



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

007
[Handwritten signature]

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INSPECTION REPORT

INSPECTION DATE & TIME: June 22, 1992
2:30 P. M. - 3:30 P. M.

Permittee and/or Operator's Name: Summit Minerals, Inc.
Business Address: 221 W. 2100 S., Salt Lake City, UT 84115
Phone: (801) 486-1861
Mine Name: Summit #1 Permit Number: INA/043/001
Type of Mining Activity: Underground X Surface Other
County: Summit Company Official(s): None
State Officials(s): Priscilla Burton
Federal Official(s): None
Partial: Complete X Date of last Inspection: 5/22/92
Weather Conditions: clear, 90°F
Acreage: Permitted 0 Disturbed 16 Regraded
Seeded Bonded 16 Enforcement Action: None

COMPLIANCE WITH PERMITS AND PERFORMANCE STANDARDS

	YES	NO	N/A	COMMENTS
1. PERMITS	(X)	()	()	()
2. SIGNS AND MARKERS	(X)	()	()	()
3. TOPSOIL	(X)	()	()	()
4. HYDROLOGIC BALANCE:				
a. STREAM CHANNEL DIVERSIONS	()	()	(X)	()
b. DIVERSIONS	(X)	()	()	()
c. SEDIMENT PONDS AND IMPOUNDMENTS	(X)	()	()	()
d. OTHER SEDIMENT CONTROL MEASURES	(X)	()	()	()
e. SURFACE AND GROUNDWATER MONITORING	()	()	(X)	()
f. EFFLUENT LIMITATIONS	()	()	(X)	()
5. EXPLOSIVES	()	()	(X)	()
6. DISPOSAL OF DEVELOPMENT WASTE & SPOIL	()	()	(X)	()
7. COAL PROCESSING WASTE	()	()	(X)	()
8. NONCOAL WASTE	()	(X)	()	()
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	(X)	()	()	()
10. SLIDES AND OTHER DAMAGE	()	()	(X)	()
11. CONTEMPORANEOUS RECLAMATION	()	()	(X)	()
12. BACKFILLING AND GRADING	()	()	(X)	()
13. REVEGETATION	()	()	(X)	()
14. SUBSIDENCE CONTROL	()	()	(X)	()
15. CESSATION OF OPERATIONS	(X)	()	()	()
16. ROADS				
a. CONSTRUCTION	()	()	(X)	()
b. DRAINAGE CONTROLS	()	(X)	()	()
c. SURFACING	()	()	(X)	()
d. MAINTENANCE	()	()	(X)	()
17. OTHER TRANSPORTATION FACILITIES	()	()	(X)	()
18. SUPPORT FACILITIES				
UTILITY INSTALLATIONS	(X)	()	()	()

INSPECTION REPORT

(Continuation sheet)

Page 2 of 3

PERMIT NUMBER: INA/043/001

DATE OF INSPECTION: 6/22/92

(Comments are Numbered to Correspond with Topics Listed Above)

GENERAL COMMENT:

The gate was securely closed. The site remains idle. No new disturbances were noted.

AVS CHECK

The sign at the site reflects the address listed for the Applicant in the revised MRP (1986): *Summit Minerals, Inc.; 221 West 2100 South; Salt Lake City UT 84115*

Presently, the owner of the coal lease and surface property is
Keith H. Bates
Keith H. Bates Investment Co.
940 Donner Way, #690
SLC UT 84108

The Plat map for Sec 26, T3N, R6E shows surface ownership within the disturbed area boundary to be

David and Beverly Dawes
7855 South 155 E
Sandy UT 84070

and Fern J. Boyer, et al
5050 Ben Lomond Ave
Ogden UT 84404

1. PERMITS

A 50 acre parcel of land near Wallsburg, UT was posted as bond for this property. The land is covered with scrub oak and sagebrush, not suitable for pasture but "okay" range. The adjacent property sold for \$200.00/acre. Sale of the bonded land is hindered by the following:

1. The land is zoned G-1 (Grazing) and RF-1 (Recreation and Forestry).
2. The land is 3,000 feet from power and has no other utilities.
3. There is no right-of-way to the land, a ROW must be specifically granted.

INSPECTION REPORT

(Continuation sheet)

Page 3 of 3

PERMIT NUMBER: INA/043/001

DATE OF INSPECTION: 6/22/92

4. A well permit could be applied for, but would likely be fought by the Provo River Water Users Assoc., because of the location 300' above the valley floor. The land is zoned for water reservoirs, water wells, ponds, dams (see "Use Requirements" of Wasatch County Zoning G-1 and RF-1 Zones, attached).

