibility of the land owner or operator to make application for an extension before the expiration of the current permit. Once the project is completed, the owner or operator shall begin closure and reclamation operations within six months.

27-4 Application.

(1) All applications for conditional use permits shall be accompanied by the following materials:

- (a) application form for a conditional use permit;
- (b) evidence of ownership or control over the land and a legal description of the property where the pit will be located;
- (c) evidence of capability to complete the project, which includes:
 - (i) 0. a statement of the applicants ability to post performance bonds or other financial assurance;
 - (ii) cost estimates for reclamation costs to include removal of roads, buildings, overburden, etc.;

- (iii) liability insurance coverage;
- (d) a site plan showing:
 - (i) all prominent man made and geologic features within the surrounding areas that will be affected by the operation;
 - (ii) dimensions;
 - (iii) locations, clearances, and rights-of-ways, easements, utility lines; and
 - (iv) property lines and names of adjoining property owners;
 - (v) ingress and egress;
 - (vi) general geologic and topsoils data from a qualified source as approved by the Department of Engineering; and
 - (vii) a contour map in intervals of five feet showing existing water courses, drainage and calculations.
- (e) a reclamation plan addressing:
 - (i) types of existing dominant vegetation;
 - (ii) segregation and stockpiling of materials capable of supporting vegetation as determined by soils analysis or practical revegetation experience;
 - (iii) figures outlining depths of and volumes of topsoil to be stockpiled, measures to protect topsoil from wind and water erosion, and pollutants;
 - (iv) method of depths, volumes, removal and storage of other overburden, plus a description of the procedures to be used in overburden replacement and stabilization and high wall elimination, including:
 - (1) slope factors;
 - (2) lift heights;
 - (3) terracing; and
 - (4) any testing procedures employed.
 - (v) methods of processing and disposing of waste and reject material, including toxicity analysis explaining in detail means for containment and long range stability;
 - (vi) existing site and post-contour cross sections typical of regrading designs;
 - (vii) redistribution of topsoil and subsoil on the regraded area, indicating final depth of soil cover;
 - (viii) re-seeding, types or species to be used, the rate of application per acre, the season planting will occur, fertilizers or soil amendments required to aid revegetation, providing, however, that seed types, rates of application and suitability of area to reseeded shall be based upon recommendations from the Soil Conservation District;

- (ix) a description of the reclamation which shall include reasoning for the leaving of roads, pads or other similar structures and features; and
- (x) a list all parties responsible for various stages of reclamation.
- (f) an operations plan that outlines:
 - (i) proposed hours of operation;
 - (ii) traffic safety measures proposed on existing roads and streets adjoining the site;
 - (iii) the location, arrangement and dimensions of loading and processing facilities;
 - (iv) projected figures for quantities of materials to be removed from specified locations;
 - (v) a open and closure plan stating the phasing, acreage and duration of the operation involved, with the maps and narratives that describe the expected sequence of disturbed areas, processing and material treatment;
 - (vi) the extent of the land previously disturbed as well as the proposed extent of land disturbance;
 - (vii) areas of overburden and/or topsoil removal and storage areas, also the location of disposal and stockpile areas for reject materials, waste, and useable materials;
 - (viii) information on known test drilling, locations and status, and plans for any future test drilling and areas where that will occur;
 - (ix) appropriation and use of necessary water rights;
 - (x) the design, construction and maintenance of access and haul roads, including cross sections showing drainage, erosion control, and profiles of road grades, and
 - (xi) onsite control of surface and storm water drainage.
 - (xii) evidence that all required federal and state requirements for environmental health, occupational safety, and reclamation are completed and approved as required by each of the following entities:
 - (A) Tooele County Health Department;
 - (B) OSHA, State of Utah OGM, and MSHA;
 - (C) soil conservation district;
 - (D) Utah Department of Transportation; and
 - (E) the State archeologist and paleontologist.
 - (xiii) a statement identifying mitigation of hazards to the public safety and welfare, including test hole closures, fencing, slopes, disposal of trash, scrap metal, wood, extraneous debris, waste oil, solvents, fuels, chemicals, explosives and sewage;

(xiv) access to county or state road design, to include acceleration, deceleration and left turn lanes; and

(xv) methods of fugitive dust suppression for processing and site operations.

