

ORDINANCE 2010-16

AN ORDINANCE AMENDING SUBSECTION 2-2(83) OF CHAPTER 2, DEFINITIONS; CHAPTER 15, TABLE 15-5-3.3(I); AND CHAPTER 16, TABLE 16-4-3.3(K) OF THE TOOELE COUNTY LAND USE ORDINANCE, REDEFINING THE TERM "DWELLING, TWO-FAMILY," AND SPECIFYING WHICH ZONING DISTRICTS THEY ARE ALLOWED IN – [RESULTS OF THIS CHANGE: (1) THE DEFINITION FOR A TWO-FAMILY DWELLING IS MORE SPECIFIC; (2) TWO-FAMILY DWELLINGS ARE NO LONGER PERMITTED IN MULTIPLE USE, AGRICULTURAL, AND RURAL RESIDENTIAL DISTRICTS, EXCEPT IN PINE CANYON; (3) TWO-FAMILY DWELLINGS MAY NOW BE APPROVED BY THE ZONING ADMINISTRATOR IN RESIDENTIAL DISTRICTS AND ARE NOW A PERMITTED USE IN MULTIPLE RESIDENTIAL DISTRICTS]

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

SECTION I - PURPOSE. This ordinance seeks to redefine the term "Dwelling, Two-Family" and to amend the tables specifying which zoning districts they are allowed in. The Erda Township Planning Commission requested these changes for consistency with community objectives and goals. The Erda and Tooele County Planning Commissions held public hearings on the issue and recommend passage of this ordinance. The Pine Canyon Planning Commission held a public hearing on the issue and recommends the amendments be denied as presented.

SECTION II - SUBSECTION AMENDED. Subsection 2-2(83) of Chapter 2, Definitions, of the Tooele County Land Use Ordinance, is hereby amended to read as follows:

(83) "Dwelling, two-family" means a single residential building under a continuous roof, the structure containing only two dwelling units completely separated by either a common interior wall or a common interior floor, and having the exterior appearance of a single family dwelling house.

SECTION III - TABLE AMENDED. Chapter 15, Table 15-5-3.3(i) of the Tooele County

Land Use Ordinance is hereby amended to read as follows:

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
i	Two-family dwellings (duplex)	-	-	-	-	-	-	-	-
	i within the Pine Canyon Township	P	P	P	P	P	P	P	P

SECTION IV - TABLE AMENDED. Chapter 16, Table 16-4-3.3(k) of the Tooele

County Land Use Ordinance is hereby amended to read as follows:

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	
k	Two-family dwellings (duplex)	C1	C1	C1	C1	P	P	P	

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 Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION VI - 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 24th day of August 2010.

Ord. 2010-16

ATTEST:


MARILYN K. GILLETTE, Clerk



APPROVED AS TO FORM:


DOUG HOGAN
Tooele County Attorney

TOOELE COUNTY COMMISSION:


COLLEEN S. JOHNSON, Chairman

Commissioner Johnson voted aye
Commissioner Clegg voted aye
Commissioner Hurst voted aye

2-2 Definitions.

(83) "Dwelling, two-family" means ~~a dwelling arranged or designed to be occupied by two families, the structure having only two dwelling units a single residential building under a continuous roof, the structure containing only two dwelling units completely separated by either a common interior wall or a common interior floor, and having the exterior appearance of a single family dwelling house.~~

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
i	Two-family dwellings (duplex)	P -	P -	P -	P -	P -	P -	P -	P -
	<u>i within the Pine Canyon Township</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

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		21	12	10	8	7	15	30
k	Two-family dwellings (duplex)	= <u>C1</u>	= <u>C1</u>	= <u>C1</u>	= <u>C1</u>	€ <u>P</u>	€ <u>P</u>	€ <u>P</u>