

GARFIELD COUNTY ORDINANCE NO. 2020-11

AN ORDINANCE AMENDING GARFIELD COUNTY ZONING ORDINANCE NO. 2020-4 WITHIN GARFIELD COUNTY, STATE OF UTAH.

WHEREAS, the Garfield County Commissioners, as the governing body of Garfield County, State of Utah, specifically finds that it is in the best interest of the safety and welfare of the citizens of the County of Garfield, to amend Zoning Ordinance Number 2020-4.

NOW THEREFORE BE IT ORDAINED by the board of Garfield County Commissioners, State of Utah:

1. Chapters 15-21 in the previously adopted Garfield County Zoning Ordinance shall be rescinded entirely.
2. Chapters 15-21 in the Garfield County Zoning Ordinance shall now read:

Chapter 15 MULTIPLE USE ZONE (MU)

15-1 Purpose.

The purpose of the Multiple Use Zone is to establish areas that are open and generally undeveloped. The Zone is designed to protect open space and resources by reducing unreasonable requirements for public utilities and services. MU Zones encourage multiple use/sustained yield activities including grazing, watershed restoration, mining and recreation. This Zone supports avoidance – minimization – mitigation protocols to prevent excessive damage to watersheds, water sources, soils, vegetation and land health from permitted activities. It is intended to promote the sustainable health, safety, welfare, custom, culture, traditional use, convenience, order and prosperity of the inhabitants of Garfield County.

15-2 Permitted Uses.

1. Single-family dwellings; one (1) per forty (40) acres, unless specifically approved by the Garfield County Planning Commission and County Commission.
2. Accessory buildings and uses.
3. Agriculture, including grazing and pasturing of animals.
4. Animals and fowl for recreation or for family food production for the primary use of persons residing on the premises.
5. Forestry, except forest industry.
6. Recreation (campgrounds, glampgrounds, open OHV areas, etc.)

7. Other uses deemed compatible with the purposes of the Zone by the Garfield County Planning Commission and County Commission.

15-3 Conditional Uses.

1. Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work.
2. Agriculture business or industries, including feed lots.
3. Nurseries or greenhouses, wholesale or retail.
4. Forest industries, sawmills, wood product plants, or others.
5. Mines, quarries, gravel pits, crushers, concrete batching plants or asphalt plants, oil wells or steam wells.
6. Power generation.
7. Private parks or recreation grounds or private recreational camps or resorts, including accessory or support dwelling complexes or commercial services, the uses of which are owned or managed by the recreational facilities to which it is accessory.
8. Radio and television transmitting stations and towers.
9. Utility easements.
10. Other uses deemed compatible with the purposes of the Zone by the Garfield County Planning Commission and County Commission.

15-4 Height Regulations.

No building shall be erected to a height greater than two and one-half (2 ½) stories and thirty-five (35) feet, unless specifically approved by the Garfield County Planning Commission and Building Official.

15-5 Minimum Area, Width, and Yard Regulations.

<u>District</u>	<u>Area</u>	<u>Width</u>	<u>Front Setback</u>	<u>Side Setback</u>	<u>Rear Setback</u>
MU	40 Acres	600 ft.	30 ft.	30 ft.	30 ft.

15-6 Other Provisions.

1. Planned Unit Developments or Cluster Subdivision requirements, as specified by the Garfield County Planning Commission.

2. Private garages and other accessory buildings shall be located at least thirty (30) feet from the front property lines and ten (10) feet from side and rear property lines, except that the street side yards of a corner lot shall be the same as the front yard setback required for this district.
3. Private garages and other accessory buildings shall be located at least ten (10) feet from the main building or any other structure.
4. All setbacks less than ten (10) feet shall require Building Department approval.
5. Sewage disposal systems and water systems are subject to approval by the Board of Health.

Chapter 16 AGRICULTURE ZONE (A)

16-1 Purpose.

The purpose of the Agricultural Zone is to preserve appropriate areas for permanent and temporary agricultural and open space uses. Uses normally and necessarily related to agriculture are permitted, and uses adverse to the continuance of agricultural activity are not allowed.

16-2 Permitted Uses.