5. A building permit can be allowed only if agricultural use can be established in accordance with paragraph 10.28 of code (Wasatch County Zoning paragraph 10-28, Agricultural Land for Agricultural Purposes, attached).

(Personal communications from: Ed Felt, Div Water Rights; Robert Mathis, Wasatch County Planner; and 1991 correspondence from Dick Mercer, State Lands.)

A copy of the applicable zoning regulations is attached with this report. The land has many potential agricultural and industrial uses. Any planned recreation development must contain at least 160 acres. Any single dwelling must be associated with an agricultural or industrial use. Zoning rules for Residential Agricultural Zones 1 through 3 are attached. In RA 1 - 3, family dwellings are allowed. If this land could be rezoned RA 1, 2 or 3, a sale might be more feasible.

Copy of this Report:

Mailed to: Brian Smith(OSM); Keith Bates Investment Co.

Given to: Santa, Daron Haddock, DOGM; Joe Helfrich, DOGM

Inspector's Signature & Number: *Priscilla Burton* #37

Date: June 22, 1992

Items included in this packet are listed in the Table of Contents

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8-4 RA-1 Residential Agricultural Zone

8-4-1 Intent

The specific intent in establishing this zone is:

- A. to provide a place in the county where dwellings may be constructed that are served by a publicly owned central sewage system and to encourage the expansion of publicly owned sewerage system into areas surrounding existing publicly owned systems.
- B. to facilitate the provision for essential services needed by the residents within urbanizing areas of the County, particularly sewerage and culinary water service, through the instrumentality of a special service district, and
- C. to facilitate payment for services rendered to residential development for street maintenance, fire and police protection, health and sanitation services, etc., through the instrumentality of County urban service areas.

In order to accomplish the objectives and purposes of this Code and to carry out the foregoing, the following regulations shall apply in the RA-1 Residential Agricultural Zone.

8-4-2 Use Requirements

The following buildings, structures, and uses of land shall be permitted in the RA-1 Residential Agricultural Zone upon compliance with requirements set forth in this Code.

- A. One-family dwellings and buildings accessory thereto, including a private garage, private swimming pool, and tennis courts.
- B. Home occupations and premises occupations.
- C. Schools, churches, public agency parks and playgrounds, arboretums, public buildings.
- D. The raising, care and keeping of domestic animals and fowl for personal or family use and consumption, but not for sale or barter, provided that no cattle, sheep, horse, or pig shall be kept on lots containing less than one (1) acre of land.
- E. Farm machinery, storage sheds.

- F. Barns, corrals, pens, coops, sheds and feed storage buildings for the keeping of animals and fowl and the storage of farm products, provided uses for the care and keeping of livestock and fowl are located at least one hundred (100) feet from the front property line.
- G. Small animal hospitals without outside runs or pens.
- H. Day-care nurseries and foster, family and youth care homes, which have been approved by the County and State Health Department.
- I. Planned residential developments, combined developments, planned subdivisions, and planned mobile home condominium developments relating to applicable large scale development standards as set forth in Chapter 9 of this Code.
- J. Fences, walls and hedges. Also, mobile home parks subject to provisions of Paragraph 10-41.
- K. Water reservoirs, water wells, ponds, dams, water pumping plants, flood control structures, water transmission lines and buildings accessory thereto.
- L. Accessory signs not exceeding fifteen (15) square feet in area pertaining to the sale of property or produce raised on the premises, also name plates not exceeding 226 square inches in area.
- M. Temporary buildings and yards for the storage of construction materials and equipment incidental and necessary to construction of uses otherwise permitted in the zone, subject to requirements set forth in Paragraph 10-33 of this Code.
- N. Cemeteries, public and private, subject to the laws of the State of Utah when approved by the Board of Adjustment.
- O. Electrical power transmission lines under 260 KVA.
- P. Electrical power transmission lines having a capacity of 260 KVA and over, oil and gas transmission lines, subject to review and approval of the Planning Commission as set forth in Paragraph 10-26 of this Code.
- Q. Sewage treatment plants subject to review and approval by the State Division of Health.

8-4-3 Area and Density Requirements

The minimum building site area shall be one recorded lot or parcel of land not less than one-half acre in area for each one-family dwelling that is connected to a publicly owned sewerage system, and not less than one acre in area

for each day-care center, foster, family or youth care home and one-family dwelling that is not connected to a publicly owned sewerage system. Notwithstanding the foregoing area requirements, the density within a planned residential development in this zone shall conform to the density requirements set forth in Section 9-2-E4a.

