

Chapter 14. ZONING DISTRICTS

14-1 Establishment of Zoning Districts

For the purposes of this Ordinance, the territory of Minersville, to which this Ordinance applies, is divided into eleven (11) zoning districts, as follows:

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|-----|--|--------|
| 1. | Multiple Use District..... | M-U-10 |
| 2. | Agricultural District..... | A |
| 3. | Residential Agricultural District..... | RA |
| 4. | Single Family Residential District..... | R-1 |
| 5. | Multiple Family Residential District..... | R-3 |
| 6. | Manufactured Home District..... | MH |
| 7. | Neighborhood Commercial District..... | CN |
| 8. | General Commercial District..... | C-3 |
| 9. | Highway Commercial District..... | H-C |
| 10. | Industrial District..... | I-1 |
| 11. | Single-Family or Two-Family Dwelling Structures..... | DS |

14-2 Rules for Locating Boundaries

Where uncertainty exists as to the boundary of any district, the following rules shall apply:

1. Wherever the district boundary is indicated as being approximately upon the center line of a street, alley, or block or along a property line, then, unless otherwise definitely indicated on the map, the center line of such street, alley or block, or such property line shall be construed to be the boundary of such district.
2. Whenever such boundary line of such district is indicated as being approximately at the line of any river, irrigation canal or other waterway, or railroad right-of-way, or public park or other public lane, or any section line, then in such case the center of such stream, canal or waterway, or of such railroad right-or-way, or the boundary line of such public land or such section line shall be deemed to be the boundary of such district.
3. Where such district boundary lines cannot be determined by the above rules, their location may be found by the use of the scale appearing upon the map.
4. Where the application of the above rules does not clarify the district boundary location, the planning commission shall interpret the map.

Chapter 15. MULTIPLE USE DISTRICT M-U-10

15-1 Purpose

The purposes of providing a Multiple Use District are to establish areas in mountain, hillside, canyon, mountain valley, desert, and other open and generally underdeveloped lands where human habitation would be limited in order to protect land and open space resources and 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, and damage to grazing and livestock raising and to wildlife values, and to promote the health, convenience, order, prosperity and general welfare of the inhabitants of Minersville.

15-2 Permitted Uses

1. Agriculture.
2. Forestry, except forest industry.
3. Accessory buildings and uses customarily incidental to the above.

15-3 Conditional Uses

1. Single-family dwellings.
2. Two-family dwellings.
3. Summer home or cabin.
4. Airport.
5. Dude ranch; family vacation ranch.
6. Forest industry, such as a saw mill or related use(s).
7. Golf course.
8. Grazing and pasturing of animals; agricultural industry and business.
9. Hydro-electric dam or facility.
10. Mine, quarry, gravel pit, rock crusher, concrete batching plant, or asphalt plant.
11. Private park or recreational grounds or facility, or private recreational camp or resort, including accessory or supporting dwellings or dwelling complexes which are owned or managed by the recreational facility to which it is accessory, or are under unified control.
12. Public and quasi-public use; essential services.
13. Radio or television transmitting and relay station and tower.
14. Water pumping plant and reservoir.
15. Temporary buildings for uses incidental to construction work, which buildings must be removed upon completion or abandonment of the construction work. If such buildings are not removed within ninety (90) days upon

completion of construction and thirty (30) days after notice, the buildings will be removed by the city at the expense of the owner.

16. Accessory buildings and uses customarily incidental to the above.

15-4 Area Regulations

The minimum lot area for any dwelling shall be ten (10) acres.

15-5 Width, Frontage, Yard, and Height Regulations

Width, frontage, yard and height regulations shall be as required by Conditional Use Permit or by Planned Unit Development approval, provided that no such requirement shall be less restrictive than is required to meet the purposes of this chapter.

15-6 Coverage Regulations

None.

Chapter 16. AGRICULTURAL DISTRICT A

16-1 Purpose

To promote and preserve in appropriate areas conditions favorable to agriculture and to maintain greenbelt open spaces. This district is 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.