1. Single-family dwellings, provided that a second single-family dwelling for a hired person, seasonal laborer or members of the owner's family, may be allowed on the same lot, if it conforms to the size requirements stated herein.
 - a. Additional single-family dwellings may be approved subject to approval by the Garfield County Planning Commission and local or State Health Department.
2. Accessory buildings and uses.
3. Livestock grazing.
4. Poultry.
5. Crop production.
6. Fur farms, livestock feed yards, corrals, silage pits, poultry pens.
7. Stands for the sale of produce grown on the premises.
8. Other uses deemed compatible with the purposes of the Zone by the Garfield County Planning Commission and County Commission.

16-3 Conditional Uses.

1. Public riding stables.
2. Radio and television transmitting stations or towers.
3. Utility easements.
4. Plants for the slaughtering or packing of animals or poultry.
5. Other uses deemed compatible with the purposes of the Zone by the Garfield County Planning Commission and County Commission.

16-4 Height Regulations.

No dwelling shall be erected to a height greater than two and one-half (2 ½) stories or thirty-five (35) feet, unless specifically approved by the Garfield County Planning Commission and Building Official.

16-5 Minimum Area, Width, and Yard Regulations.

<u>District</u>	<u>Area</u>	<u>Width</u>	<u>Front Setback</u>	<u>Side Setback</u>	<u>Rear Setback</u>
A	6 Acres.	400 ft.	30 ft.	20 ft.	20 ft.

16-6 Other Provisions.

1. Private garages and other accessory buildings shall be located at least thirty (30) feet from the front property lines and ten (10) feet from side and rear property lines, except that the street side yards of a corner lot shall be the same as the front yard setback required for this district.
2. Private garages and other accessory buildings shall be located at least ten (10) feet from the main building or any other structure.
3. All setbacks less than ten (10) feet shall require Building Department approval.
4. No building or structure or enclosure housing animals or fowl shall be constructed closer than one-hundred (100) feet to a dwelling on the same or adjacent lots.

Chapter 17. RESIDENTIAL ZONE (R)

17-1 Purpose.

The purpose of the Residential Zone is to provide appropriate locations where single-family dwellings and neighborhoods may be established, maintained and protected. The regulations also permit the properly controlled establishment of public and semi-public uses such as churches, schools, libraries, parks and playgrounds. The regulations are intended to prohibit those uses that would be incompatible with a residential neighborhood.

17-2 Permitted Uses.

1. Single-family dwellings, one (1) per parcel.
2. Multiple-family dwellings (apartments, condos, etc.).
3. Accessory buildings and uses.
4. Other uses deemed compatible with the purposes of the Zone by the Garfield County Planning Commission and County Commission.

17-3 Conditional Uses.

1. Parking lots.
2. Public and quasi-public buildings and uses.
3. Parks and playgrounds.
4. Utility easements.
5. Home-based businesses.
6. Short-term rentals.
7. Other uses deemed compatible with the purposes of the Zone by the Garfield County Planning Commission and County Commission.

17-4 Height Regulations.

No building shall be erected to a height greater than two and one-half (2 ½) stories and thirty-five (35) feet, unless specifically approved by the Garfield County Planning Commission and Building Official.

17-5 Minimum Area, Width, and Yard Regulations.

<u>District</u>	<u>Area</u>	<u>Width</u>	<u>Front Setback</u>	<u>Side Setback</u>	<u>Rear Setback</u>
R-12	12,500 sq. ft.	80 ft.	30 ft.	10 ft.	20 ft.
R-20	20,000 sq. ft.	100 ft.	30 ft.	10 ft.	20 ft.

17-6 Modifying Regulations.

1. Private garages and other accessory buildings shall be located at least thirty (30) feet from the front property lines and ten (10) feet from side and rear property lines, except that the street side yards of a corner lot shall be the same as the front yard setback required for this district.
2. Private garages and other accessory buildings shall be located at least ten (10) feet from the main building or any other structure.
3. All setbacks less than ten (10) feet shall require Building Department approval.
4. Individual water supply and/or sewage disposal systems shall be subject to the approval of the State of Utah or the local health department.
5. Residential lots with onsite wastewater (septic) and drinking water (well) shall have a minimum lot size of one (1) acre per local health department requirements.

Chapter 18. RESIDENTIAL ESTATES ZONE (RE)

18-1 Purpose.

The purpose of the Residential Estates Zone is to provide for residential estate neighborhoods of a rural character together with a limited number of livestock for the benefit and enjoyment of the residents.

18-2 Permitted Uses.