8-4-4 Location Requirements

The minimum width requirements for any building site shall be one hundred (100) feet on a public street, except when a building site is included in an approved planned residential development or planned subdivision.

8-4-5 Location Requirements

- A. Front Setback--All buildings and structures shall be set back at least thirty (30) feet from the front lot line, or sixty (60) feet from the center line of the road right-of-way, whichever is the greater distance, except as required in Paragraph 10-11 of this Code.
- B. Side Setback--All dwellings shall be set back from the side property line a distance of at least ten (10) feet, and the total distance of the two side setbacks shall be at least twenty-four (24) feet. The minimum side setback for accessory buildings shall be the same as for main buildings, except that a three (3) foot side setback shall be required for accessory buildings which are located more than one hundred (100) feet from the front lot line and at least twelve (12) feet in the rear of any dwelling. On corner lots, the side setback from any street shall not be less than thirty (30) feet for both main and accessory buildings.
- C. Rear Setback--For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least thirty (30) feet. Accessory buildings on interior lots shall be set back not less than ten (10) feet from the rear property line, except that no rear setback shall be required for accessory buildings having fire-resistive walls of two (2) hours or more. For corner lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least thirty (30) feet. Accessory buildings on corner lots shall be set back from the rear property line a distance of not less than three (3) feet.

8-4-6 Height Requirements

The maximum height of any dwelling shall be twenty (20) feet and the minimum height of any dwelling shall be eight (8) feet. Chimneys, flag poles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height, except as required in Paragraph 10-14 of this Code.

8-4-7 Special Provisions

The following special provisions shall apply in this zone in order to carry out the intent of this Code.

- A. For the purpose of determining front, side, and rear setback requirements, any separate building situated within twelve (12) feet from a dwelling or other main building shall be considered as a part of the main building and not as an accessory building.
- B. No dwelling or other building to be occupied by humans shall be constructed within this zone unless it is connected to and is served by a publicly owned or controlled sewerage system, except that such buildings which are located over 300 feet from the nearest available public sewer shall be permitted subject to the provisions of the RA-2 Zone.

8-5-1 Intent

The specific intent in establishing this zone is:

- A. to provide the most appropriate location in the unincorporated part of the County for residential development,
- B. to facilitate the provision for essential services needed by the residents within urbanizing areas of the County, particularly sewerage and culinary-water service district, and
- C. to facilitate payment for services rendered to residential development for street maintenance, fire and police protection, health and sanitation service, etc., through the instrumentality of County urban service areas.

In order to accomplish the objectives and purpose of this Code and to carry out the foregoing, the following regulations shall apply in the RA-2 Residential Agricultural Zone.

8-5-2 Use Requirements

The following buildings, structures, and uses of land shall be permitted in the RA-2 Residential Agricultural Zone upon compliance with requirements set forth in this Code.

- A. One-family dwellings and buildings accessory thereto, including a private garage, private swimming pool, and tennis courts.
- B. Home occupations and premises occupations.
- C. Schools, churches, public agency parks and playgrounds, arboretums, public buildings.
- D. The raising, care and keeping of domestic animals and fowl for personal or family use and consumption, but not for sale or barter, provided that no cattle, sheep, horse or pig shall be kept on lots containing less than one (1) acre of land.
- E. Farm machinery, storage sheds.
- F. Barns, corrals, pens, coops, sheds and feed storage buildings for the keeping of animals and fowl and the storage of farm products, provided uses for the care and keeping of livestock and fowl are located at least one hundred (100) feet from the front property line.

- G. Small animal hospitals without outside runs.
- H. Day-care nurseries and foster, family and youth care homes, which have been approved by the County and State Health Department.
- I. Planned residential developments and planned subdivisions subject to applicable large scale development standards as set forth in Chapter 9 of this Code.
- J. Fences, walls, and hedges. Also, mobile home parks subject to provisions of Paragraph 10-41.
- K. Water reservoirs, water wells, ponds, dams, water pumping plants, flood control structures, water transmission lines and buildings accessory thereto.
- L. Accessory signs not exceeding fifteen (15) square feet in area pertaining to the sale of property or produce raised on the premises, also name plates not exceeding 226 square inches in area.
- M. Temporary buildings and yards for the storage of construction materials and equipment incidental and necessary to construction of uses otherwise permitted in the zone, subject to requirements set forth in Paragraph 10-33 of this Code.
- N. Cemeteries, public and private, subject to the laws of the State of Utah when approved by the Board of Adjustment.
- O. Electrical power transmission lines under 260 KVA.
- P. Electrical power transmission lines having a capacity of 260 KVA and over, oil and gas transmission lines, subject to review and approval of the Planning Commission as set forth in Paragraph 10-26 of this Code.
- Q. Sewage treatment plants subject to review and approval by the State Division of Health.