16-2 Permitted Uses

1. Single-family dwelling.
2. Agricultural uses.
3. Apiary.
4. Aviary.
5. Farms devoted to the raising and marketing on a commercial scale of chickens, turkeys, or other fowl or poultry; fish; including retail sales.
6. Home occupations.
7. Household pets.
8. Nursery and/or greenhouse, including retail sales.
9. Raising, grazing, or feeding of horses, cattle or sheep.
10. Ranch buildings and structures.
11. Accessory buildings and uses customarily incidental to the permitted or conditional uses allowed herein.

16-3 Conditional Uses

1. Agricultural industry or business.
2. Airport.
3. Cemetery.
4. Kennel.
5. Public stable.
6. Public use, quasi-public use, essential services.
7. Radio or television transmitting and relay station and tower.
8. Riding academy.
9. Farm machinery and supplies.
10. Veterinary-hospital.
11. Accessory buildings and uses customarily incidental to the above.

16-4 Height Regulations

No building may exceed two and one-half (2 1/2) stories or thirty (30) feet in height, nor be less than one (1) story for any dwelling.

16-5

Area, Width, and Yard Regulations

Setback Requirements

District	Acre	Width	Front	Side	Rear
A-1	1 Acre	100'	25	15 & 20	25
A-5	5 Acres	150'	25	15 & 20	25
A-10	10 Acres	200'	25	15 & 20	25
A-20	20 Acres	300'	25	15 & 20	25

16-6

Modifying Regulations

1. Side Yards - On corner lots, the side yard which faces on a street shall be not less than twenty-five (25) feet.
2. Rear Yards - All accessory buildings located at the rear of and at least ten (10) feet from the main building shall have a rear yard of ten (10) feet.

16-7

Other Provisions

Any building or structure in which animals or fowl or other household pets are maintained shall be at least one hundred (100) feet from any dwelling, public use or quasi-public use.

Chapter 17. RESIDENTIAL AGRICULTURE DISTRICT RA

17-1 Purpose

To promote and preserve in appropriate areas conditions favorable to large-lot family life, the keeping of limited numbers of animals and fowl, and reduced requirements for public utilities. This district is intended to be primarily residential in character and protected from encroachment by commercial and industrial use.

17-2 Permitted Uses

1. Single-family dwelling.
2. Animals and fowl for recreation or for the production of family food for the use of the persons living on the premises.
3. Household pets.
4. The tilling of the soil, the raising of crops, horticulture, and gardening.
5. Private stable, corral, chicken coop, or pen.
6. Accessory uses and buildings customarily incidental to the above.

17-3 Conditional Uses

1. Airport, public.
2. Cemetery.
3. Home occupation.
4. Kennel.
5. Nursery or greenhouse, excluding any building or structure for retail sales separate from the greenhouse growing facility.
6. Grazing of livestock.
7. Ranch buildings and structures.
8. Public stable.
9. Public use, quasi-public use, essential services.
10. Radio or television transmitters and relay station or tower.
11. Raising academy or riding ring.
12. Accessory uses and buildings customarily incidental to the above.

17-4 Height Regulations

No building may exceed two and one-half (2 1/2) stories or thirty (30) feet in height, nor be less than one (1) story in height for dwellings.

17-5 Area, Width, and Yard Regulations

Yards in Feet

District	Acre	Width	Front	Side	Rear
FR-5	1/2 Acre	80'	25	8 & 10	10
FR-1	1 Acre	100'	25	15 & 15	25
FR-5	5 Acres	150'	25	15 & 15	25

17-6 Modifying Regulations

1. Side Yards - On corner lots, the side yard which faces on a street shall be not less than twenty-five (25) feet.
2. Rear Yards - All accessory buildings shall be located at the rear of and at least ten (10) feet from the main building and shall have a rear yard of ten (10) feet.

17-7 Other Provisions

Any stable, corral, chicken coop, or pen in which animals or fowl are maintained shall be at least fifty (50) feet from any street, dwelling, public use or quasi-public use.

Chapter 18. SINGLE FAMILY RESIDENTIAL R-1

18-1 Purpose

To provide areas for medium and low density, single-family neighborhoods of spacious and uncrowded character.