(2) Applications for conditional use permits shall have a design review by the Department of Engineering completed before being placed on the Planning Commission agenda. The Department of Engineering shall schedule a meeting with the applicant, roads, and planning department. The Department of Engineering may make a site visit with the applicant as part of the review.

27-5 Minimum Requirements.

All operations shall comply with the following requirements:

(1) warning signs, fences, trees, and berms shall be placed on the perimeter of the property to protect the public and act as barriers to access, fugitive dust, noise, glare, and/or view shall be indicated;

(2) no adverse drainage which would create soil instability or erosion shall be permitted. All drainage shall be contained on site;

(3) maximum slopes shall be in accordance MSHA;

(4) the applicant shall post a reclamation guarantee for the area of disturbance giving financial assurance in a form approved by the Tooele County, guaranteeing the satisfactory reclamation of all disturbed areas. The amount of reclamation shall not be less than \$1,000.00 per acre, with a \$10,000.00 minimum and shall be adjusted upon the renewal of the operations plan to meet projected costs of reclamation based upon time, material and equipment needed to clean-up and remove structures, backfill, slopes (to include mine dumps) shall be graded to no greater than a 3:1 finished slope or in relation to the contour of adjacent undisturbed land, contour, redistribute and stabilize topsoil, re-vegetate, monitor, and reseed if necessary. The release of the financial assurance and obligations for reclamation shall not be made until the Department of Engineering consults with the Soil Conservation District, Tooele County Attorney and approves the release in writing.

(5) all facilities and activities shall comply with applicable land use, health, building, plumbing, mechanical, and electrical codes. All structures erected, placed, built, or installed shall have a building permit;

(6) all fuel tanks and flammable materials shall be located above ground, in such locations, with containment, and under such conditions as to conform to the requirements of the national fire codes (NFPA);

(7) all crossing of state and county roads shall be done in such a manner as to hold Tooele County harmless from any and all legal proceedings as a result of the applicant's use of such roads. The applicant shall make provisions to place suitable road signs, restraints and flagging personnel at work-sites and road crossings as approved by the Manual on Uniform Traffic Control Devices and the Department of Engineering;

(8) all damage to state and county roads shall be repaired at the applicant's expense under the direction of the Department of Engineering;

(9) the applicant shall maintain on file, proof of liability insurance for the operation in the Department of Engineering;

(10) Tooele County reserves the right to limit and restrict the time activities of the operation should the planning commission deem those activities are a public nuisance;

(11) the owner or operator shall install such improvements to access county or state roads, to include acceleration, deceleration and left turn lanes as approved prior to operation;

(12) all activities shall be maintained and operated in such a way as to minimize fumes, dust, and smoke emissions;

(13) sufficient restroom facilities shall be provided at each location for employee use; and

(14) the applicant shall not begin operations until such time that they enter into a mitigation agreement with Tooele County addressing the upgrade, construction and maintenance of infrastructure.

27-6 Codes and symbols.

(1) In this Part are tables describing uses of land or buildings that are allowed in the various districts as shown. Permitted uses are indicated by a "P" in the appropriate column. Uses that may be permitted by a conditional use permit issued by a planning commission are indicated by a "C" in the appropriate column. Uses that may be permitted by a conditional use permit issued by the zoning administrator are indicated by a "C1" in the appropriate column.

(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 a 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, "-".

27-7. 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 commercial, industrial or hazardous industries zoning districts except as provided in this Part.

Table 27-8.1. Mining, quarry, sand and gravel excavation and support uses.		
	Use	(MG-EX)
a	Accessory uses buildings customarily incidental to conditional uses	C1
b	Agriculture, grazing of animals, raising of crops	P
c	Automobile and truck service station	C1
d	Cast stone, cement, cinder, terra cotta; tile, brick, synthetic cast stone, brick, block, pumice stone and gypsum products	C1
e	Coffee shop	P
f	Construction equipment and supply trailer, temporary.	C1
g	Construction field office, temporary	C1
h	Convenience store with gasoline sales	C1
i	Gravel and sand excavation	
	(1) commercial operations	C1
	(2) temporary project specific operations	C1
j	Machine shop	C1
k	Mines	C
	Non-hazardous landfill	C
l	Quarries	C
m	Parking lot incidental to a use conducted on the premises	C1
n	Parking lot not incidental to a use conducted on the premises	C1
o	Pottery, plaster, incidental plaster, plaster of paris, ceramic, and clay	C1
p	Power generation (electrical) for on-site use:	
	1. solar	P
	2. wind under 5.9 kva	P
	3. auxiliary, temporary, wind, with more than 6 kva, but less than 10 kva output	C1
	4. fuel cells, steam, hydro, or reciprocating engine with more than 10.05 kva, but less than 150 kva output	C1