8-5-3 Area and Density Requirements

The minimum building site area shall be one recorded lot or parcel of land not less than one acre in area for each one-family dwelling, day care center, foster, family or youth care home. Notwithstanding the foregoing area requirements, the density within a planned residential development in this zone shall conform to the density requirements set forth in Section 9-2E4a.

8-5-4 Width Requirements

The minimum width requirements for any one-family dwelling shall be two hundred (200) feet on a public street, except when a building site is included in an approved planned subdivision.

8-5-5 Building Location Requirements

- A. Front Setback--All buildings and structures shall be set back at least thirty (30) feet from the front lot line, or sixty (60) feet from the center line of the road right-of-way, whichever is the greater distance, except as required in Paragraph 10-11 of this Code.
- B. Side Setback--All dwellings shall be set back from the side property line a distance of at least ten (10) feet, and the total distance of the two side setbacks shall be at least twenty-four (24) feet. The minimum side setback for accessory buildings shall be the same as for main buildings, except that a three (3) foot side setback shall be required for accessory buildings which are located more than one hundred (100) feet from the front lot line and at least twelve (12) feet in the rear of any dwelling. On corner lots, the side setback from any street shall not be less than thirty (30) feet for both main and accessory buildings.
- C. Rear Setback--For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least thirty (30) feet. Accessory buildings on interior lots shall be set back not less than ten (10) feet from the rear property line, except that no rear setback shall be required for accessory buildings having fire-resistive walls of two (2) hours or more. For corner lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least thirty (30) feet. Accessory buildings on corner lots shall be set back from the rear property line a distance of not less than three (3) feet.

8-5-6 Height Requirements

The maximum height of any dwelling shall be twenty (20) feet and the minimum height of any dwelling shall be eight (8) feet. Chimneys, flag poles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height, except as required in Paragraph 10-14 of this Code.

5-7 Special Provisions

The following special provisions shall apply in this zone in order to carry out the intent of this Code.

- A. For the purpose of determining front, side, and rear setback requirements, any separate building situated within twelve (12) feet from a dwelling or other main building shall be considered as a part of the main building and not as an accessory building.

8-6 RA-3 Residential Agricultural Zone

8-6-1 Intent

The separate intent in establishing this zone is:

- A. to provide a place where dwellings may be constructed associated with the raising of livestock in unlimited numbers,
- B. to facilitate the provision for essential services needed by the residents within urbanizing areas of the county, particularly sewerage and culinary water service, through the instrumentality of a special service district, and
- C. to facilitate payment for services rendered to residential development for street maintenance, fire and police protection, health and sanitation service, etc., through the instrumentality of county urban service areas.

In order to accomplish the objectives and purposes of this Code and to carry out the foregoing, the following regulations shall apply in the RA-3 Residential Agricultural Zone.

8-6-2 Use Requirements

The following buildings, structures, and uses of land shall be permitted in the RA-3 Residential Agricultural Zone upon compliance with requirements set forth in this Code.

- A. One-family dwellings and buildings accessory thereto, including a private garage, private swimming pool, and tennis courts.
- B. Home occupations and premises occupations.
- C. Schools, churches, public agency parks and playgrounds, arboretums, public buildings.
- D. The raising, care and keeping of domestic animals and fowl for the purposes of commercial, agricultural or for personal or family use, provided that no cattle, sheep, horse or pig shall be kept on lots containing less than one (1) acre of land.
- E. Farm machinery, storage sheds.

- F. Barns, corrals, pens, coops, sheds and feed storage buildings for the keeping of animals and fowl and the storage of farm products, provided uses for the care and keeping of livestock and fowl are located at least one hundred (100) feet from the front property line.
- G. Small animal hospitals.
- H. Day-care nurseries and foster, family and youth care homes, which have been approved by the County and State Health Department.
- I. Planned residential developments and planned subdivisions subject to applicable large scale development standards as set forth in Chapter 9 of this Code.
- J. Fences, walls and hedges.
- K. Water reservoirs, water wells, ponds, dams, water pumping plants and pipelines, flood control structures, water transmission lines and buildings accessory thereto.
- L. Accessory signs not exceeding fifteen (15) square feet in area pertaining to the sale of property or produce raised on the premises, also name plates not exceeding 226 square inches in area.
- M. Temporary buildings and yards for the storage of construction materials and equipment incidental and necessary to construction of uses otherwise permitted in the zone, subject to requirements set forth in Paragraph 10-33 of this Code.
- N. Cemeteries, public and private, subject to the laws of the State of Utah when approved by the Board of Adjustment.
- O. Power transmission lines having a capacity of 260 KVA and over, oil and gas transmission lines, subject to review and approval of the Planning Commission as set forth in Paragraph 10-26 of this Code.
- P. Mobile home parks subject to provisions of Paragraph 10-41.
- Q. Sewage treatment plants subject to review and approval by the State Division of Health.
- R. Solid Waste disposal sites subject to the provisions of section 10-24 of this Code.