18-2 Permitted Uses

1. Single-family dwellings.
2. Household pets.
3. The tilling of the soil, the raising of crops, horticulture and gardening.
4. Animals and fowl for recreation or for the production of family food for the use of the persons living on the premises, as long as there are not more than two (2) large animals (horses, or livestock, etc.) excluding pigs, on a lot no smaller than one-half (1/2) acre.
5. Accessory buildings and uses customarily incidental to the permitted and conditional uses allowed herein.

18-3 Conditional Uses

1. Cemetery.
2. Child day care or nursery.
3. Church.
4. Cluster subdivision of single-family dwellings, provided that the residential density is not increased to allow more than one (1) dwelling for each parcel which is seventy-five (75) percent of the square feet required by the district for single-family dwellings, and that the total area of the subdivision cluster be not less than five (5) acres, and that at least one-third (1/3) of the total area of the subdivision be reserved or dedicated as a permanent open space for common use of the residents, under Planned Unit Development approval.
5. Golf course.
6. Home occupation.
7. Private recreational grounds and facilities, not open to the general public, and to which no admission charge is made.
8. Public and quasi-public buildings and uses.
9. Large animals exceeding two per one-half (1/2) acre lot.
10. Accessory uses and buildings customarily incidental to the above.

³ Amended March 6, 1995

18-4 Height Regulations

No building shall be erected to a height greater than two and one-half (2 1/2) stories or thirty-five (35) feet, and no dwelling structure shall be erected to a height less than one (1) story.

18-5 Area, Width and Yard Regulations

Yards in Feet

District	Area	Width	Front	Side	Rear
R-1-8	8,000 sq'	70'	25	8 & 10	10
R-1-10	10,000 sq'	80'	25	8 & 10	10
R-1-12	12,000 sq'	80'	25	8 & 10	10
R-1-20	20,000 sq'	100'	30	10 & 10	20
R-1-40	40,000 sq'	120'	50	15 & 15	20

18-6 Modifying Regulations

1. Side Yards - Main buildings other than dwellings shall have a minimum side yard of twenty (20) feet and the total of the two (2) side yards shall be forty (40) feet. Private garages and other accessory buildings located at least ten (10) feet behind the main building may have a side yard of two (2) feet except that the street side yard of a corner lot shall be the front yard setback required for that district.
2. Rear Yards - Private garages and accessory buildings located at least ten (10) feet behind the main building may have a rear yard of two (2) feet provided that on corner lots rearing on the side of another lot the minimum rear yard for all buildings shall be the same as the minimum side yard requirement of the zoning district.

Chapter 19. MULTIPLE FAMILY RESIDENTIAL DISTRICT R

19-1 Purpose

To provide areas for high residential density with the opportunity for varied housing styles and character.

19-2 Permitted Uses

1. Single-family dwelling.
2. Two-family dwelling.
3. Multiple family dwelling.
4. Household pets.
5. Accessory buildings and uses customarily incidental to the permitted and conditional uses allowed herein.

19-3 Conditional Uses

1. Three-family dwelling.
2. Cluster subdivision, subject to Planned Unit Development approval.
3. Church.
4. Home occupation.
5. Public and quasi-public buildings and uses.

19-4 Height Regulations

No building shall be erected to a height greater than two and one-half (2 1/2) stories or thirty-five (35) feet, and no dwelling structure shall be erected to a height less than one (1) story.

19-5 Area, Width and Yard Requirements

Yards in Feet

District	Area	Width	Front	Side	Rear
R-M	8,000 sq'	70'	25	8 & 10	20

19-6 Modifying Regulations

1. Area - The minimum lot area shall be eight thousand (8,000) square feet for each one-family dwelling, with three thousand (3,000) square feet for each additional dwelling unit.

2. Side Yard - Private garages and other accessory buildings located at least ten (10) feet behind the main building may have a side yard of two (2) feet except that the street side yard of a corner lot shall be the same as the front yard setback required for that district.

3. Rear Yard - Private garages and accessory buildings located at least ten (10) feet behind the main building may have a rear yard of two (2) feet provided that on corner lots with rear yards that abut the side yard of another lot the minimum rear yard for all buildings shall be the same as the minimum side yard requirement of the zoning district.

