

## CHAPTER 14. RESIDENTIAL ZONING DISTRICTS

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### 7-14-1. Residential Zoning Districts.

In accordance with the requirement of the Utah Code that zoning within municipalities be by districts, Tooele City has established and identified on the Tooele City Zoning District Map the following residential zoning districts which govern the use, intensity, area and other requirements for the use of residential land as required by this Ordinance. The map accompanying this Ordinance, and incorporated herein by reference, identifies the location and extent of each residential zoning district within the City. All development, use, activity, and authorized permits and licenses shall adhere to all the provisions, standards, and requirements of the applicable zoning district.

To meet the purposes of this Ordinance, Tooele City is divided into the following residential and special purpose zoning districts:

- Multi-Family Residential (MR-20)
- Multi-Family Residential (MR-16)
- Multi-Family Residential (MR-12)
- Multi-Family Residential (MR-8)
- Medium Density Residential (R1-7)
- Medium Density Residential (R1-8)
- Medium Density Residential (R1-10)
- Low Density Residential (R1-12)
- Low Density Residential (R1-14)
- Low Density Residential (R1-30)
- Low Density Residential (RR-1)
- Low Density Residential (RR-5)
- Low Density Residential (RR-20)
- Multiple Use (MU-160)
- In-Fill Overlay (IFO)
- Residential Special District (RSD)

(Ord. 2022-22, 07-06-2022) (Ord. 2021-27, 07-21-2021)  
(Ord. 2019-08, 03-20-2019) (Ord. 2015-25, 12-16-2015)  
(Ord. 1997-21, 06-04-1997)

#### 7-14-1.1. In-Fill Overlay District.

The In-Fill Overlay special purpose zoning district is formulated to appropriately encourage residential

development and redevelopment on lots and parcels of record that may be nonconforming or surrounded by developed land in order to more efficiently utilize residential land, existing public infrastructure, and public services. Table 5 to this Chapter establishes development standards designed to fulfill the purpose of the In-Fill Overlay district.

(Ord. 2015-25, 12-16-2015)

#### 7-14-1.2. In-Fill Overlay District Streets.

(1) Intermediate Local Class Streets within the In-Fill Overlay District shall be identified as Garden Street north of 100 South.

(2) Secondary Local Class Streets within the In-Fill Overlay District shall be identified as 50 West and 150 West and Garden Street south of 100 South.

(Ord. 2017-27, 11-01-2017)

### 7-14-2. Residential Zoning Districts Purpose.

The residential zoning districts of Tooele City, and as presented in Table 1 and Table 2 are formulated and provided and achieve the following purposes:

(1) The purpose of the **MR-20**, **MR-16**, **MR-12**, and **MR-8** Multi-Family Residential districts is to provide an environment and opportunities for high-density residential uses, primarily, apartments, condominiums and townhouses at varying levels of density determined by the individual zoning districts. The **MR-8** zoning district is also intended to serve as a transitional district between principally single-family residential zoning districts and higher density multi-family zoning districts..

(2) The Medium Density Residential Districts (**R1-7**, **R1-8**, and **R1-10**) are designed to provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City's residential areas as safe and convenient places to live. These districts are intended for well-designed residential areas free from any activity that may weaken the residential strength and integrity of these areas. Typical uses include single-family dwellings and two-family dwellings in appropriate locations within the City. Also allowed are parks, open space areas, pedestrian pathways, trails and walkways, utility facilities and public service uses required to meet the needs of the citizens of the City.

(3) The Low Density Residential Districts (**R1-12**, **R1-14**, **R1-30**) provide for single family residential areas and single family dwelling units on larger individual lots.

(4) The Rural Density Residential Districts (**RR-1**, **RR-5**, **RR-20**) provide for single-family residential areas and single-family dwelling units on very large individual lots that support, allow, and make available Rural Residential opportunities and agricultural uses protected from the encroachment of incompatible uses.

(5) The purpose of the Multiple Use District (**MU-160**) is to provide areas in mountain, hillside, canyon, valley, desert and other open and generally undeveloped lands where residential uses should be limited in order to protect the land resource, to limited demands for public facilities and services, to provide opportunities for

forestry, agriculture, mining, wildlife habitat, and recreation, to avoid damage to water resources and water shed areas, and to protect the health and safety of the residents of the City and adjoining areas.

