

# Box Elder County Land Use Management & Development Code

## Article 3: Zoning Districts

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### Chapter 3-5 – South Willard Neighborhood Commercial (SW-NC)

#### Sections.

- 3-5-010. Purpose.
- 3-5-020. Scope.
- 3-5-030. Definitions.
- 3-5-040. Uses Allowed.
- 3-5-050. Use Regulations.
- 3-5-060. Maximum Zoning and Lot Size.
- 3-5-070. Regulations of General Applicability.
- 3-5-080. Regulations for Uses.

#### **3-5-010. Purpose.**

To provide areas in appropriate locations along Fruit Way (U.S. Highway 89) where individualized, small-scale convenience buying outlets may be established to serve and are compatible with surrounding residential neighborhoods. The regulations of this district are designed to allow the development of various types of uses necessary to meet day-to-day needs of area residents.

#### **3-5-020. Scope.**

The provisions of this Chapter shall apply to any real property located in a South Willard Neighborhood Commercial zone as shown on the Official Zoning Map.

#### **3-5-030. Definitions.**

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

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### 3-5-040. Uses Allowed.

- A. Permitted and Conditional Uses.** Permitted and conditional uses allowed in South Willard Neighborhood Commercial 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 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.

### 3-5-050. 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.

### 3-5-060. Maximum Zoning and Lot Size.

- A. Maximum zoning size.** The maximum size of a South Willard Neighborhood Commercial Zone is one (1) acre.
- B. Maximum lot size.** The maximum size of a South Willard Neighborhood Commercial lot is one (1) acre.

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### **3-5-070. Regulations of General Applicability.**

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

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

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<b>BOX ELDER COUNTY ZONING RESTRICTIONS</b>		
<b>CODE SECTION</b>	<b>“P” = Permitted Uses</b> <b>“C” = Conditional Uses</b> <b>“A” = Applies</b> <b>“-“ = Not permitted</b>	<b>SW-NC</b>
<b>3-5-070-1</b>	<b>AGRICULTURAL</b>	
<b>3-5-070-1.1</b>	Fruit Stands	<b>P</b>
<b>3-5-070-1.2</b>	The tilling of the soil, raising of crops, horticulture and gardening	<b>P</b>
<b>3-5-070-2</b>	<b>RESIDENTIAL</b>	
<b>3-5-070-2.1</b>	Retirement homes, assisted care facilities, nursing homes	<b>C</b>
<b>3-5-070-2.2</b>	Religious quarters	<b>C</b>
<b>3-5-070-3</b>	<b>RETAIL</b>	
<b>3-5-0703.1</b>	Eating places (food consumed on premises)	<b>C</b>
<b>3-5-070-3.2</b>	Garden Supplies	<b>C</b>
<b>3-5-070-3.3</b>	Grocery stores (not to exceed 20,000 sq. ft of retail space)	<b>C</b>
<b>3-5-070-3.4</b>	Mail services (store with services, not processing center)	<b>P</b>
<b>3-5-070-4</b>	<b>SERVICES</b>	
<b>3-5-070-4.1</b>	Apparel repair, alteration and cleaning pick-up services, shoe repair services, tailor	<b>P</b>
<b>3-5-070-4.2</b>	Art/cultural uses (e.g., Art studios, Dance studios)	<b>C</b>
<b>3-5-070-4.3</b>	Beauty and barber shops	<b>P</b>
<b>3-5-070-4.4</b>	Day Care	<b>C</b>
<b>3-5-070-4.5</b>	Home occupations	<b>P</b>
<b>3-5-070-4.6</b>	Medical/dental offices	<b>C</b>
<b>3-5-070-4.7</b>	Photographic studio	<b>C</b>
<b>3-5-070-4.8</b>	Professional health care offices	<b>C</b>
<b>3-5-070-4.9</b>	Schools (commercial)	<b>C</b>
<b>3-5-070-5</b>	<b>PUBLIC AND QUASI-PUBLIC</b>	
<b>3-5-070-5.1</b>	Libraries	<b>P</b>
<b>3-5-070-5.2</b>	Public buildings and facilities	<b>P</b>
<b>3-5-070-6</b>	<b>RECREATION AND OPEN SPACE</b>	
<b>3-5-070-6.1</b>	Parks, both general recreation, and leisure and ornamental	<b>P</b>

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<b>3-5-070-6.2</b>	Recreation center	<b>C</b>
<b>3-5-070-7</b>	<b>RELIGIOUS &amp; WELFARE SERVICES</b>	
<b>3-5-070-7.1</b>	Churches, synagogues and temples, welfare and charitable services	<b>C</b>

### 3-5-080. 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.

<b>3-5-080-1</b>	<b>HEIGHT REGULATIONS</b>	
	The Maximum Height for all buildings & Structures in districts regulated by this Chapter shall Be:	
	In Feet	<b>35</b>
	In Number of Stories	<b>2 ½</b>
	In Structures with more than 2 ½ stories Fire Protection Design, Evacuation Facilities, and Automatic Fire Sprinkling Systems will be Required to mitigate the additional potential Of Loss of Life and/or Property.	
<b>3-5-080-2</b>	<b>AREA, WIDTH, FRONTAGE, YARD &amp; COVERAGE REGULATIONS</b>	
<b>3-5-080-2.1</b>	The Minimum depth and/or length for yards in the Districts regulated by this Chapter shall Be:	
	Front yard for Manufacturing Distribution Structures	<b>25</b>
	Front Yard	<b>25</b>
	Side Yards	<b>10</b>
	Except as determined by Conditional Use Permit	<b>A</b>
<b>3-5-080-2.2</b>	The Minimum Depth and/or length for Yards in the Districts Regulated by this Chapter shall be:	
	Front Yard for Manufacturing & Distributing Structures	<b>-</b>
	Front Yard	<b>25</b>
	Rear Yard	<b>20</b>

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	Side Yard	10
	Except as Determined by Conditional Use Permit	A
3-5-080-2.3	Minimum Setback Distance Between Structures and:	
	Surface Water that is Down Gradient From Proposed Structure Site	-
	Any Other Surface Water	-
	Residential Zoning Districts	-

3-5-080-3	<b>IMPROVEMENTS REQUIRED TO BE COMPLETED OR IN PROGRESS BEFORE A BUILDING PERMIT MAY BE ISSUES.</b> (Improvements are to be in compliance with the standards adopted by Box Elder County. Improvement prefaced with an [*] are applicable only to subdivisions or planned unit developments.)	
3-5-080-3.1	Street Grading	A
3-5-080-3.2	Street Base	A
3-5-080-3.3	Street Paving	A
3-5-080-3.4	Curb & Gutter	A
3-5-080-3.5	Sidewalk	A
3-5-080-3.6	Fire Fighting Facilities	A
3-5-080-3.7	Street Name & Traffic Signs	A
3-5-080-3.8	Street Monuments	A
3-5-080-3.9	Survey Monument Boxes	A
3-5-080-3.10	Street Lights	A
3-5-080-3.11	Address Numbers	A
3-5-080-3.12	Public Utilities - Power, Gas, Telephone, Cable TV, etc.	A