

Brigham City Zoning



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MULTIPLE USE, AGRICULTURAL AND RESIDENTIAL DISTRICTS

§ 156.085 PURPOSE.

(A) *Multiple use districts.* The purposes of providing a multiple use district are to establish areas in mountain, hillside, canyon, mountain valley, desert and other open and generally undeveloped lands where human habitation would be limited in order to protect land and open space resources; to reduce unreasonable requirements for public utility and service expenditures through uneconomic and unwise dispersal and scatteration 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 brushland fires, damage to grazing, livestock raising and to wildlife values; and, to promote the health, safety, convenience, order, prosperity and general welfare of the inhabitants of the community:

- (1) MU-40 minimum lot size: 40 acres;
- (2) MU-80 minimum lot size: 80 acres; and
- (3) MU-160 minimum lot size: 160 acres.

(B) *Agricultural districts.* To promote and preserve in appropriate areas conditions favorable to agriculture and to maintain greenbelt open spaces. These districts are 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:

- (1) A-1 minimum lot size: one acre;
- (2) A-5 minimum lot size: five acres; and
- (3) A-20 minimum lot size: 20 acres.

(C) *Rural residential districts.* To promote and preserve in appropriate areas conditions favorable to large-lot family life, the keeping of limited numbers of animals and fowl for personal use and home base agricultural production and reduced requirements for public utilities. These districts are intended to be primarily residential in character and protected from encroachment by commercial and industrial uses:

- (1) RR-1 minimum lot size: one acre; and
- (2) RR-5 minimum lot size: five acres.

(Prior Code, § 29.11.010) (Ord. 22-16, passed 8-11-2022)

§ 156.086 EXISTING AGRICULTURE PRACTICES AND KEEPING OF ANIMALS AND FOWL.

Existing agriculture practices and keeping of animals and fowl that existed lawfully prior to 8-11-2022, which is not allowed under this chapter, may be continued as a non-conforming use; except that, if the non-conforming use property is subdivided, the non-conforming use shall then be deemed abandoned and any future agriculture practices and keeping of animals and fowl shall be in conformity with this chapter.

(Prior Code, § 29.11.015) (Ord. 22-16, passed 8-11-2022)

§ 156.087 CODES AND SYMBOLS.

In following the sections of this chapter, uses of land or buildings which are allowed in the various districts are shown as "permitted uses", indicated by a "P" in the appropriate column, or as "conditional uses", indicated by a "C" in the appropriate column. 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 an "N". 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, or acres required, or by the letter "A". If the regulation does not apply, it is indicated in the appropriate column by a dash, "-".

(Prior Code, § 29.11.020) (Ord. 22-16, passed 8-11-2022)

§ 156.088 USES.

(A) No building, structure or land shall be used, and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the multiple use, agricultural or rural residential districts, except as provided in this chapter.

(B) (1) In the absence of a specific approval from the Planning Commission to the contrary, public service structures shall be subject to yard area requirements and setbacks.

(2) The Planning Commission may allow public service structures to be located within the required yard areas specified in this subchapter upon the following findings:

- (a) The public service structure is needed for the efficient delivery of public services to the subject property;
- (b) Location of the public service structure in the required yard area will be beneficial to the subject property and will not result in undue public safety, aesthetic or functional impacts on the subject property or surrounding properties;
- (c) The public service structure is integrated functionally and aesthetically into the overall design of the site; and
- (d) Location of the public service structure outside of the required yard area would be impossible or impractical due to functional considerations or because of site specific limitations.

(Prior Code, § 29.11.030) (Ord. 00-13A, passed 5-4-2000; Ord. 22-16, passed 8-11-2022)

§ 156.089 USES NOT LISTED.

The Planning Commission shall have the authority to identify and categorize unlisted uses within the listed permitted or conditional uses of this chapter, based on a finding of substantial similarity of character, origin and impact and the like, to a listed use, and when so categorized such use shall thereafter be recognized and treated the same as a listed use.