1. Single-family dwellings, one (1) per parcel.
2. Multiple-family dwellings (apartments, condos, etc.).
3. Accessory buildings and uses.
4. Crop production.
5. The keeping of livestock, except that the following conditions:
 - a. No pigs shall be permitted.
 - b. Livestock shall be raised be for family use only and not for commercial purposes.
6. Other uses deemed compatible with the purposes of the Zone by the Garfield County Planning Commission and County Commission.

18-3 Conditional Uses.

1. Public utilities.
2. Public buildings and riding stables.
3. Home-based businesses.
4. Short-term rentals.
5. Other uses deemed compatible with the purposes of the Zone by the Garfield County Planning Commission and County Commission.

18-4 Height Regulations.

No building shall be erected to a height greater than two and one-half (2 ½) stories and thirty-five (35) feet, unless specifically approved by the Garfield County Planning Commission and Building Official.

18-5 Minimum Area, Width, and Yard Regulations.

<u>District</u>	<u>Area</u>	<u>Width</u>	<u>Front Setback</u>	<u>Side Setback</u>	<u>Rear Setback</u>
RE	1 Acre	150 ft.	30 ft.	20 ft.	20 ft.

18-6 Modifying Regulations.

1. Private garages and other accessory buildings shall be located at least thirty (30) feet from the front property lines and ten (10) feet from side and rear property lines, except that the street side yards of a corner lot shall be the same as the front yard setback required for this district.
2. Private garages and other accessory buildings shall be located at least ten (10) feet from the main building or any other structure.
3. All setbacks less than ten (10) feet shall require Building Department approval.
4. No building, structure or enclosure housing animals or fowl shall be constructed closer than one-hundred (100) feet to a dwelling on the same or adjacent lots.
5. Individual water supply and/or sewage disposal systems shall be subject to the approval of the State of Utah or the local health department.

Chapter 19. FOREST RECREATION ZONE (FR)

19-1 Purpose.

The purpose of the Forest Recreation Zone is to permit development of identified forested areas for recreation, seasonal residential living and other similar activities, to the extent compatible with the protection of the natural and scenic resources and for the benefit of present and future generations.

19-2 Permitted Uses.

1. Single-family dwellings, one (1) per parcel.
2. Accessory buildings and uses.
3. Crop production.
4. Private, non-commercial, single-family recreation parks.
5. Other uses deemed compatible with the purposes of the Zone by the Garfield County Planning Commission and County Commission.

19-3 Conditional Uses.

1. Parking lots.
2. Public and quasi-public buildings and uses.
3. Parks and playgrounds.
4. Utility easements.
5. Home-based businesses.
6. Short-term rentals.
7. Other uses deemed compatible with the purposes of the Zone by the Garfield County Planning Commission and County Commission.

19-4 Height Regulations.

No building shall be erected to a height greater than two and one-half (2 ½) stories and thirty-five (35) feet, unless specifically approved by the Garfield County Planning Commission and Building Official.

19-5 Minimum Area, Width, and Yard Regulations.

<u>District</u>	<u>Area</u>	<u>Width</u>	<u>Front Setback</u>	<u>Side Setback</u>	<u>Rear Setback</u>
FR	22,000 sq. ft.	90 ft.	30 ft.	20 ft.	20 ft.

19-6 Modifying Regulations.

1. Private garages and other accessory buildings shall be located at least thirty (30) feet from the front property lines and ten (10) feet from side and rear property lines, except that the street side yards of a corner lot shall be the same as the front yard setback required for this district.
2. Private garages and other accessory buildings shall be located at least ten (10) feet from the main building or any other structure.
3. All setbacks less than ten (10) feet shall require Building Department approval.
4. Due to the presence of a potential wildfire in the Forest Recreation Zone, all Conditional Uses listed in this chapter shall be reviewed by the by the Garfield County Building Inspector, Planning Commission and County Commission in relation to the standards outline in the State of Utah, Department of Natural Resources, Division of Forestry and Fire Control publication titled "Wildfire Hazards and Residential Development; Identification, Classification and Regulation", dated 1978. The Commission may require any appropriate standard described in the above-mentioned publication as a condition of approval as authorized in Chapter Eight (8) of this Ordinance.
5. Individual water supply and/or sewage disposal systems shall be subject to the approval of the State of Utah or the local Health Department.
6. Residential lots with onsite wastewater (septic) and drinking water (well) shall have a minimum lot size of one (1) acre per local health department requirements.

Chapter 20. RESORT RECREATION ZONE (RR)

20-1 Purpose.