(6) The purpose of the Residential Special District (RSD) is to provide a master planned, architecturally designed residential development where customized zoning requirements are developed and implemented to apply to a specific geographic area in order to permit flexibility and initiative to produce a unique, cohesive development to achieve the following:

(a) Protecting and enhancing the value of properties by encouraging the use of good design principles and concepts through development planning with full recognition of the significance and effect they can have on the proper planning and development of subject properties as well as adjacent and nearby properties;

(b) Provide a mechanism whereby reasonable and unique developments may be approved that provide a benefit to the development, the residents within the proposed development, and the community as a whole that may not be specifically possible under the base tenets of this Title.

(c) Encouraging and maintaining the orderly and harmonious appearance, attractiveness, and aesthetic development of structures and grounds;

(d) Providing a method whereby specific development plans, based upon City criteria and policy may, at the discretion of the City, be required for the systematic and orderly development of the city;

(e) Encouraging excellence of property development, compatible with plans and policies of the City, with due regard for the public and private interests involved; and

(f) Ensuring that the public benefits derived from the beautification of developments and uses shall be protected by exercise of reasonable controls over the character and design of private buildings, structures and open spaces.

(Ord. 2022-22, 07-06-2022) (Ord. 2021-27, 07-21-2021)  
(Ord. 2019-08, 03-20-2019) (Ord. 1997-21, 06-04-1997)

### **7-14-3. Uses Allowed within the Residential Zoning Districts.**

The Table of Uses (Table 1) identifies the uses allowed within each Residential Zoning District of the City. The Table of Uses identifies uses allowed as a Permitted Use (identified as “P” in the Table of Uses) and uses allowed as a Conditional Use (identified as “C” in the Table of Uses). Uses not identified as either a Permitted or Conditional Use are deemed to be prohibited.

(Ord. 1997-21, 06-04-1997)

### **7-14-4. Table of Allowed Density and Table of Site Planning and Development Standards.**

The table of Allowed Density (Table 2) and the table of Site Planning and Development Standards (Table 3) identifies the residential intensity, lot area requirements, site development standards, site coverage standards, and

other requirements for the uses allowed within each Residential Zoning District provided by Tooele City.  
(Ord. 2019-08, 03-20-2019) (Ord. 1997-21, 06-04-1997)

### **7-14-5. Table of Minimum Dwelling Unit Size.**

Table 4 establishes the minimum dwelling unit size allowed within the Residential Zoning Districts of the City. Multi-family dwelling projects are encouraged to provide a variety of unit sizes and layouts. Multi-family dwelling projects may be permitted to include one-bedroom units for up to one-third of the total units within any one project. For projects that are approved or constructed in phases, each phase approved or constructed shall maintain compliance with the terms of this section regarding the allowance for one-bedroom units as if each phase is an independent project.

(Ord. 2020-39, 09-16-2020) (Ord. 2019-08, 03-20-2019)  
(Ord. 1997-21, 06-04-1997)

### **7-14-6. Accessory Structure Requirements.**

Accessory buildings and structures on residential lots may only be permitted if they are accessory to an established primary residential structure, or, if they are constructed in conjunction with a primary residential structure. Accessory buildings and structures shall comply with the following requirements:

(1) All accessory buildings and structures shall be required to comply with the minimum front yard setback and shall be set back a minimum of at least six feet from the principal structure.

(2) All accessory buildings and structures shall be setback a minimum of five feet from the rear and side property lines. This five feet setback may be reduced to one foot provided the following requirements are met:

(a) accessory buildings are constructed in such a manner that the roof does not infringe or drain onto adjoining property;

(b) the wall adjacent to the property line is constructed of fire resistant materials which provide a one-hour or greater fire rating; and,

(c) no accessory structure may encroach upon a public utility and drainage easement.

(3) No accessory building or structure or group of accessory buildings or structures shall cover more than 8% of the total lot area, except as may be allowed by the provisions of 7-14-6(9).

(4) No accessory building or structures shall encroach upon any easement or right-of-way.

(5) Detached garages and all other accessory buildings and structures shall be located at least ten feet from any dwelling or main building located on an adjoining lot.

(6) All accessory buildings accessed by vehicle (for example: detached garage) shall be set back a minimum of 25 feet from the public right-of-way from which the accessory building is vehicle accessed.

(7) Accessory buildings and structures located in the side yard of an interior lot or the street side yard of a corner lot shall not exceed 15 feet in height. Views of accessory buildings and structures from adjoining streets and properties shall be screened with a visual screening

treatment. On corner lots all accessory buildings and structures shall be located to the rear of the main building.

(8) Separate meter connections for water, sewer, gas, or other utilities are not permitted for any accessory building or structure.

