

CHAPTER 14b. RSD Residential Special Districts

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7-14b-1. **Residential Special Districts and Suffix.**

The establishment of a Residential Special District (RSD) shall be the establishment of a new zoning district applicable specifically to the geographic area identified within the RSD. Each approved RSD shall act independently from other approved RSDs. Each RSD shall be titled appropriate to the development planned within the RSD and include the suffix "-RSD" (i.e. Name-RSD) to identify the zoning of the subject properties as an RSD. Each RSD shall be established as its own chapter in this Title, in sequence following this Chapter, the chapter titled according to the name of the RSD, and identified on the official Zoning Map according to the approved name of the RSD.

(Ord. 2021-27, 07-21-2021)

7-14b-2. **Adoption and Implementation.**

The approval and adoption of an application for an RSD shall require both an amendment to the text of this Title, to establish the RSD and its terms, and an amendment to the official Zoning Map. The approval and adoption of an RSD, shall be done through a single combined process including all documentation and noticing procedures required for the standard review and consideration procedures for a City Code text amendment and Zoning Map Amendment when considered independently. Following the approval and adoption of an RSD, the terms adopted within the RSD shall act as the development standards for properties assigned the RSD designation.

(Ord. 2021-27, 07-21-2021)

7-14b-3. **Residential Special Districts Eligibility and Size.**

(1) Land Use. Properties identified within an application for a Residential Special District shall first be identified on the Land Use Map of the General Plan and assigned to a residential land use designation. Mixed-use and special use land uses shall not be considered a residential land use for the purpose of considering eligibility for an RSD.

(2) Size. The minimum size for any application for a Residential Special District shall be 20 acres. All acreage identified for inclusion in an RSD shall be contiguous and developable. Land identified as having any of the following conditions may be included within an RSD but shall not be included in the calculation of minimum acreage for RSD eligibility:

- (a) slopes prohibiting development;
- (b) environmentally sensitive conditions, such as but not limited to drainage channels, lakes, or ponds;
- (c) preservation designations, such as conservation easements;
- (d) publicly owned lands; or,
- (e) properties previously approved for development under a land use application or building permit.

(3) Eligibility. Any application for a Residential Special District that does not fully comply with the requirements of this section shall be considered ineligible for consideration as an RSD and denied.

(Ord. 2021-27, 07-21-2021)

7-14b-4. **Development Standards.**

Each application for an RSD shall establish a complete set of development standards for implementation on properties assigned the RSD zoning designation. Development standards for an RSD shall only be applicable towards standards addressed in Title 7. Such standards may refer to generally applicable standards established elsewhere in this Title. Each application for an RSD shall address and establish provisions for at least the following:

- (1) The name proposed for the RSD;
- (2) The geographic boundaries of the RSD;
- (3) The purpose and intent of the RSD including a written description of the RSD proposal with the expected outcome and benefit the RSD will provide to the community;
- (4) Identification of all permitted, conditional, and not permitted uses and use types, as defined within this Title;
- (5) Development standards for all identified allowable uses, which may be the same or differ by area or use type, including at least:
 - (a) Maximum density allowances for:
 - (i) the overall RSD; and
 - (ii) each different use type and area within the RSD;
 - (b) Minimum and/or Maximum Lot Sizes;
 - (c) Minimum and/or Maximum Unit Sizes;
 - (d) Minimum Lot Frontage;
 - (e) Minimum Lot Width, Interior & Corner Lots;

