

# Box Elder County Land Use Management & Development Code

## Article 3: Zoning Districts

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### Chapter 3-3 – Residential District

#### Sections.

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#### **3-3-010. Purpose.**

The purpose of this chapter is to outline regulations for existing R-1-8 parcels within Box Elder County. The R-1-8 zone is not an option for rezones due to Box Elder County lacking the adequacy of facilities and services to serve this type of development.

**R-1-8:** To provide areas of medium low-density, single-family residential neighborhoods where low and medium costs of development may occur.

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

The provisions of this Chapter shall apply to any real property located in a residential and multiple residential zones as shown on the Official Zoning Map.

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

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

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

- A. Permitted and Conditional Uses.** Permitted and conditional uses allowed in the residential zone 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

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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.

### **3-3-050. 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.

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

The use and development of real property in the residential zone 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.

### **3-3-070. 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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<b>BOX ELDER COUNTY ZONING RESTRICTIONS</b>		
<b>CODE SECTION</b>	"P" = Permitted Uses "C" = Conditional Uses "A" = Applies " - " = Not permitted	<b>CURRENT ESTABLISHED RESIDENTIAL ZONING DISTRICTS</b>
		<b>R-1-8</b>
<b>3-3-070-1.0</b>	<b>ACCESSORY USES</b>	
<b>3-3-070-1.1</b>	Accessory Buildings and uses customarily incidental to permitted uses other than those listed below Swimming Pool	<b>P</b>  <b>C</b>
<b>3-3-070-1.2</b>	Accessory buildings and uses customarily incidental to conditional uses	<b>C</b>
<b>3-3-070-1.3</b>	Temporary buildings for uses incidental to construction work, including living quarters for guard or night watchman, which building must be removed upon completion or abandonment of the construction work. Mobile homes for temporary living quarters and such other temporary uses found appropriate to the Planning Commission and approved by the County Commission.	<b>C</b>
<b>3-3-070-2.0</b>	<b>SPECIAL USES</b>	
<b>3-3-070-2.1</b>	The tilling of the soil, the raising of crops, horticulture and gardening	<b>P</b>
<b>3-3-070-2.2</b>	Home Occupation	<b>C</b>
<b>3-3-070-2.3</b>	Household pets	<b>P</b>
<b>3-3-070-3.0</b>	<b>RESIDENTIAL</b>	
<b>3-3-070-3.1</b>	Single-family dwelling	<b>P</b>
		<b>R-1-8</b>
<b>3-3-070-3.2</b>	Residential facilities (group homes) for the handicapped and elderly provided they are separated at least 3/4 mile from another similar facility	<b>C</b>
<b>3-3-070-8.0</b>	<b>PUBLIC AND QUASI-PUBLIC</b>	
<b>3-3-070-8.1</b>	Private Educational institution having a curriculum similar to that ordinarily given in public schools	<b>C</b>

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3-3-070-8.2	Public and quasi-public buildings and uses (cemeteries, churches, essential service facilities, golf courses, substations or transmission lines 50kv or greater capacity, recreation trails, schools, streets (public and private), and railroad and utility lines and rights-of-way)	C
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### 3-3-080. Regulations for Uses.

		<b>R-1-8</b>
3-3-080-13	<b>AREA REGULATIONS</b>	
3-3-080-13.1	The minimum lot area in square feet for a single-family dwelling structure in the district regulated by this chapter shall be	<b>8,000</b>
3-3-080-13.1	The additional lot area in square feet for each additional dwelling unit in a dwelling structure shall be	-
3-3-080-13.2	Minimum lot area in square feet for all main uses or buildings other than dwelling shall be	-
3-3-080-14.0	<b>WIDTH REGULATIONS</b>	
3-3-080-14.1	The minimum width in feet for any lot in the districts regulated by this chapter, except as modified by planned unit developments, shall be	<b>70</b>
3-3-080-15.0	<b>FRONTAGE REGULATIONS</b>	
3-3-080-15.1	The minimum width of any lot at the street right-of-way line in feet in the districts regulated by this Chapter, except as modified by conditional use permit, shall be	<b>40</b>
		<b>R-1-8</b>
3-3-080-16	<b>FRONT YARD REGULATIONS</b>	
3-3-080-16.1	The minimum depth in feet for the front yard for main buildings in districts regulated by this Chapter shall be	<b>30</b>
3-3-080-16.2	Or the average of the existing buildings on the block where 50 percent or more of the frontage is developed; however, in no case	