8-6-3 Area Requirements

The minimum building site area shall be one recorded lot or parcel of land not less than one acre in area for each one-family dwelling, day care center, foster, family or youth care home. Notwithstanding the foregoing area requirements, the density within planned residential developments shall conform to the density requirements set forth in Section 9-2E4a.

8-6-4 Width Requirements

The minimum width requirements for any one-family dwelling shall be two hundred (200) feet on a public street.

8-6-5 Location Requirements

- A. Front Setback--All buildings and structures shall be set back at least thirty (30) feet from the front line, or sixty (60) feet from the center line of the road right-of-way, whichever is the greater distance, except as required in Paragraph 10-11 of this Code.
- B. Side Setback--All dwellings shall be set back from the side property line a distance of at least ten (10) feet, and the total distance of the two side setbacks shall be at least twenty-four feet. The minimum side setback for accessory buildings shall be the same as for main buildings, except that a three (3) foot side setback shall be required for accessory buildings which are located more than one hundred (100) feet from the front line and at least twelve (12) feet in the rear of any dwelling. On corner lots, the side setback from any street shall not be less than thirty (30) feet for both main and accessory buildings.
- C. Rear Setback--For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least thirty (30) feet. Accessory buildings on interior lots shall be set back not less than ten (10) feet from the rear property line, except that no rear setback shall be required for accessory buildings having fire-resistive walls of two (2) hours or more. For corner lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least thirty (30) feet. Accessory buildings on corner lots shall be set back from the rear property line a distance of not less than three (3) feet.

8-6-6 Height Requirements

The maximum height of any dwelling shall be twenty (20) feet and the minimum height of any dwelling shall be eight (8) feet. Chimneys, flag poles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height, except as required in Paragraph 10-14 of this Code.

8-6-7 Special Provisions

The following special provisions shall apply in this zone in order to carry out the intent of this Code.

- A. For the purpose of determining front, side, and rear setback requirements, any separate building situated within twelve (12) feet from a dwelling or other main building shall be considered as a part of the main building and not as an accessory building.

8-2-1 Intent

The specific intent in establishing this zone is:

- A. to protect the County's grazing and forestry land,
- B. to promote the raising and keeping of domestic livestock and related uses on such land,
- C. to avoid excessive costs for public services which result from excessive scattering of vacation dwellings,
- D. to prevent excessive soil erosion and to avoid water pollution, and
- E. to provide an appropriate location for certain types of industries which require isolation from other uses, due to excessive noise, vibration, odor, dust, or adverse aesthetics.

In order to accomplish the objectives and purposes of this Code and to carry out the foregoing, the following regulations shall apply in the G-1 Grazing Zone.

8-2-2 Use Requirements

The following buildings, structures, and uses of land shall be permitted in the G-1 Grazing Zone upon compliance with requirements set forth in this Code.

- A. The growing of crops in open fields.
- B. The raising, care, and keeping of domestic animals and fowl for the purposes of commercial agriculture or for personal or family use and consumption provided that no cattle, sheep, horse or pig shall be kept on lots containing less than one (1) acre of land.
- C. The raising, care and keeping of wild animals and fowl subject to the laws of the State of Utah.
- D. Barns, corrals, pens, coops, and feed storage buildings for the keeping of animals and fowl, and the storage of farm products; provided uses for the care and keeping of livestock and fowl are located at least one hundred (100) feet in distance from any existing dwelling.
- E. Farm caretaker's dwellings and buildings accessory thereto, when situated on a tract of agricultural land for agricultural purposes that complies with the requirements of Paragraph 10-28 of this Code.