Table 27-8.1. Mining, quarry, sand and gravel excavation and support uses.		
	Use	(MG-EX)
	5. steam, hydro, or reciprocating engine with more than 150 kva	C1
q	Rock crusher / concrete batch plant	C1
r	Truck and freighting operation	C1
s	Truck and heavy equipment service station and repair facility	C1
t	Truck wash	C1

Table 27-8.2. Manufacturing, curing, compounding, processing, packaging, production and treatment Such uses are to be located no closer than 1,300 feet from a zoning district boundary.		
	Use	(MG-EX)
a	Accessory uses buildings customarily incidental to conditional uses	C
b	Asphalt plant	C
e	Coal	C
f	Gasoline and petroleum	C
g	Iron	C
h	Lime	C
i	Lubricating grease, oil, oilcloth and oiled rubber goods	C
j	Ore smelting	C
l	Precious or semiprecious stones or metals	C
m	Tar	C

CHAPTER 28

SITING OF WIRELESS TELECOMMUNICATIONS FACILITIES

Section

- 28-1. Purpose and scope.
- 28-2. Definitions.
- 28-3. Applicability.
- 28-4. Site location master plan.
- 28-5. Facility types and standards.
- 28-6. Co-location of antennas.
- 28-7. Location on residential lots prohibited.
- 28-8. Color.
- 28-9. Sites in foothills and canyons.
- 28-10. Interference with other communications.
- 28-11. Notice to neighboring jurisdictions.
- 28-12. Additional requirements.
- 28-13. Accessory buildings.
- 28-14. Non-maintained or abandoned facilities.
- 28-15. Building permit required.

28 - 1. Purpose and scope.

(1) The purpose of this chapter is to establish general requirements for the siting of wireless telecommunications facilities. The intent of this chapter is to:

(a) promote the location of facilities in nonresidential areas;

(b) minimize the total number of monopole facilities throughout the community;

(c) encourage joint use and co-location as a primary option rather than construction of additional facilities;

(d) promote the functional delivery of low-power radio communications service with lower costs and increased efficiency by promoting competition between providers of low-power radio communications service;

(e) encourage facilities providers to use innovative design to minimize adverse visual impact, promoting careful placement and siting, and requiring landscaping, screening, and camouflage techniques;

(f) promote the long-term viability and adequacy of low-power radio communications service by requiring development plans showing the anticipated number of facilities required to provide service for the near future;

(g) enhance telecommunication service providers ability to provide such services to the community quickly, effectively, and efficiently.

(2) This chapter addresses planning issues brought on by the rapid growth, continuing

development, and increasing demand of low-power radio communications. This chapter distinguishes low-power radio from other broadcast-type telecommunication technologies and establishes provisions that deal with issues of demand, visual mitigation, noise, engineering, residential impacts, safety and facility siting.

28 - 2. Definitions.

As used in this chapter:

(a) "Applicant" means any individual person, group of persons, business entity or government unit applying for a permit to locate communications towers within the unincorporated areas of Tooele County.

(b) "Antenna" means a transmitting or receiving device used in telecommunications that radiates or captures radio signals.

(c) "Lattice tower" means a self-supporting multiple-sided, open steel frame structure used to support telecommunications equipment.

(d) "Monopole facility" means an antenna or series of individual antennas mounted on a single cylindrical pole, including associated equipment. For the purposes of this chapter, if a facility does not fit the definition of a roof- or wall-mounted facility it shall be considered a monopole facility.

(e) "Quantifiable detrimental impacts" means specific problems attributable to the location of the facility that affect adjoining properties, including, but not limited to, reduced visibility for commercial signs, restricted access, or interference with utility service.

(f) "Roof-mounted facility" means an antenna or series of individual antennas mounted on a flat or pitched roof, mechanical room or penthouse of a building or structure. This facility includes associated equipment.

(g) "Stealth facility" means a wall, roof, or monopole facility which is disguised as another object or otherwise concealed from view. Examples of stealth facilities include, but are not limited to, trees, synthetic rocks, or architectural elements such as dormers, steeples, and chimneys.