- (f) Minimum Front Setbacks;
 - (g) Minimum Side Setbacks, Interior & Corner Street Side;
 - (h) Minimum Rear Setbacks;
 - (i) Minimum and Maximum Building Heights;
 - (j) Maximum Lot Coverage;
 - (k) Landscaping;
 - (l) Fencing;
 - (m) Parks, Recreational Features & Open Spaces;
 - (n) Lighting; and,
 - (o) Parking;
- (6) Architectural Unit Design Standards, which may be identified to simply comply with existing City Code requirements or proposed as different standards and features identified within the RSD;
- (7) Amenities and features including but not limited to:
- (a) Private amenities within the proposed RSD for the benefit of the RSD residents;
 - (b) Public amenities within the proposed RSD for the benefit of the entire community;
 - (c) Relationship and connections to existing & proposed public amenities (parks, trails, open spaces, etc.); and,
 - (d) Environmentally sensitive features and preservation areas;
- (8) Methods by which the RSD will integrate with or separate from neighboring uses and developments;
- (9) Transportation elements including:
- (a) Identification of public and private roadways within the RSD area (location, layout, classifications of roadways);
 - (b) Roadway design standards (cross sections) for each identified classification of private roadway; and
 - (c) Pedestrian paths, accesses, and connections with design (layout, cross sections, purpose, etc.);
- (10) Signage, including development signage and signage for individual or groups of uses within the proposed RSD;
- (11) Codes, Covenants & Restrictions (CC&Rs), as applicable, including:
- (a) Provisions establishing and governing a Homeowners Association (HOA); and
 - (b) Maintenance of amenities and facilities by the HOA;
- (12) Storm water facilities and maintenance, including:
- (a) Detention and retention areas, including

- conceptual design layout, features of basins, etc.; and
 - (b) Drainage channels;
- (13) Graphic illustrations, as needed;
- (14) Conceptual and layout mapping for the proposed RSD including:
- (a) Properties included;
 - (b) Description of boundaries (not necessarily legal description);
 - (c) Identified existing natural and developed features;
 - (d) Conceptual development plans;
 - (e) Data tables including at least:
 - (i) Total project acreage;
 - (ii) Acreage of each use type, area, etc.;
 - (iii) Proposed number of units of each use type, area, etc.;
 - (iv) Public and private streets;
 - (v) Public dedications;
 - (vi) Private properties, uses, and features;
- and
- (vii) Identification of unbuildable or preservation areas; and,
- (15) The manner in which all other aspects of development within the boundaries of the RSD not otherwise addressed by the RSD will be handled (i.e. all other aspects of development not otherwise addressed by the RSD shall default to the base tenets of Title 7 of the Tooele City Code).
(Ord. 2021-27, 07-21-2021)

7-14b-5. Standard of Review.

- (1) Standard of Review. The Planning Commission and City Council shall be under no obligation to approve an application for a Residential Special District. The Planning Commission and City Council shall be under no obligation to approve any single feature, element, or provision proposed within an application for an RSD. Every application for an RSD shall be considered independently of all other RSD applications according to its own merits, benefit to the City, and its compliance with the terms of this Chapter. The consideration, approval, or denial of an application for an RSD shall not be based on the process, decision, features, or aspects of any other application for an RSD. Each respective RSD shall be non-binding upon any other RSD both during the application and review process and through development and land use.
- (2) Findings Required. The approval or denial of an application for a Residential Special District shall be based on at least the following findings:
- (a) the proposed Residential Special District will result in the development of properties in a manner

that is not reasonably feasible under the terms of zoning districts identified in Table 1 of Chapter 7-14;

(b) the proposed Residential Special District will result in the development of properties in a manner that will provide a substantial benefit to the City; and,

(c) the proposed Residential Special District will result in the development of properties in a manner that provides uses, configuration, and/or product types that are unique to the community or address a documented deficiency in the housing market.

(Ord. 2021-27, 07-21-2021)

7-14b-6. Processes and Procedures.

The approval and adoption of an RSD shall not alter or change the approval processes to be employed for land use applications within the RSD. Proposals for establishment of an RSD shall not contain alterations to any approval processes or procedures identified in the Utah State Code or Tooele City Code. An RSD shall not change or affect any aspect of permitting for construction of structures and uses within the RSD.

(Ord. 2021-27, 07-21-2021)

7-14b-7. Requirements and Exemptions.

The approval and adoption of an RSD shall not alter or change any requirement for approval identified for same land use application outside of the RSD. Proposals for establishment of an RSD shall not contain alterations to or exemptions from any requirement for processing, review, approval, or permitting identified in the Utah State Code or Tooele City Code.

(Ord. 2021-27, 07-21-2021)