Chapter 20 NEIGHBORHOOD COMMERCIAL DISTRICT C-N

20-1 Purpose

To provide areas in appropriate locations where convenience buying outlets may be established to serve surrounding residential neighborhoods. The regulations of this district are designed to promote a combination of retail and service facilities which in character and scale are necessary to meet day-to-day needs of area residents.

20-2 Permitted Uses

All uses subject to Conditional Use Permit.

20-3 Conditional Uses

1. Grocery store.
2. Drug store.
3. Bakery.
4. Beauty shop.
5. Barber shop.
6. Ice cream store.
7. Variety store.
8. Medical and dental offices.
9. Professional utilities.
10. Public utilities.
11. Accessory buildings and uses.
12. Other uses approved by the planning commission as being in harmony with the intent of the neighborhood commercial zone and similar in nature to the above listed uses.

20-4 Height Regulations

No building shall be erected to a height greater than two and one-half (2 1/2) stories or thirty-five (35) feet without a Conditional Use Permit.

20-5

Area, Width, and Yard Regulations

Yards in Feet

District	Area	Width	Front	Side	Rear
CN	1 acre	None	20	None, except 10' where side yard abuts an agriculture or residential zone, and 20' where side yard is adjacent to a street.	None, except 10' where side yard abuts a residential or agricultural zone.

Chapter 21 GENERAL COMMERCIAL DISTRICT C-3

21-1 Purpose

To provide appropriate areas where heavy commercial activities may be established, maintained, and protected.

21-2 Permitted Uses

All permitted uses subject to Conditional Use Permit.

21-3 Conditional Uses

1. Automobile, truck trailer and farm and construction equipment sales, rental and service stations.
2. Building material sales yards, but not including ready-mix concrete or hot mix asphalt plants.
- 3✓ Public utility buildings and service yards.
4. Carpenter, electrical, plumbing or heating shops; printing and publishing or lithographic shops; furniture upholstering shops.
5. Nurseries, greenhouses, and fruit stands.
6. Bakery, laundry, cleaning and dyeing establishment.
7. Any other commercial uses or service establishment determined by the planning commission to be of the same general character as the above uses.
8. Accessory buildings and uses customarily incidental to the above uses.
9. Mortuary.
10. Animal hospital, veterinary clinic.
11. Public or quasi-public uses.
12. Commercial recreation uses.
13. Any permitted use occupying one acre or more.
14. 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 provided that all uses be conducted within buildings.
15. Business and technical schools, and schools and studios for photography, art, music and dance.
- 16✓ Garages for storage of automobiles, commercial parking lots.
17. Hotels and motels.
18. New car dealers.
- 19✓ Garages for repair of automobiles.

21-4 Height Regulations

No building or structure shall be erected to a height greater than two and one-half (2 1/2) stories or thirty-five (35) feet unless one (1) foot is added to each side yard for each two (2) feet the building exceeds thirty-five (35) feet in height.

21-5 Area, Width, and Yard Regulations

Yards in Feet

District	Area	Width	Front	Side	Rear
C-3	None	None	None except when abutting an "R" zone, then 25 feet.	None except when abutting an "R" zone, then 10' and 20' when abutting a street.	None except when abutting an "R" zone, then 10 feet.

Chapter 22 HIGHWAY COMMERCIAL ZONE H-C

22-1 Purpose

To provide commercial areas on major highways for the location of travel service and highway oriented commercial uses.

22-2 Permitted Uses

All permitted uses subject to Conditional Use Permit.

22-3 Conditional Uses

1. Restaurant or drive-in cafe.
2. Motels.
3. Manufactured home sales.
4. Overnight camping facilities.
5. Automobile service station, auto accessories.
6. Accessory buildings and uses.

22-4 Height Regulations

No building or structure shall be erected to a height greater than two and one-half (2 1/2) stories or thirty-five (35) feet.

22-5 Area, Width and Yard Regulations

Yards in Feet

District	Area	Width	Front	Side	Rear
H-3	20,000 sq'	None	20	None, except 10' where side yard abuts an agricultural or residential zone; 20' when abutting a street	None, except 10' where rear yard abuts an agricultural or residential zone.