(h) "Wall-mounted facility" means an antenna or series of individual antennas mounted against the vertical wall of a building or

structure. This facility includes associated equipment.

(i) "Wireless telecommunications facility" means an unmanned structure which consists of equipment used primarily for the transmission, reception or transfer of voice or data through radio-wave or wireless transmissions. Such sites typically require the construction of transmission support structures to which antenna equipment is attached.

28 - 3. Applicability.

(1) The requirements of this chapter apply to both commercial and private wireless telecommunications services such as "cellular" or "PCS" (personal communications services) communications and paging systems. This chapter does not pertain to commercial 2 way radios that are not open to use by the public, public safety radio, amateur radio (ham radio), or citizen band radio facilities. All "cellular" or "PCS" facilities shall comply with the following regulations of this chapter and all other ordinances of the county and any pertinent regulations of the Federal Communications Commission and the Federal Aviation Administration.

(2) All sites and facilities for commercial and private wireless telecommunications services are a conditional use in any zone.

28 - 4. Site location master plan.

(1) (a) Each person or company desiring to locate wireless telecommunication facilities or other telecommunications facilities within the unincorporated areas of Tooele County shall submit a site location master plan to the planning commission. The site location master plan shall be submitted and accepted by the planning commission prior to any application for a permit for wireless telecommunication facilities or other telecommunications facilities.

(b) Applications to locate wireless telecommunication facilities may be considered by the planning commission prior to submission of a site location master plan, on condition that the plan be submitted within 120 days following the date of application. If the site location master plan is not submitted within 120 days, any approvals granted shall be automatically revoked and all operations of facilities granted permission under this condition shall cease. Tooele County, its employees and agents shall be held harmless for costs incurred and loss of revenue if an order is issued to discontinue service for failure of the applicant/operator to submit the site location

master plan within the 120 days. The planning commission may grant one extension to the 120-day period, provided the extension does not exceed 60 days.

(2) Each site location master plan shall identify existing locations of facilities and approximate proposed locations of new facilities. The plan shall indicate area coverage, if known, location, antenna height above existing grade, and antenna type for each site and be updated upon request from the planning commission. The existing facilities identified in the plan shall be updated at least annually, and no permit for new wireless telecommunication facilities shall be allowed unless the plan has been updated at least once during the 12 months preceding the permit application date. The applicant shall provide Tooele County with the current name and address of the facility owner and an emergency telephone number for each wireless telecommunication facility.

(3) The site location master plan shall include a reasonable estimate of the number and general location of facilities necessary to provide service within the unincorporated areas of Tooele County for the ten years following the date the plan is originally submitted. These estimates shall be based on projected population growth and anticipated development. The estimates required by this chapter do not need to be updated on an annual basis, but should be updated at least every five years.

28 - 5. Facility types and standards.

(1) Wireless telecommunications facilities are characterized by the type and location of the antenna structure. There are four general types of antenna structures: wall-mounted; roof-mounted; monopoles; and lattice towers. Standards for the installation of each type of antenna are as follows:

(a) Wall-mounted Antenna. The following provisions apply to wall-mounted antennas:

(i) Wall-mounted antennas shall not extend above the wall line of the building or structure or extend more than four feet horizontally from the face of the building or structure.

(ii) Antennas, equipment and the supporting structure shall be painted to match the color of the building or structure or the background against which they are most commonly seen. Antennas and the supporting structures on buildings should be architecturally compatible with the building.

(iii) Antennas mounted directly on existing parapet walls, penthouses, or mechanical equipment rooms, with no portion of the antenna extending above the roof-line of such structures, shall be considered a wall-mounted antenna.

(iv) Wall-mounted antennas shall be located not lower than 30 feet from the ground level of the wall on which the antenna is located.

(v) The total area for wall-mounted antennas and supporting structures combined shall not exceed a total of 100 square feet on each exterior wall of the building. The total area shall be the sum of the areas of all antennas and support structures located on that wall. The antenna area shall be determined as the area of each individual antenna face and the visible portion of the supporting structure as viewed looking directly at the wall.

(vi) A maximum of three carriers may locate antennas on one building wall. For each additional carrier, a separate conditional use permit must be obtained.

(vii) No permit to install a wall-mounted antenna shall be issued unless the owner of the building grants written permission to install the antenna.

(viii) Non-stealth wall-mounted antennas may not be installed on a building wall or walls facing a public street, or on a wall or walls constituting the building's front or main entrance.