- F. Industrial caretaker's dwellings when incidental to and located on the same tract of land as the industrial use.
- G. Home occupations and premises occupations.
- H. Public sanitary landfill sites or solid waste disposal sites subject to provisions of Paragraph 10-24.
- I. Livestock feed yards.
- J. Hog farms when located a distance from the nearest dwelling as recommended by the Planning Commission and approved by the County Commissioners so as to minimize offensive odors to residents, but in no case shall the distance be less than 1,320 feet.
- K. Fur farms, plant nurseries, animal hospitals, and farm machinery storage sheds.
- L. Water reservoirs, water wells, ponds, dams, water pumping plants, substations, flood control structures, water transmission lines, and hydroelectric generating plants and buildings accessory thereto.
- M. Irrigation canals and ditches.
- N. Kennels, riding academies, apiaries, and fisheries.
- O. Gravel pits, clay pits, sand pits, top soil pits, and similar excavations and the processing of the material, when approved by the Board of County Commissioners, and subject to requirements set forth in Paragraph 10-22 of this Code. Also oil, gas and water wells and mines.
- P. Accessory advertising signs not exceeding fifteen (15) square feet in area, provided such sign is maintained in good repair, also name plates not exceeding 226 square inches in area.
- Q. Fences, walls, hedges.
- R. Temporary buildings and yards for storage of construction materials and equipment incidental and necessary to construction of uses otherwise permitted in the zone subject to requirements set forth in Paragraph 10-33.
- S. Public agency parks and playgrounds, hunting and fishing reserves, wildlife sanctuaries, arboretums, public buildings.
- T. Electrical power transmission lines, oil and gas transmission lines, subject to review and approval of the Planning Commission as set forth in Paragraph 10-26 of this Code.

U. Saw mills, contractor equipment yards.

V. Salvage yards which are surrounded with a sight-obscuring fence of at least 8 feet in height, are at least 1,000 feet away from an existing dwelling on an adjacent lot, and are located adjacent to a county collector road.

W. Oil refineries, rifle ranges, explosive manufacturing and storage establishments and other uses which customarily emit noise, vibrations, dust or odors which would likely constitute a nuisance to other uses when located closer than 1,000 feet therefrom.

8-2-3 Area Requirements

Each farm caretaker's dwelling shall be located on a tract of agricultural land which shall have received the approval of the Planning Commission as a tract of agricultural land for agricultural purposes in accordance with Paragraph 10-28 of this Code. For other permitted uses there shall be no requirements.

8-2-4 Width Requirements

The minimum width of any building site for a farm caretaker's dwelling shall be three hundred twenty (320) feet. For other uses there shall be no width requirements.

8-2-5 Location Requirements

A. Front Setback--All buildings and structures shall be set back at least thirty (30) feet from the center line of the road right-of-way, whichever is the greater distance, except as required in Paragraph 10-11.

B. Side Setback--All dwellings shall be set back from the side property line a distance of at least ten (10) feet, and the total distance of the two side setbacks shall be at least twenty-four (24) feet. The minimum side setback for accessory buildings shall be the same as for main buildings, except that three (3) foot side setback shall be required for accessory buildings which are located more than one hundred (100) feet from the front lot line and at least twelve (12) feet in the rear of any dwelling. On corner lots, the side setback from any street shall not be less than thirty (30) feet for both main and accessory buildings.

- C. Rear Setback--For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least thirty (30) feet. Accessory buildings on interior lots shall be set back not less than ten (10) feet from the rear property line, except that no rear setback shall be required for accessory buildings having fire-resistive walls of two (2) hours or more. For corner lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least thirty (30) feet. Accessory buildings on corner lots shall be set back from the rear property line a distance of not less than three (3) feet.

8-2-6 Height Requirements

The maximum height of any dwelling shall be twenty (20) feet and the minimum height of any dwelling shall be eight (8) feet. Chimneys, flag poles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height, except as required in Paragraph 10-14 of this Code.

8-2-7 Special Provisions

The following special provisions shall apply in this zone in order to carry out the intent of this Code.

- A. For the purpose of determining front, side, and rear setback requirements, any separate building situated within twelve (12) feet from a dwelling or other main building shall be considered as a part of the main building and not as an accessory building.
- B. No caretaker dwelling shall be constructed on a tract of land in this zone unless that tract complies with county standards as set forth in Paragraph 10-28 of this Code.

8-8-1 Intent

The specific intent in establishing this zone is:

- A. to protect the present and future water supply of the County and surrounding counties;
- B. to provide an appropriate location within the unincorporated area for the development of vacation dwellings in clusters, where adequate roads, water, sewage facilities and other utilities can be provided with the least environmental impact and maintenance cost;
- C. to prevent excessive scattering of vacation dwellings, accompanied by excessively long streets, water and sewer lines;
- D. to designate an appropriate location for the development of ski resorts and other mountain recreation facilities and activities;
- E. to facilitate payment for services rendered by the County for street, fire, police, health, sanitation and other services through the instrumentality of County urban service areas;
- F. to prevent soil erosion generated from excessive streets and soil displacement, and to avoid pollution generated from inadequate sewage disposal;
- G. to provide for continued production of timber, and minerals; and
- H. to protect the vegetation and aesthetic characteristics of the County's canyons and mountains.