(9) All detached garages and other accessory structures which exceed the 8% lot coverage restriction for accessory buildings, or which are taller than 15 feet in height as measured at the mid-point of the roof pitch, require a hearing before the Planning Commission and will be considered a Conditional Use in all residential zoning districts. The Planning Commission will determine and consider any adverse impacts the proposed building or structure may have on adjoining properties. Notice of the Planning Commission hearing shall be sent by regular mail to all adjoining property owners, the applicant being required to pay all the costs incurred by the City to provide the required notice. The Planning Commission shall approve or deny the conditional use application pursuant to Tooele City Code Chapter 7-5.

(10) Metal shipping containers and other similar containers are prohibited as accessory storage structures in all residential zoning districts.  
(Ord. 2024-15, 05-15-2024) (Ord. 2019-08, 03-20-2019)  
(Ord. 2012-09, 04-18-2012) (Ord. 2009-15, 12-02-2009)  
(Ord. 1997-21, 06-04-1997)

#### **7-14-7. Porches.**

Porches are allowed provided the following minimum requirements are met:

(a) The porch shall be no closer than 20 feet to the front property line; and,

(b) Any roof overhang shall not be greater than two feet and,

(c) The porch may not be deeper (front to back) than seven feet; and,

(d) The porch area shall be included in determining lot coverage; and,

(e) The porch shall not be closed in; and,

(f) A building permit for the porch must be obtained prior to construction.

(Ord. 2019-08, 03-20-2019) (Ord. 2003-24, 11-05-2003)

#### **7-14-8. Requirements.**

The standards and requirements applicable to the Residential Zoning Districts provided by Tooele City shall be as identified in Chapter 7-4.

(Ord. 2019-08, 03-20-2019) (Ord. 2003-24, 11-05-2003)

(Ord. 1997-21, 06-04-1997)

#### **7-14-9. Keeping of Farm Animals and Pets.**

(1) Except as modified in subparagraph (2) applicable to pets, the following requirements apply to the keeping of farm animals within the residential zoning districts of the City:

(a) No farm animal(s) shall be kept on any lot in the MR-20, MR-16, MR-12, MR-8, R1-7, R1-8, R1-10, R1-12, or R1-14 Districts or on any lot smaller than 30,000 square feet.

(b) The number of farm animals kept on any lot or parcel in the R1-30 District shall not exceed one

farm animal unit, as defined herein, for each 10,000 square feet of lot or parcel size.

(c) Farm animals may be kept on any lot or parcel in the RR-1, RR-5, RR-20 and MU-160 districts without restriction to the number of farm animals, provided the keeping of farm animals in these districts does not constitute a nuisance as defined in the laws of the City.

(d) No farm animal(s) shall be kept on any lot or parcel where less than 20,000 square feet of the lot or parcel is used as livestock management, nor shall fractional animal units be permitted. Livestock management areas shall include all portions of the lot or parcel used as sheds, barns, coops, corrals, pastures, stables, gardens or cultivated grounds, where animal waste can be spread, but shall not include any area of the lot or parcel devoted to dwellings, sidewalks, driveways or lawns.

(e) One animal unit shall be any one of the following: One cow, one horse, one donkey, four adult sheep, eight feeder lambs, four goats, or 12 fowl, together with the suckling offspring thereof.

(f) Structures shall be provided and maintained for all animals. Such structures shall be enclosed (fully or partially), roofed, and sited at the rear of the main building, and shall comply with all other setback and yard requirements for the district.

(g) The following additional requirements shall apply to the location of all pens, corrals, barns, stables, coops, and other structures for the confinement and keeping of animals:

(i) All such structures shall be setback at least 100 feet from all streets.

(ii) All such structures and buildings shall be located at least 50 feet from all dwellings located on adjoining lots or parcels, or if any adjoining lot or parcel does not have a dwelling located thereon, at least 30 feet from the property lines of the adjacent lot or parcel.

(2) Pet rabbits, ducks, and chicken hens are permitted in the MR-20, MR-16, MR-12, MR-8, R1-7, R1-8, R1-10, R1-12, and R1-14 Districts. No more than a total of six animals in any combination of rabbits, ducks, and chicken hens are allowed on any lot in these districts. Houses, cages, pens, coops, etc. shall be provided for all animals kept outdoors. As of January 1, 2017, a legal nonconforming rooster that dies or is removed from a property located in the above-enumerated zoning districts shall not be replaced.

(3) Nuisance. In all zoning districts of the City, persons owning or harboring farm animals may not keep their animals in any manner that constitutes a nuisance as defined by City ordinance.