(ix) Stealth wall-mounted antennas are encouraged and shall be allowed to vary from the provisions of this section as determined by the planning commission. Stealth wall-mounted antennas are not required to be located with public or quasi-public uses in Multiple use (MU), Agricultural (A), Commercial (C), and Manufacturing (M) zones.

(b) Roof-mounted Antenna. The following provisions apply to roof-mounted antennas:

(i) Roof-mounted antennas shall be allowed on top of existing penthouses or mechanical equipment rooms provided the antennas and antenna mounting structures shall not extend more than eight feet above the existing roof-line of the penthouse or mechanical equipment room.

(ii) For antennas not mounted on a penthouse or mechanical equipment room and on a flat roof:

a) Setback. The antennas shall be mounted at least five feet from the exterior wall or parapet wall of a building or structure.

b) Height. The height shall be measured from the top of the antenna to the roof-line of the building or structure, or to the top of the parapet wall if a parapet wall exists. For antennas mounted between five and 14 feet from the exterior wall or parapet wall, the maximum height of the antenna is equal to the distance the antenna is set back from the exterior wall or parapet wall. For antennas setback more than 14 feet the maximum height shall be 14 feet.

(iii) Roof-mounted antennas on a pitched roof shall be allowed provided the antennas and antenna support structures do not extend higher than the peak of the roof measured by a horizontal line from the peak extending over the roof.

(iv) Antennas not mounted on a penthouse or mechanical equipment room shall be mounted at least five feet from the exterior wall of a building.

(v) For antennas mounted between five and ten feet from the exterior wall, the maximum height of a roof-mounted antenna is equal to the distance the antenna is set back from the exterior wall up to a maximum height of ten feet above the roof-line of the building to which the antenna is attached.

(vi) Antennas shall be mounted at least five feet behind any parapet wall. For antennas mounted between five and ten feet behind a parapet wall, the maximum height of the antenna is equal to the distance the antenna is set back from the wall up to a maximum of ten feet as measured from the top of the parapet wall.

(vii) Roof-mounted antennas shall be constructed and/or colored to match the surroundings in which they are located.

(viii) No permit to install a roof-mounted antenna shall be issued unless the owner of the building grants written permission to install the antenna.

(ix) Non-stealth roof-mounted antennas shall not exceed a total of eight carriers for

a single building's roof, including penthouses or mechanical rooms.

(x) Stealth roof-mounted antennas are encouraged and shall be allowed to vary from the provisions of this section as determined by the planning commission. Stealth roof-mounted antennas are not required to be located with public or quasi-public uses in all Multiple use (MU), and Agricultural (A), Commercial (C), and Manufacturing (M) zones.

(c) Monopole. The following provisions apply to monopoles:

(i) The height limit for monopoles is 60 feet in all Rural Residential (RR), Residential (R-1) and Residential Multifamily (RM) zones, except the planning commission may allow a monopole up to 120 feet in the Multiple use (MU), Agriculture (A), Commercial (C), and Manufacturing (M) zones if it finds:

a) that the monopole will blend in with surrounding structures, poles, or trees and is compatible with surrounding uses,

b) the monopole will be available for co-location with other wireless telecommunications facilities, and

c) the monopole will be set back at least 300 feet from any residential zone boundary. The height shall be measured from the top of the structure including antennas, to the original grade directly adjacent to the monopole.

(ii) In all Rural Residential (RR), Residential (R-1) and Residential Multifamily (RM) zones, monopoles will only be allowed in conjunction with an existing public or quasi-public use. Such uses include but are not limited to churches, schools, utilities, and parks.

(iii) No monopoles shall be allowed in the front yard setback of any lot.

(iv) Monopole towers shall only be located in the rear yard of a lot.

(v) Monopole towers shall only be located in the rear yard of a lot.

(vi) Monopoles shall be set back from any residential structure a distance equal to its height plus ten feet.

(vii) No permit to install a monopole facility shall be issued unless the owner of the property grants written permission to install the facility.

(viii) Stealth monopole facilities are encouraged and shall be allowed to vary from the provisions of this section as determined by the planning commission. Stealth monopoles are not required to be located with public or quasi-public uses in Multiple use (MU) and Agricultural (A) zones.