In order to accomplish the objectives and purposes of this Code and to carry out the foregoing, the following regulations shall apply in the RF-1 Recreation Forestry Zone.

8-8-2 Use Requirements

The following buildings, structures, and uses of land shall be permitted in the RF-1 Recreation Forestry Zone upon compliance with requirements set forth in this Code.

- A. The grazing of domestic and wild animals and fowl.
- B. Planned recreation developments and combined developments, subject to the requirements set forth in Chapter 9 of this Code.

- C. The growing of wild hay, Christmas trees and other crops in open fields.
- D. Barns, corrals, pens, coops, and feed storage buildings for the keeping of animals and fowl, and the storage of farm products, provided uses for the care and keeping of livestock and fowl are located at least one hundred (100) feet in distance from any existing dwelling.
- E. Water reservoirs, water wells, ponds, dams, water pumping plants, substations, flood control structures, water transmission lines, and hydroelectric generating plants, and buildings accessory thereto.
- F. Irrigation canals and ditches.
- G.. Fish hatcheries.
- H. Gravel pits, clay pits, sand pits, top soil pits, and similar excavations and the processing of the material, when approved by the Board of County Commissioners, and subject to requirements set forth in Paragraph 10-22 of this Code.
- I. Oil and gas wells, and mines.
- J. Fences, walls, hedges.
- K. Temporary buildings and yards for storage of construction materials and equipment incidental and necessary to construction of uses otherwise permitted in the zone subject to requirements set forth in Paragraph 10-33.
- L. Public agency parks and playgrounds, hunting and fishing reserves, wildlife sanctuaries, arboretums, public buildings.
- M. Electrical power transmission lines, oil and gas transmission lines subject to review and approval of the Planning Commission as set forth in Paragraph 10-26 of this Code.
- N. Industrial caretaker dwelling when incidental to and located on the same tract of land as an industrial use.
- O. Farm caretaker's dwellings and buildings accessory thereto, when situated on a tract of agricultural land for agricultural purposes that complies with the requirements of Paragraph 10-28 of this Code.

- P. Vacation dwellings and buildings accessory thereto, when situated on a tract of agricultural land for agricultural purposes that complies with the requirements of Paragraph 10-28 and Paragraph 10-12 of this Code.
- Q. Home occupations and premises occupations.
- R. The raising, care and keeping of domestic animals and fowl for the purposes of commercial, agricultural or for personal or family use.
- S. Sawmills and contractor equipment yards.
- T. Accessory signs not exceeding fifteen (15) square feet in area pertaining to the sale of property or produce raised on the premises, also name plates not exceeding 225 square inches in area.

8-8-5 Area Requirements

There shall be no area requirements, except that planned recreation developments and combined developments must contain at least one hundred sixty (160) acres of land.

8-8-4 Width Requirements

The minimum width of any building site that complies with the provisions of Section 10-23 of this Code shall be three hundred twenty (320) feet, except when a building site is included in an approved planned recreation development. For other uses there shall be no width requirements.

8-8-5 Location Requirements

- A. Front Setback--All buildings and structures shall be set back at least thirty (30) feet from the front lot line, or sixty (60) feet from the center line of the road right-of-way, whichever is the greater distance, except as required in Paragraph 10-11 of this Code.
- B. Side Setback--All dwellings shall be set back from the side property line a distance of at least ten (10) feet, and the total distance of the two side setbacks shall be at least twenty-four (24) feet. The minimum side setback for accessory buildings shall be the same as for main buildings, except that a three (3) foot side setback shall be required for accessory buildings which are located more than one hundred (100) feet from the front lot line and at least twelve (12) feet in the rear of any dwelling. On corner lots, the side setback from any street shall not be less than thirty (30) feet for both main and accessory buildings.

- C. Rear Setback--For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least thirty (30) feet. Accessory buildings on interior lots shall be set back not less than ten (10) feet from the rear property line, except that no rear setback shall be required for accessory buildings having fire-resistive walls of two (2) hours or more. For corner lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least thirty (30) feet. Accessory buildings on corner lots shall be set back from the rear property line a distance of not less than three (3) feet.

