

CHAPTER 13a. OS OPEN SPACE ZONE

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7-13a-1. Purpose.

The purpose of the Open Space Zone (OS) zoning district is to establish areas in the City where only open and generally undeveloped lands are to be permitted. Development of a comprehensive network of permanent, multi-functional, and publicly and privately owned open spaces are encouraged. Restrictions in this zone are designed to prevent the encroachment of permanent or long-term residential, commercial, and industrial uses into three open space areas which would be contrary to the purpose and characteristics of this zone.

(Ord. 2010-12, 11-03-10); (Ord. 2003-09, 04-16-03); (Ord. 96-10, 03-06-96)

7-13a-1.1. Land Use Designation.

Land in the OS zoning district shall carry the OS designation in the General Plan-Land Use Element.

(Ord. 2010-12, 11-03-10)

7-13a-2. Conditional Uses.

The following shall be the conditional uses permitted in the OS zoning district:

- (1) Botanical and zoological gardens;
- (2) Forests;
- (3) Conservation areas, including but not limited to wilderness areas, watershed areas, wildlife refuges, and wetlands;

(4) Public and private parks and recreation areas, including but not limited to playgrounds, athletic fields, golf courses, country clubs, tennis courts, swimming pools, and accessory uses to the above. Accessory uses include but are not limited to golf, tennis, swimming, the preparing and serving of food and beverages, and the sale of equipment and supplies in connection with the recreational activities engaged in upon the premises;

- (5) Historic preservation and monument sites;
- (6) Publicly dedicated open space;
- (7) Open air theaters and meeting places;
- (8) Public services;
- (9) Public Schools;
- (10) Cemetery; and,
- (11) Fair Grounds.

(Ord. 2010-12, 11-03-10); (Ord. 2003-09, 04-16-03); (Ord. 96-10, 03-06-96)

7-13a-3. Temporary activities.

(1) Temporary activities are permitted. For purposes of this Chapter, a temporary activity is in activity or event of limited duration to which the general public is invited.

(2) For purposes of this Chapter, a temporary vehicle sale at a fairground or park is a temporary activity. However, any such sale shall comply with Chapter 7-11a, as amended, and all other applicable regulations.
(Ord. 2010-12, 11-03-10); (Ord. 2003-09, 04-16-03)

7-13a-4. Area requirements.

A minimum 15,000 square-foot lot area is required for a parcel to be eligible for OS zoning designation. Lot area must be contiguous throughout with a minimum width in area of 20 feet.

(Ord. 2003-09, 04-16-03); (Ord. 96-10, 03-06-96)

7-13a-5. Frontage requirements.

A minimum frontage of thirty-five (35) feet at the street right-of-way line is required for any parcel to be eligible for OS zoning designation.

(Ord. 2003-09, 04-16-03); (Ord. 96-10, 03-06-96)

7-13a-6. Building height, size, and setbacks.

All building height, size, and setback requirements shall be as specified in this Title for structures within residential or commercial zones and as determined by the Community Development Department and the Planning Commission as part of the conditional use approval process.

(Ord. 2003-09, 04-16-03); (Ord. 96-10, 03-06-96)

7-13a-7. Parking Requirements.

Parking shall be governed by Title 7, Chapter 4 of this Code, as amended.

(Ord. 2003-09, 04-16-03); (Ord. 96-10, 03-06-96)

7-13a-8. Landscaping.

As a condition of both site plan and conditional use permit approval for uses permitted under Section 7-13a-2, all open space areas to be developed, not covered by building, pavement for roads and parking lots, or walkways, shall be landscaped as required by the Planning Commission as part of the conditional use approval process. A minimum of 20% of the site shall be fully landscaped.

(Ord. 2010-12, 11-03-10); (Ord. 2003-09, 04-16-03); (Ord. 96-10, 03-06-96)

7-13a-9. Screening at district boundaries.

All open space properties abutting commercial or industrial areas shall be fenced, with view obscuring fencing. Further, all open space properties abutting residential areas shall be screened with appropriate landscaping that provides a transitional visual screen. Fencing and screening shall be the obligation of the industrial, commercial, or residential development abutting the OS property, and shall be a condition of subdivision and/or site plan approval. Fencing requirements for other open space properties shall be

determined by the Community Development Department and the Planning Commission as a part of the conditional use approval process.

(Ord. 2010-12, 11-03-10); (Ord. 2003-09, 04-16-03); (Ord. 96-10, 03-06-96)

7-13a-10. Signs.

The only signs permitted in the OS zoning district shall be monument signs, guide signs, directional signs, wall signs, and temporary promotional signs compatible with the general purpose of this zone. All signs except temporary promotional signs must be approved by the Planning Commission as part of the conditional use approval process.

(Ord. 2010-12, 11-03-10); (Ord. 2003-09, 04-16-03); (Ord. 96-10, 03-06-96)

7-13a-11. Public improvements.

Public improvements may be required by the Community Development Department and the Planning Commission as a part of the site plan and conditional use approval processes. The need for public improvements will be based on the details of the proposed development and use of the property. The improvements which may be required include but are not limited to the following:

- (1) Curbs, gutters and drive approaches
- (2) Sidewalks
- (3) Waterways
- (4) Medians
- (5) Road base
- (6) Paving and striping
- (7) Fire hydrants
- (8) Water and sewer main lines
- (9) Water and sewer laterals
- (10) Flood control and irrigation systems
- (11) Any other required public improvements
- (12) Street lights

(Ord. 2010-12, 11-03-10); (Ord. 2003-09, 04-16-03); (Ord. 96-10, 03-06-96)

7-13a-12. Facilities maintenance.

Developers must submit to the Planning Commission a plan for the permanent care and maintenance of all open space properties and associated facilities provided for in the site plan. Acceptance of the plan shall be required for approval of a conditional use permit.

In the event the open space properties and associated facilities are not maintained consistent with the approved plan, the City may at its option cause such maintenance to be performed and assess the costs incurred to the property owner(s) or other responsible parties.

(Ord. 2003-09, 04-16-03); (Ord. 96-10, 03-06-96)

7-13a-13. Above-ground utilities prohibited.

In OS areas owned or maintained for purposes of viewshed, scenic vista, open space, watershed, or wildlife habitat protection, above-ground major utilities and corresponding utility corridors shall be prohibited. For purposes of this Section, a major utility is any utility transmission facility that is designed to serve, or that serves, properties or

customers located outside any OS area. Tooele City deems such above-ground major utilities and corresponding utility corridors to be a threat to the City's ability to protect these OS areas for the important public purposes to which they have been appropriated. The prohibition in this Section excludes non-conveyance above-ground utility facilities, such as, water tanks, pump houses, chlorinators, valves, and vents.

(Ord. 2010-12, 11-03-10)