Chapter 23. INDUSTRIAL ZONE I-1

23-1 Purpose

To provide areas where industries necessary and beneficial to the local economy may locate and operate the I-1 zone is intended to provide for the development of industrial use which do not in their maintenance, assembly, manufacture or planned operation create smoke, gas, odor, dust, sound, vibration, smut, or lighting to any degree which might be obnoxious or offensive to persons residing in or conducting business in either this or any other zone.

23-2 Permitted Uses

All permitted uses subject to Conditional Use Permit.

23-3 Conditional Uses

1. Manufacturing-Processing. Includes establishment primarily engaged in processing, packaging or treatment of the following products:
 - a. Bakery goods, production and distribution.
 - b. Cosmetics and toiletry, production and processing.
 - c. Optical goods.
 - d. Pharmaceutical.
 - e. Soft drinks, bottling and distribution.
 - f. Vitamin processing.
 - g. Other uses similar to the above and judged by the planning commission to be in harmony with the character and intent of this zone.

2. Manufacturing-Assembly. Establishments that are primarily engaged in the assembly and fabrication of goods from the following process materials:
 - a. Cellophane.
 - b. Canvas.
 - c. Cloth.
 - d. Felt.
 - e. Fiber.
 - f. Fur.
 - g. Glass.
 - h. Leather.
 - i. Paper.
 - j. Precious or semi-precious stones or metals (Jewelry).
 - k. Plastics.
 - l. Rubber.

- m. Textiles.
 - n. Wood.
 - o. Yarn.
 - p. Other uses similar to the above and judged by the planning commission to be in harmony with the character and intent of this zone.
3. Wholesale-Warehouse and Distribution.
- a. Contractor's storage yards.
 - b. Dairy products.
 - c. Food and vegetable wholesale.
 - d. Parcels delivery service.
 - e. Road equipment yards.
 - f. Furniture warehouse.
 - g. General warehouse.
 - h. Wholesale brokers, jobbers and distributors.
 - i. Other uses similar to the above and judged by the planning commission to be in harmony with the character and intent of this zone.
4. Other conditional uses.
- a. Cabin and carpenter shops.
 - b. Electrical appliance and other specialized electrical equipment.
 - c. Laboratories, experimental and research.
 - d. Laboratories, physical and chemical testing and dental.
 - e. Packaging business.
 - f. Scientific equipment assembly.
 - g. Automobile salvage and wrecking operations and industrial metal, rag, glass or paper salvage operations provided that all operations are conducted within a solid view-obscuring wall or fence not less than eight (8) feet in height.
 - h. Other uses similar to the above and judged by the planning commission to be in harmony with the character and intent of this zone.

23-4 Height Regulations

Building and structures shall have a height not greater than sixty (60) feet without a Conditional Use Permit and certified by a structural engineer. Within one hundred (100) feet of the boundary of any adjoining zone, no building shall exceed a height limit established for main buildings in such adjoining zone.

23-5 **Area, Width and Yard Regulations**

None, except that for any parcel in the I-1 zone having a lot line in common with a lot in an adjoining zone or lying across the street or alley from such adjoining zone, the front, side and rear yards as prescribed for such adjoining zone shall be maintained in the I-1 zone.

23-6 **Modifying Regulations**

1. All processing assembly of goods shall be conducted completely within a building that is enclosed on all four sides, unless otherwise specified.
2. All buildings which house the processing and/or assembly of goods shall be located not less than one hundred (100) feet from any residential zone boundary.
3. Outdoor storage of materials or semi-finished or finished goods shall not be located within one hundred (100) feet of any residential zone boundary.

Chapter 24 SINGLE-FAMILY OR TWO-FAMILY DWELLING STANDARDS - DS

24-1 Purpose

All manufactured homes located outside manufactured home parks are defined as single-family or two-family dwellings and must be installed on an approved permanent foundation system. Any detached single-family or two-family dwellings located on an individual lot outside of a manufactured home park must meet the off-street parking requirements in Chapter 6-4 of the Town of Minersville Zoning Ordinance and the following standards in addition to any others required by law.