The purpose of the Resort Recreation Zone is to recognize and provide for the orderly development of certain properties as a tourist, recreation, convention, hospitality, business and gathering destination. A Resort Recreation Zone may include a cohesive and complimentary mixture of land uses including commercial, residential, recreational and/or business park along with more primitive settings. Uses should focus on developments for tourists, recreationists, visitors and the local community.

20-2 Permitted Uses.

1. Single-family dwellings, one (1) per parcel.
2. Multiple-family dwellings (apartments, condos, etc.).
3. Accessory buildings and uses.
4. Short-term rentals.
5. Other uses deemed compatible with the purposes of the Zone by the Garfield County Planning Commission and County Commission.

20-3 Conditional Uses.

1. Hotels, motels, lodges, cabins and other accommodation services.
2. Restaurants, lounges, bars and other eating and drinking establishments.
3. Retail shopping, guide/outfitter services and other resort-related business activities.
4. Community centers, convention centers.
5. Convenience stores, gas stations, recreation sales/service stations (ATVs, boats, etc.)
6. Trail rides, guided tours, public recreation parks and playgrounds.
7. Schools and churches.
8. Parking lots, parking garages.
9. Storage units.
10. Spas, salons and other relaxation services.
11. Bowling alleys, dance halls, skating rinks and other night life activities.
12. RV parks, campgrounds, glampgrounds.
13. Other uses deemed compatible with the purposes of the Zone by the Garfield County Planning Commission and County Commission.

20-4 Minimum Area Regulations and Modifying Regulations.

1. Minimum Lot Areas:

- a. Lots with on-site waste water disposal shall not be less than one (1) acre, and the waste water systems shall be approved by the State of Utah.
- b. Permitted uses in a Resort Recreation Zone shall meet the zoning requirements of the Residential Zoning District (R-12, R-20).
- c. Conditional uses in a Resort Recreation Zone shall meet the zoning requirements of the Commercial Zoning District (C).

Chapter 21. COMMERCIAL ZONE (C)

21-1 Purpose.

The purpose of the Commercial Zone is to provide for retail and service activities in locations convenient to serve the public.

21-2 Permitted Uses.

1. Single-family dwellings.
2. Multiple-family dwellings (apartments, condos, etc.).
3. Mixed-use buildings.
4. Stores, shops and offices supplying commodities or performing services such as department stores, specialty shops, banks, business offices and other financial institutions and personal service enterprises.
5. Carpenter shops, electrical, plumbing, heating and air conditioning shops, printing and publishing or lithographic shops, mortuaries, and furniture upholstering shops, provided all uses shall be within an enclosed building.
6. Restaurants, theaters and similar enterprises, provided that all uses be conducted within buildings.
7. Garages for storage or repair of automobiles, commercial parking lots.
8. Commercial storage unit facilities.
9. Hotels and motels.
10. Short-term rentals.
11. Public and quasi-public uses.
12. Laundry, cleaning establishments.
13. Car dealers.
14. Mobile home sales.
15. Nurseries and greenhouses.
16. Bowling alleys, dance halls, skating rinks.
17. Other uses deemed compatible with the purposes of the Zone by the Garfield County Planning Commission and County Commission.

21-3 Conditional Uses.

1. Recreational vehicle parks.
2. Mobile home parks.
3. Other uses deemed compatible with the purposes of the Zone by the Garfield County Planning Commission and County Commission.

21-4 Height Regulations.

No building shall be erected to a height greater than four (4) stories and forty-eight (48) feet, unless specifically approved by the Garfield County Planning Commission and Building Official.

21-5 Minimum Area Regulations and Modifying Regulations.

1. Minimum Lot Areas:
 - a. Lots with on-site waste water disposal shall not be less than one (1) acre, and shall be approved by the State of Utah.
 - b. Lots with off-site waste water disposal shall not be less than one-half (1/2) acre, and shall be approved by the State of Utah.
 - c. Lots smaller than one-half (1/2) acre may be approved with further approval of water supply and waste water disposal from the State of Utah and the Garfield County Planning Commission.
2. Maximum Lot Coverage: Commercial structures exceeding thirty-five (35) percent of the lot area, shall obtain approval by the Garfield County Planning Commission.
3. Per IBC, all setbacks less than ten (10) feet shall require building department approval.

Passed and adopted by the Board of County Commissioners of Garfield County, Utah, this 22nd day of June, 2020.



Garfield County Commission, Chair
Leland F. Pollock

ATTEST:



Garfield County Auditor/Clerk
Camille A. Moore

County Seal:

