

# Box Elder County Land Use Development & Management Code

## Article 3: Zoning Districts

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### Chapter 3-2 – Multiple Use, Agricultural, and Rural Residential District

#### Sections.

- 3-2-010. Purpose.
- 3-2-020. Scope.
- 3-2-030. Definitions.
- 3-2-040. Uses Allowed.
- 3-2-050. Use Regulations.
- 3-2-060. Regulations of General Applicability.
- 3-2-070. Regulations for Specific Uses. (Ordinance 318; 376, 403)
- 3-2-080. Regulations for Uses. (Ordinance 353; 381, 403)

#### 3-2-010. Purpose.

**A. Mixed Use.** Mixed Use zones provide a multiple use district to establish areas in mountain, hillside, canyon mountain valley, desert and other open and generally undeveloped lands where human habitation should be limited in order to protect land and other 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 the 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 land fires, damage to grazing and livestock raising, and to wildlife values; to avoid the premature development of lands by discouraging intensive development until the ultimate best use of the land can be recommended by the Planning Commission to the County Commission; and to promote the health, safety, convenience, order, prosperity, and general welfare of the inhabitants of the community.

**B. Agricultural.** Agricultural zones promote and preserve in appropriate areas favorable to agricultural and to maintain greenbelt 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 inimical to the continuance of agricultural activity.

**C. Rural Residential.** The purposes of providing a rural residential district are to promote and preserve in appropriate areas conditions favorable to large-lot family

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life, to maintain a rural atmosphere, to provide for the keeping of limited numbers of animals and fowl, and to reduce requirements for public utilities, services, and infrastructure.

### **3-2-020. Scope.**

The provisions of this Chapter shall apply to any real property located in a mixed use, agricultural, or rural residential zone as shown on the Official Zoning Map.

### **3-2-030. Definitions.**

Certain words and phrases in this Chapter, including uses, are defined in Chapter 1-3 of this Code.

### **3-2-040. Uses Allowed.**

- A. Permitted and Conditional Uses.** Permitted and conditional uses allowed in mixed use, agricultural, and rural residential zones shall be as set forth on the Table of Uses Allowed in this Chapter. Permitted and conditional uses are indicated by "P" or "C," respectively. 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, "-." If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet required, or by the letter "A." If the regulation does not apply, it is indicated in the appropriate column by a dash, "\_."
- B. Accessory Uses.** Permitted and conditional uses set forth in on the Table of Uses Allowed shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.
  - 1. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this Code.
  - 2. No accessory use, building, or structure shall be allowed on a lot or parcel unless a permitted or conditional use has been and is currently established.

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### **3-2-050. Use Regulations.**

No building, structure or real property shall be used and no building or structure shall hereafter be erected, structurally or substantially altered, or enlarged except as set forth in this Chapter. Such requirements shall not be construed to prohibit or limit other applicable provisions of this Code or other laws.

### **3-2-060. Regulations of General Applicability.**

The use and development of real property in agricultural, mixed use, or rural residential zones shall conform to regulations of general applicability as set forth in the following chapters of this Code.

- A. Regulations Applicable to All Zones. See Chapter 5-1 of this Code.
- B. Off-Street Parking and Loading. See Chapter 5-2 of this Code.
- C. Signs. See Chapter 5-3 of this Code.
- D. Sensitive Lands. See Chapter 4-2 of this Code.

### **3-2-070. Regulations for Specific Uses.**

To the extent that use and development of real property includes any matter encompassed by a regulation for a specific use as set forth in this Code, such regulation shall apply in addition to the requirements of this Chapter and shall prevail over any conflicting provision of this Chapter.

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Code Section	"P" = Permitted Use "C" = Conditional Use "A" = Applies " _ " = Not Permitted	MU	MU	MU	A	A	RR	RR	RR	RR
		160	80	40	20	1/2	10	5	2	1
<b>3-2-070-1</b>	<b>ACCESSORY USES</b>									
<b>3-2-070-1.1</b>	Accessory buildings and uses customarily incidental to permitted agricultural uses, provided, however, that such accessory buildings are a minimum of 20 feet from any dwelling	P	P	P	P	P	P	P	P	P
<b>3-2-070-1.2</b>	Any pen, corral or pasture for the keeping of animals or fowl.	P	P	P	P	P	P	P	P	P
<b>3-2-070-1.3</b>	Accessory buildings and uses customarily incidental to permitted uses other than those listed above	P	P	P	P	P	P	P	P	P
<b>3-2-070-2</b>	Accessory buildings and uses customarily incidental to conditional uses	C	C	C	C	C	C	C	C	C
<b>3-2-070-3</b>	Temporary buildings for uses incidental to construction work, including living quarters for guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work.	C	C	C	C	C	C	C	C	C
<b>3-2-070-3.1</b>	Mobile homes for temporary living quarters (i.e. Agriculture uses, Ailing relatives).	C	C	C	C	C	C	C	C	C
<b>3-2-070-4</b>	<b>AGRICULTURAL</b>									