1. The dwelling must meet the Uniform Building Code or, if it is a manufactured home, it must be certified under the National Manufactured Housing Construction and Safety Standards Act established by the U.S. Congress and must have been issued an insignia and approved by the U.S. Department of Housing and Urban Development and must not have been altered in violation of such codes. A used manufactured home must be inspected by a Minersville building official prior to placement on a lot to ensure it has not been altered in violation of such codes.
2. The building inspector shall determine that the subject lot together with the used or new proposed manufactured home meet all zoning regulations and shall be architecturally and aesthetically compatible and harmonious with surrounding development in the vicinity. Only one (1) manufactured home shall be placed on only one (1) parcel.
3. Manufactured homes as defined here as single-family dwellings which are located outside of a manufactured home park are permitted as of February 10, 1993, in the following Town of Minersville Zoning Districts:
 - a. Agricultural District - A;
 - b. Residential Agriculture District - RA;
 - c. Single-Family Residential - R-1; and
 - d. Multiple Family Residential District - R.

Two-family dwellings are permitted in the Multiple Family Residential District (R-3); and single-family and two-family dwellings are conditional uses in the Multiple Use District MU-10.

4. The dwelling must be taxed as real property. If the dwelling is a manufactured home, an affidavit must be filed with the State Tax Commission pursuant to Utah Code Annotated 59-2-602.

5. The dwelling must be permanently connected to and approved for all required utilities.
6. The dwelling must provide a minimum of seventy-two (72) square feet (per dwelling unit) of enclosed storage with a minimum height of six (6) feet located in the basement or garage area or in an accessory storage structure. Said structure shall conform to all applicable building codes.
7. The dwelling must be attached to a site built permanent foundation which meets the Uniform Building Code or if the dwelling is a manufactured home, the installation must meet the ICBO Guidelines for Manufactured Housing Installations including any successors to these standards and the space beneath the structure must be enclosed at the perimeter of the dwelling in accordance with said ICBO guidelines and constructed of materials that are weather resistant and aesthetically consistent with concrete or masonry type foundation materials. At each exit door there must be a landing that is a minimum of thirty-six (36) inches by thirty-six (36) inches and is constructed to meet the requirements of the Uniform Building Code. All manufactured home running gear, tongues, axles, and wheels must be removed at the time of installation.
8. At least sixty percent (60%) of the roof of the dwelling must be pitched at a minimum of 1.4 and shall have a roof surface of wood shakes, asphalt, composition, wood shingles, concrete, fiberglass, metal tiles, slate or built up gravel materials.
9. The dwelling shall have exterior siding material consisting of wood, masonry, concrete, stucco, Masonite, non-reflective aluminum, metal, vinyl lap or any material meeting the Uniform Building Code or materials of like appearance approved by the building inspector. All siding shall be non-reflective and shall be installed from the ground up to the roof. The roof overhang must not be less than one (1) foot, including rain gutters which may account for up to four (4) inches of overhang, measured from the vertical side of the dwelling. The roof overhang requirement shall not apply to areas above porches, alcoves and other appendages which together do not exceed twenty-five percent (25%) of the length of the dwelling.
10. The width of the dwelling shall be at least twenty feet (20') at the narrowest point for any story at a length of at least twenty feet (20') exclusive of any garage area. The width shall be considered the lesser of the two primary dimensions. Factory built or manufactured homes shall be multiple transportable sections at least ten feet (10') wide unless transportable in three (3) or more sections in which case only one (1) section need be ten feet (10') wide.

11. The applicant must meet the above conditions to erect a single-family dwelling or two-family dwelling defined as manufactured home located outside a manufactured park. The determination of the building inspector may be appealed to the board of adjustment pursuant to the provisions of Chapter 2-4 of the Town of Minersville Zoning Ordinance.
12. The use of one (1) manufactured home as a dwelling on a parcel of land located outside of a manufactured home park prior to the initiation and/or enactment of this Ordinance by the Town of Minersville which use does not meet the requirements set forth in Subsections A through K herein shall be considered as a nonconforming dwelling if such manufactured home and the parcel upon which it is located comes into compliance by February 10, 1994, with all development standards within this zoning ordinance which would have been applicable to a single-family dwelling located on such parcel at the time the manufactured home was first used on the parcel as a dwelling.
13. Replacement of an existing nonconforming manufactured home on a lot outside a manufactured home park shall comply with all requirements herein.