(d) Lattice Tower. The following provisions apply to lattice towers:

(i) The planning commission may permit a height limit for lattice towers up to 300 feet in the Multiple use (MU), Agriculture (A), Commercial (C), and Manufacturing (M) zones if it finds:

a) that the lattice tower will blend in with surrounding structures, poles, or trees and is compatible with surrounding uses,

b) the lattice tower will be available for co-location with other wireless telecommunications facilities, and

c) the lattice tower will be set back at least 500 feet from any residential zone boundary. The height shall be measured from the top of the structure including antennas, to the original grade directly adjacent to the lattice tower.

(ii) Lattice towers are prohibited in all Rural Residential (RR), Residential (R-1) and Residential Multifamily (RM) zones.

(iii) No lattice tower shall be allowed in the front yard setback of any lot.

(iv) Lattice towers shall be set back from any residential structure a distance equal to its height plus ten feet.

(v) No permit to install a lattice tower facility shall issued unless the owner of the property grants written permission to install the facility.

(vi) Stealth lattice tower facilities are encouraged and shall be allowed to vary from the provisions of this section as determined by the planning commission.

(2) Free-standing wireless telecommunications facilities shall be surrounded by a fence that is at least six feet high and constructed out of a material appropriate to the location of the facility, as approved by the Tooele County Department of Engineering. Antennas that are roof- or wall-mounted shall be secured from access in a manner appropriate to the location.

(3) Climbing pegs shall be removed from the lower 20 feet of all communications towers.

(4) All wireless telecommunication facilities shall comply with applicable laws, regulations, and approvals regarding aircraft and airport operations.

(5) No application for a building permit to construct or install a facility, and no application for a conditional use permit for a wireless telecommunication facility, shall be processed unless the applicant provides proof of each proposed carrier's current license from the Federal Communications Commission to operate as a telecommunications carrier.

(6) No wireless telecommunication facilities shall overhang, encroach upon, or block a public right-of-way or public sidewalk.

28 - 6. Co-location of antennas.

(1) It is the policy of Tooele County that location of two or more antennas on a single wireless telecommunication facility should be encouraged as the primary option for applicants, rather than installation of single-use wireless telecommunication facilities.

(2) Co-location of an antenna on an existing wireless telecommunication facility shall be addressed as part of the conditional use permit application. The applicant shall also submit proof of each proposed carrier's current license from the Federal Communications Commission to operate as a telecommunications carrier.

(3) All applications for new wireless telecommunication facilities submitted after the effective date of this chapter shall be for facilities designed and constructed to be of sufficient size and capacity to accommodate two or more antennas, unless otherwise approved by the planning commission for conditional uses. Conditional use approval may include a condition that the applicant allow co-location for other personal wireless providers on such terms as are common in the industry.

(4) Each applicant shall make a good faith effort to seek co-location on existing antenna structures. All applications for new wireless telecommunication facilities submitted after the effective date of this chapter shall provide the reason or reasons why co-location on an existing structure is not feasible.

(5) (a) An application for a conditional use permit to construct a wireless telecommunication facility with a single antenna shall not be approved by the planning commission, unless the applicant presents evidence showing that co-location is not feasible, or that the applicant undertook reasonable efforts seeking co-location.

(b) A wireless telecommunication facility capable of supporting two or more antennas may be approved with a single antenna, provided the applicant shows that there is a reasonable likelihood that other antennas will be located on that facility in the future.

28 - 7. Location on residential lots prohibited.

No wireless telecommunication facility may be located on a lot upon which a residential structure is located, notwithstanding the zoning designation for the lot.

28 - 8. Color.

Monopoles, lattice towers, antennas, and any associated buildings or equipment shall be painted to blend with the surroundings which they are most commonly seen. The color shall be determined on a case-by-case basis by the planning commission. Within six months after the wireless telecommunication facilities have been constructed, the planning commission may require the color be changed if it is determined that the color does not blend with the surroundings.

28 - 9. Sites in foothills and canyons.

(1) Any grading for wireless telecommunication facilities, including access roads and trenching for utilities, shall comply with the Uniform Building Code. Wireless telecommunication facilities in the foothills and canyons shall utilize the natural grade, vegetation and existing utilities. Disturbance of the natural environment shall be minimized.

(2) A computer-generated visual simulation of the proposed structures is required for all sites in the foothills and canyons. The simulation shall show all structures including but not limited to monopoles, lattice towers, antennas, and equipment buildings.