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3-2-070-4.1	Agriculture, including grazing and pasturing of animals, the tilling of the soil, the raising of crops, horticulture and gardening	P	P	P	P	P	P	P	P	P
3-2-070-4.2	Fruit/Vegetable Stand	C	C	C	C	C	C	C	C	C
		MU 160	MU 80	MU 40	A 20	A 1/2	RR 10	RR 5	RR 2	RR 1
3-2-070-4.3	Farms devoted to raising and marketing chickens, turkeys, or other fowl or poultry, fish or frogs, mink, rabbits, including wholesale and retail sale.	P	P	P	P	C	P	C	C	C
3-2-070-4.4	Farms devoted to Apiary and Aviary	P	P	P	P	-	C	C	C	-
3-2-070-4.5	Forestry except forest industry	P	P	P	P	-	P	P	P	-
3-2-070-4.6	Forest Industry, such as a saw mill, wood products, plant, etc.	C	C	C	-	-	-	-	-	-
3-2-070-4.7	Agricultural Industry	C	C	C	C	-	C	C	C	-
3-2-070-4.8	Cannabis Production Establishment (must be state licensed and permitted)	-	-	-	P	-	-	-	-	-
3-2-070-5	Kennel	C	C	C	C	C	C	C	C	C
3-2-070-6	Dude ranch, family vacation ranch	C	C	C	C	-	C	C	C	-
3-2-070-7	<b>DWELLINGS</b>									
3-2-070-7.1	Single-Family dwelling	P	P	P	P	P	P	P	P	P
3-2-070-7.2	Two-Family dwelling	P	P	P	P	-	-	-	P	-
3-2-070-7.3	Three-Family dwelling	P	P	P	P	-	-	-	-	-
3-2-070-7.4	Residential facilities for elderly persons and persons with a disability	C	C	C	C	C	C	C	C	C

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<b>3-2-070-7.5</b>	Accessory Dwelling Unit (Ord. 376, 11-6-13)	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>
		<b>MU 160</b>	<b>MU 80</b>	<b>MU 40</b>	<b>A 20</b>	<b>A 1/2</b>	<b>RR 10</b>	<b>RR 5</b>	<b>RR 2</b>	<b>RR 1</b>
<b>3-2-070-8</b>	Home occupation	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>
<b>3-2-070-9</b>	Home Business	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>
<b>3-2-070-10</b>	Household pets	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>
<b>3-2-070-11</b>	Small Power Generation	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>
<b>3-2-070-12</b>	Large Power Generation	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>-</b>	<b>C</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>3-2-070-13</b>	Private park or recreational grounds or private recreational camp or resort, including accessory or supporting dwelling complexes and commercial service uses which are owned or managed by the recreational facility to which it is accessory	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>-</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>-</b>
<b>3-2-070-14</b>	Public stable, riding academy or riding ring, horse show barn or other equestrian facilities under single management	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>-</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>-</b>
<b>3-2-070-15</b>	Public or quasi-public facilities, essential service facilities, airports, schools, churches, dams and reservoirs, cemeteries, railroad and substations	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>
<b>3-2-070-16</b>	Wireless telecommunication towers, radio and television transmitting stations or towers (including repeating towers)	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>

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### 3-2-080. Regulations for Uses.

<b>3-2-080-1</b>	<b>AREA REGULATIONS</b>									
<b>3-2-080-1.1</b>	The minimum lot area in acres for any main use in the districts regulated by this Chapter shall be	<b>160</b>	<b>80</b>	<b>40</b>	<b>20</b>	<b>1/2</b>	<b>10</b>	<b>5</b>	<b>2</b>	<b>1</b>
<b>3-2-080-2</b>	<b>WIDTH AND FRONTAGE REGULATIONS</b>									
<b>3-2-080-2.1</b>	The minimum width in feet for any lot in the districts regulated by this Chapter shall be	<b>1320</b>	<b>1320</b>	<b>1320</b>	<b>500</b>	<b>100</b>	<b>330</b>	<b>250</b>	<b>175</b>	<b>120</b>
<b>3-2-080-2.2</b>	The minimum width along the radius for cul-de-sac lots in feet shall be	<b>50</b>	<b>50</b>	<b>50</b>	<b>50</b>	<b>50</b>	<b>50</b>	<b>50</b>	<b>50</b>	<b>50</b>
<b>3-2-080-3</b>	<b>FRONT YARD REGULATIONS</b>									
<b>3-2-080-3.1</b>	The minimum depth in feet for the front yard for main buildings and accessory buildings in districts regulated by this chapter shall be	<b>30</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>30</b>
<b>3-2-080-3.2</b>	Where the existing minimum right-of-way on which the lot front is less than 66 feet, the setback shall be measured from the center line and in feet shall be no less than	<b>63</b>	<b>63</b>	<b>63</b>	<b>63</b>	<b>63</b>	<b>63</b>	<b>63</b>	<b>63</b>	<b>63</b>
<b>3-2-080-3.3</b>	Where the proposed minimum right-of-way is more than 66 feet, the setback in feet shall be ½ proposed right-of-way plus 30 feet	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>