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3-3-080-16.2a	Shall be less than	25
3-3-080-16.2b	Or be required to be more than	30
3-3-080-16.3	Accessory buildings may have the same minimum front yard depth as main buildings if they have the same side yard required for main buildings; otherwise they shall be set back the following number of feet from the rear of the main building	8
3-3-080-16.4	On corner lots, main buildings shall have two front yards, and one rear yard, and one side yard	A
3-3-080-17.0	<b>REAR YARD REGULATIONS</b>	
3-3-080-17.1	The minimum depth in feet for the front yard in the districts regulated by this Chapter shall be	25
3-3-080-17.2	Accessory buildings may have a minimum setback of 1 foot provided that all drainage from them stays on the lot and there is at least 10 feet distance to another accessory building on an adjacent lot	A
		<b>R-1-8</b>
3-3-080-17.3	Provided that on corner lots which rear on a side yard of another lot accessory buildings in all such districts shall be located not closer than 10 feet to such side yard	A
3-3-080-18.0	<b>SIDE YARD REGULATIONS</b>	
3-3-080-18.1	The Minimum side yard in feet for any dwelling in districts regulated by this Chapter shall be	8
3-3-080-18.2	And the total width of the two required side yards in feet shall be	18
3-3-080-18.3	Except that in no case shall the total width of the two side yards be less than the height of the building	A
3-3-080-18.4	Other main buildings shall have a minimum side yard in feet of	15

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3-3-080-18.4.1	And the total width of the two required side yards in feet of no less than	35
3-3-080-18.5	The minimum side yard in feet for a private garage shall be	6
3-3-080-18.5.1	(except that private garage and other accessory buildings located 6 feet to the rear of the main buildings may have a minimum side yard of 1 foot if the walls of the building have a minimum tested fire resistance of 1 hour and are located at least 10 feet from a residence on an adjoining lot)	A
3-3-080-18.5.2	Provided that no private garage or other accessory buildings shall be located in feet closer to a dwelling on an adjacent lot than 10 feet	A
		<b>R-1-8</b>
3-3-080-18.6	On corner lots, main buildings shall have two front yards and one rear yard, and one side yard	A
3-3-080-18.6.1	The side yard in feet shall be not less than	8
3-3-080-19.0	<b>HEIGHT REGULATIONS</b>	
3-3-080-19.1	The Minimum height for all buildings and structures in districts regulated by this Chapter shall be 35 feet or 2 ½ stories	A
3-3-080-20.0	<b>COVERAGE REGULATIONS</b>	
3-3-080-20.1	The Minimum coverage in percent for any lot in the districts regulated by this Chapter shall be	35
3-3-080-21	<b>DEPTH REGULATIONS</b>	
3-3-080-21.1	The Minimum depth of a lot in feet in districts regulated by this Chapter, except as may be modified by conditional use permit, shall be	100

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3-3-080-22.0	<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.)	
3-3-080-22.1	Street Grading	A
3-3-080-22.2	Street Base	A
3-3-080-22.3*	Street Paving	A
3-3-080-22.4*	Curb and Gutter	A
3-3-080-22.5*	Sidewalk	A
3-3-080-22.6	Surface Drainage Facilities	A
3-3-080-22.7	Wastewater Disposal Facilities	A
3-3-080-22.8	Culinary Water facilities	A
3-3-080-22.9	Fire fighting facilities	A
3-3-080-22.10*	Street Name Signs	A
3-3-080-22.11*	Street Monuments	A
3-3-080-22.12*	Survey Monuments Boxes	A
3-3-080-22.13*	Street Lights	A
3-3-080-22.14	Address Numbers	A
3-3-080-22.15	Public Utilities (Power, gas, telephone, cable TV, etc)	A