(3) Disturbance of the visual environment shall be minimized. Site placement and color should be carefully considered to blend in with the surroundings.

(4) Continuous outside lighting is prohibited unless required by the Federal Aviation Administration for the monopole.

28 - 10. Interference with other communications.

(1) No permit to construct a wireless telecommunication facility shall be approved if the operation of the facility will interfere with emergency or airport communications.

(2) Wireless telecommunication facilities shall be located and shall operate in such a manner as to minimize or eliminate interference with communications other than emergency or airport.

Such communications include commercial, private, amateur and governmental communications.

28 - 11. Notice to neighboring jurisdictions.

In order to promote efficient delivery of low-power radio communications service and to avoid duplication or overlap of service, applicants shall inform the planning and zoning departments of neighboring jurisdictions when a proposed wireless telecommunication facility is intended to provide service in the neighboring jurisdiction's boundaries. For the purposes of this chapter, "neighboring jurisdictions" means municipal or county units whose boundaries are contiguous to the County.

28 - 12. Additional requirements.

(1) The following shall be considered by the planning commission for telecommunication sites:

(a) compatibility of the proposed structure with the height and mass of existing buildings and utility structures;

(b) locating the antenna on other existing structures in the same vicinity such as other monopoles, lattice towers, buildings, water towers, utility poles, athletic field lights, parking lot lights, etc. where possible without significantly impacting antenna transmission or reception;

(c) whether co-location of the antenna on existing structures in the same vicinity has been sought by the applicant, but installation of a new tower without co-location is necessary to provide service;

(d) whether the facility creates quantifiable detrimental impacts to adjoining properties;

(e) location of the antenna in relation to existing vegetation, topography including ridge lines, and buildings to obtain the best visual screening;

(f) spacing between monopoles and lattice towers which creates detrimental impacts to adjoining properties;

(g) the impact of the proposed tower on future development in the area, according to the County's general plan; and

(h) installation of curb, gutter, sidewalk, landscaping, and fencing.

(2) In considering a conditional use application for a communications facility, the planning commission shall not consider evidence that the electromagnetic or microwave radiation used by low-power radio communications services detrimentally affects public health or the environment. The planning commission may, however, consider other valid health and safety concerns raised by the location and operation of the communications facility, such as structural integrity, and electrical safety.

(3) No conditional use application shall be considered unless the application fee is paid and the following information is provided by the applicant:

(a) the applicant's and property owner's name, address, and telephone number, as well as an emergency telephone number;

(b) a written statement signed by all owners of the property where the facility is proposed to be located, stating that the owners have reviewed the plans for the proposed facility, understand the type of facility that is being installed and the obligations the owners are undertaking, and granting permission for the applicant to install and maintain the facility;

(c) the site location site location master plan, as required by this chapter;

(d) a site-specific plan showing in reasonable detail the location of the proposed facility, required fencing and landscaping, and the design plans for the proposed facility;

(e) certification from the Federal Communications Commission and the Federal Aviation Administration, if necessary, that the proposed facility meets all applicable laws and regulations;

(f) a permit from the Army Corps of Engineers if the facility will affect wetlands;

(g) statements, when appropriate, from the owners of underground utility facilities, such as water, electrical, or natural gas delivery, that the installation of the facility will not directly interfere with the operation of the utility; and

(h) notice to neighboring jurisdictions, as required by this chapter.

(4) The planning commission may require landscaping or other screening to mitigate the visual impact of a proposed communications facility.

(5) The planning commission may reduce the required setback from a residential zone if practical difficulties are demonstrated by the applicant, such as public park location or public buildings.

28 - 13. Accessory buildings.

Accessory buildings to antenna structures must comply with the required setback, height and landscaping requirements of the zoning district in which they are located. All utility lines on the lot leading to the accessory building and antenna structure shall be underground.

28 - 14. Non-maintained or abandoned facilities.

The zoning administrator may require each non-maintained or abandoned wireless telecommunication facility to be removed from the building or premise when such a facility has not been

repaired or put into use by the owner or agent within 90 calendar days after notice of non-maintenance or abandonment is given to the owner or agent. The applicant shall post a site-specific bond when a permit is issued to guarantee removal of the facility and site restoration. The type of bond and amount shall be determined upon review by county staff. No bond shall be required for roof or wall-mounted facilities.

28 - 15. Building permit required.

A building permit from the Tooele County Department of Engineering is required for all wireless telecommunication facilities.