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		MU 160	MU 80	MU 40	A 20	A 1/2	RR 10	RR 5	RR 2	RR 1
		MU 160	MU 80	MU 40	A 20	A 1/2	RR 10	RR 5	RR 2	RR 1
3-2-080-3.4	Accessory buildings may have the same minimum front yard depth as the main buildings if they have the same side yard required for main buildings; otherwise they shall be set the following distance in feet from the rear of the main building	8	8	8	8	8	8	8	8	8
3-2-080-4	<b>REAR YARD REGULATIONS</b>									
3-2-080-4.1	The minimum depth in feet for the rear yard in the districts regulated by this Chapter shall be for main buildings	60	60	60	60	30	50	50	30	30
3-2-080-4.2	Accessory buildings (Ord. 381) * Minimum setback reduced to 3 feet so long as they do not encroach on a public utility easement.	10	10	10	10	3*	10	10	10	3*
3-2-080-4.3	The minimum side yard in feet for any main building in districts regulated by this Chapter shall be	60	60	60	60	15	60	20	20	15
3-2-080-4.4	Accessory buildings (Ord. 381) * Minimum setback reduced to 3 feet so long as they do not encroach on a public utility easement.	10	10	10	10	3*	10	10	10	3*
3-2-080-5	<b>HEIGHT REGULATIONS</b>									
3-2-080-5.1	The maximum height for all buildings and structures in districts regulated by this chapter shall be 35 feet or 2 ½ stories, except for agricultural related buildings.	A	A	A	A	A	A	A	A	A
3-2-080-6	<b>COVERAGE REGULATIONS</b>									

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	The maximum coverage in percent for any lot in the districts regulated by this Chapter shall be	-	-	-	-	40	5	10	25	20
<b>3-2-080-7</b>	<b>IMPROVEMENTS REQUIRED TO BE COMPLETED OR IN PROGRESS BEFORE A BUILDING PERMIT MAY BE ISSUED</b>									
	(Improvements are to be in compliance with the standards adopted by Box Elder County. Improvement prefaced with an [*] are applicable only to subdivisions or planned unit developments.)									
		MU 160	MU 80	MU 40	A 20	A 1/2	RR 10	RR 5	RR 2	RR 1
<b>3-2-080-7.1</b>	Street Grading	A	A	A	A	A	A	A	A	A
<b>3-2-080-7.2</b>	Street Base	A	A	A	A	A	A	A	A	A
<b>3-2-080-7.3</b>	Street Dust Treatment (oil or similar treatment)	A	A	A	A	-	-	-	-	-
<b>3-2-080-7.4</b>	Street Paving	-	-	-	-	A	A	A	A	A
<b>3-2-080-7.5</b>	Surface Drainage Facilities	A	A	A	A	A	A	A	A	A
<b>3-2-080-7.6</b>	Wastewater Disposal Facilities	A	A	A	A	A	A	A	A	A
<b>3-2-080-7.7</b>	Culinary Water Facilities	A	A	A	A	A	A	A	A	A
<b>3-2-080-7.8</b>	Fire Fighting Facilities	A	A	A	A	A	A	A	A	A
<b>3-2-080-7.9</b>	Street Name Signs	A	A	A	A	A	A	A	A	A
<b>3-2-080-7.10</b>	Street Monuments	-	-	-	-	A	A	A	A	A
<b>3-2-080-7.11</b>	Survey Monuments Boxes	A	A	A	A	A	A	A	A	A
<b>3-2-080-7.12</b>	Address Numbers	A	A	A	A	A	A	A	A	A
<b>3-2-080-7.13</b>	Public Utilities (Power, gas, telephone, etc.)	A	A	A	A	A	A	A	A	A