(Ord. 2022-22, 07-06-2022) (Ord. 2019-08, 03-20-2019)

(Ord. 2016-17, 11-02-2016) (Ord. 2008-11, 11-05-2008)

(Ord. 2003-24, 11-05-2003)

#### **7-14-10. Apiaries.**

(1) Definitions. The following words, terms, and phrases, when used in this Section, shall have the following meanings:

(a) Apiary: a place where bee colonies are kept.

(b) Bee: any stage of the common domestic honey bee species, *Apis Mellifera*.

(c) Beekeeper: a person who owns or has charge of one or more colonies of bees.

(d) Beekeeping Equipment: anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards, and extractors.

(e) Colony: a hive and its equipment and appurtenances, including bees, comb, honey, pollen and brood.

(f) Hive: a structure intended for the housing of a bee colony.

(g) Parcel: a continuous parcel of land under common ownership.

(2) Hives. All bee colonies shall be kept in inspectable type hives with removable combs. Hives shall be kept in a sound and usable condition.

(3) Setback. All hives shall be located at least five (5) feet from any adjoining property with the back of the hive facing the nearest adjoining property.

(4) Fencing of flyways. In each instance in which any colony is situated within 25 feet of a developed public or private property line of the parcel upon which the apiary is situated, as measured from the nearest point on the hive to the property line, the beekeeper shall establish and maintain a flyway barrier at least six feet in height consisting of a solid wall or fence parallel to the property line and extending ten feet beyond the colony in each direction so that all bees are forced to fly at an elevation of a least six feet above ground level over the property lines in the vicinity of the apiary.

(5) Water. Each beekeeper shall ensure that a convenient source of water is available at all times to the bees so that the bees will not congregate at swimming pools, pet water bowls, birdbaths, or other water sources where they may cause human, bird, or domestic pet contact. The water shall be maintained so as not to become stagnant.

(6) Maintenance. Each beekeeper shall ensure that no bee comb or other materials are left upon the grounds of the apiary site. Upon their removal from the hive, all such materials shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.

(7) Queens. In any instance in which a colony exhibits unusually aggressive characteristics by stinging or attempting to sting without due provocation, or exhibits an unusual disposition towards swarming, it shall be the duty of the beekeeper to re-queen the colony. Queens shall be selected from stock bred for gentleness and non-swarming characteristics.

(8) Colony Densities. Up to four colonies may be kept on a parcel of property one acre or less in size. Each additional colony over four shall require one-quarter acre of land in addition to the base one acre. Examples: six colonies requires at least 1.5 acres; ten colonies requires at least 2.5 acres. No more than 20 colonies may be kept on any parcel or group of contiguous parcels under common ownership. The keeping of more than four colonies requires a business license.

(9) State Registration. Each beekeeper shall be registered with the Utah Department of Agriculture and Food as provided in the Utah Bee Inspection Act set forth in Title 4, Chapter 11 of the Utah Code, as amended.

(10) Prohibited. The keeping by any person of bee colonies in the City not in strict compliance with this section is prohibited. Any bee colony residing in a standard or homemade hive which, by virtue of its condition, appears to have been abandoned, is unlawful and may be summarily destroyed or removed from the City by the Community Development Director or designee.

(11) Notwithstanding compliance with the various requirements of this Chapter, it shall be unlawful for any person to maintain an apiary or to keep any colony on any property in a manner that threatens public health or safety, or creates a nuisance.  
(Ord. 2019-08, 03-20-2019) (Ord. 2011-09, 05-04-2011)

#### **7-14-11. Landscaping and Water Conservation With New Development.**

(1) Sod or seeded lawn grass shall be prohibited from park strips and areas on the lot less than eight feet in width.

(2) Lots within subdivisions whose preliminary plan approval occurred after April 1, 2023, and which has at least 250 square feet of total landscaped area within the lot shall be landscaped with no more than 50% of front and side yards landscaped area as natural lawn grass. Front and side yards shall be landscaped and maintained. Landscaping is strongly encouraged to necessitate no or low water use. The use of artificial turf is strongly encouraged for the appearance or desire of lawn. Where irrigation is needed for plantings outside of lawn areas shall be of a drip-style irrigation system.  
(Ord. 2023-22, 06-07-2023)

#### **Tables:**

Table 1: Table of Uses

Table 2: Allowed Density

Table 3: Site Planning and Development Standards for Primary Buildings and Structures

Table 4: Minimum Dwelling Unit Size

Table 5: In-Fill Overlay District Development Standards

#### **Figures:**

Figure 1: Geographic Area A

Figure 2: Geographic Area B