8-8-6 Height Requirements

The maximum height of any vacation dwelling shall be twenty (20) feet and the minimum height of any dwelling shall be eight (8) feet. Chimneys, flag poles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height, except as required in Paragraph 10-14 of this Code.

8-8-7 Special Provisions

The following special provisions shall apply in this zone in order to carry out the intent of this Code.

- A. For the purpose of determining front, side, and rear setback requirements, any separate building situated within twelve (12) feet from a dwelling or other main building shall be considered as a part of the main building and not as an accessory building.

10-25

Utility Buildings and Structures Permitted in Residential Agricultural Zones

Utility buildings and structures such as water, sewer and electric buildings and structures may be constructed in all residential zones but only after approval has been given by the Board of Adjustment as a special exception. The Board of Adjustment may require conditions which are reasonably necessary to protect surrounding property values and residential amenities.

10-26

Exposed Slopes to be Less than the Critical Angle of Repose

No cut or fill slope that is created as part of the constructing of any roadway, whether public or privately owned, shall exceed the critical angle of repose except by special permission of the Board of County Commissioners. Such special permission may be given after the owners have shown that they have adopted all practical measures to reduce the slopes to less than the critical angle of repose by selecting an alternate location, by planting the slopes with vegetative material, by covering the slopes with burlap, wire mesh or other material which will have the effect of preventing the soil from moving under the force of gravity until vegetative material become established. Where terrain leading to an electric transmission tower will not permit the installation of such towers without the slopes of the construction roads exceeding the critical angle of repose, air transport or other methods must be used in lieu of such construction roads.

10-27

Fractional Numbers

Any computation or measurement resulting in a fractional number shall be rounded down to the next smaller whole number, i.e. 23.75 inches would be truncated to 23 inches.

10-28

Agricultural Land for Agricultural Purposes

Wherever the provisions of this Code require the Board of County Commissioners, Planning Commission or Board of Adjustment to approve a tract or parcel of land as meeting the qualification of agricultural land for agricultural purposes, said Commission or Board shall be guided by the following legal decisions, interpretations, conditions and standards.

- A. The term agricultural use is to be construed in accordance with common and approved usage without enlargement or restriction and without regard to conception of expediency.
(Moulton v. Building, Inc.)

- B. The term "agriculture" is defined in Webster's Dictionary as the act or science of cultivating the ground, the act or science of the production of plants and animals useful to man or beast; it includes gardening or horticulture fruit growing, and storage and marketing.
(Hagenburher v. Los Angeles, 51 Cal. App. 2d 161.)
- C. A shepherd is an "agricultural laborer" not entitled to compensation under the Utah Industrial Act. "Every standard authority that defines the word agriculture includes in the definition the raising and care of livestock".
(Davis v. Industrial Commission of Utah.)
- D. At this point, the limitations on the scope of "agricultural land" must be noted. Clearly, in order to qualify as "agricultural land for agricultural purposes" the primary use of the land must be "agricultural" in nature. One who is engaged in raising a backyard garden on one-half acre of land in a village is not engaged in "agriculture", nor is the land "agricultural" because of that action. Therefore, in the event that an individual buys one acre of land in a subdivision and fences it off and puts cattle on it, he is not using the land for "agricultural purposes, especially if he were to put a dwelling on the land for dwelling purposes.
- E. Other examples that would have some difficulty in qualifying under the definition of "agricultural use" would be the placing of horses on the land which were used for recreation, backyard gardens, etc. In other words, the primary purpose and use of the land must be agricultural and not residential or recreational. Determination must be made in a case-by-case basis wherein the pertinent facts may be individually considered.
- F. For the purpose of this Code, the following factors may be considered as evidence of the existence of agricultural land for agricultural purposes
1. Past use and income from the land.
 2. Plans of the landowner for future use of the land.

Otherwise, the primary use of the land should be considered as being for dwelling purposes, recreation, speculation or other non-agricultural use. Nor should land in its natural state qualify as agricultural land for agricultural purposes, un-

less the land is used for the raising of Christmas trees, livestock or other agricultural products and not primarily for building sites or other non-agricultural use.

- G. The determination of "agricultural land" would be meaningless if an individual could buy a small tract of ground and graze his horse on it and qualify as being "agricultural land for agricultural use". The factor of "use" of the land for production or income or simply pleasure must be carefully looked at in meeting the "agricultural use" definition. (See letter from the Attorney General of Utah, dated September 13, 1975.) On the other hand, where a family derives all or a substantial part of their living from the raising of crops or livestock on a tract of land, such land should be considered as agricultural land for agricultural purposes.