	<i>MU-40</i>	<i>MU-80</i>	<i>MU-160</i>	<i>A-1</i>	<i>A-5</i>	<i>A-20</i>	<i>RR-1</i>	<i>RR-5</i>
	<i>MU-40</i>	<i>MU-80</i>	<i>MU-160</i>	<i>A-1</i>	<i>A-5</i>	<i>A-20</i>	<i>RR-1</i>	<i>RR-5</i>
Accessory buildings with an area less than or equal to 2 times the area of the primary structure main floor and attached garage, which are customarily incidental to the permitted use, but in no case shall the accessory buildings combined area be larger than 5,500 square feet	P	P	P	P	P	P	P	P

Accessory buildings with an area less than or equal to 2 times the area of the primary structure main floor and attached garage, which are customarily incidental to the conditional use, but in no case shall the accessory buildings combined area be larger than 5,500 square feet	C	C	C	C	C	C	C	C
Accessory dwelling unit, subject to standards in §§ 156.335 through 156.360 of this chapter	P	P	P	P	P	P	P	P
Adult day care facility	N	N	N	C	C	C	P	P
Agriculture and forestry								
Agriculture, grazing, housing, corralling and pasturing of animals	P	P	P	P	P	P	P	P
Agriculture, business or industry	C	C	C	C	C	P	N	N
Animals and fowl for recreation or for family food production for the primary use of persons residing on the premises	P	P	P	P	P	P	P	P
Nursery or green house, wholesale or retail	P	P	P	P	P	P	P	P
Tilling of the soil, the raising of crops, horticulture and gardening	P	P	P	P	P	P	P	P
Farms devoted to raising and marketing chickens, turkeys or other fowl or poultry, fish or frogs, including wholesale and retail sales	C	C	C	N	C	C	N	N
Forestry, except forest industry	P	P	P	P	P	P	P	P
Forest industry, such as a sawmill, wood products, plant or others	C	C	C	N	N	C	N	N
Apiary (bee keeping)	P	P	P	P	P	P	P	P
Assisted living center	N	N	N	N	N	N	P	P
Aviary	P	P	P	P	P	P	P	P
Bed and breakfast facility subject to the conditions outlined in §§ 156.335 through 156.360 of this chapter	C	C	C	C	C	C	C	C
Boarding house	N	N	N	N	C	C	N	C
Cannabis production establishment	N	N	N	N	P	P	N	N
Cluster subdivision of single-family dwellings, subject to §§ 155.120 through 155.128 of this code of ordinances	N	N	N	P	P	P	P	P
Dude ranch, family vacation ranch	C	C	C	N	C	C	N	C
Educational Institution	N	N	N	C	C	C	C	C
Educational institution with housing	N	N	N	C	C	C	C	C
Home occupation	C	C	C	C	C	C	C	C
Homeless shelter	N	N	N	N	N	N	N	N
Hospital	N	N	N	C	C	C	C	C
Household pets	P	P	P	P	P	P	P	P
Kennel (parcel must be 1 acre or larger)	N	N	N	C	C	C	C	C
Licensed family group child care provider/residential certificate child care provider	C	C	C	C	C	C	C	C
Medical cannabis pharmacy	P	P	P	P	P	P	N	N
Mine, quarry, gravel pit, rock crusher, concrete batching plant or asphalt plant, oil wells or steam well	C	C	C	N	C	N	N	N
Nursing home	N	N	N	N	N	N	C	C
Power generation (non-solar)	C	C	C	N	C	C	N	C
Power generation (solar)	P	P	P	P	P	P	P	P
Private park or recreational grounds or private recreational camp or resort, including accessory or supporting dwellings or dwelling complexes and commercial service uses which are owned or managed by the recreational facility to which it is accessory	C	C	C	N	C	C	N	N
Private stables, horses for private use of persons residing or not residing on the premises	P	P	P	P	P	P	P	P
Protective housing facility	N	N	N	P	P	P	P	P
Public use, quasi-public use, essential services, including private school, with a curriculum corresponding to a public school, church; dams and reservoirs; radio and television transmitting stations or towers, cemetery	C	C	C	C	C	C	C	C
Public parks	P	P	P	P	P	P	P	P
Rehabilitation/treatment facility	N	N	N	C	C	C	C	C
Residential facility for elderly persons	P	P	P	P	P	P	P	P
Residential facility for persons with a disability	P	P	P	P	P	P	P	P
Sheltered workshop	N	N	N	C	C	C	C	C

Signs, the type, size, height, location and other standards and requirements for signs shall be in accordance with the regulations set forth in §§ 156.480 through 156.491 of this chapter	A	A	A	A	A	A	A	A
Single-family dwellings	P	P	P	P	P	P	P	P
Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman, which building must be removed upon completion or abandonment of the construction work	P	P	P	P	P	P	P	P
Trade or vocational school	N	N	N	C	C	C	C	C
Transitional housing facility	N	N	N	C	C	C	C	C
Veterinary clinic, animal hospital	N	N	N	C	P	P	N	C

(Prior Code, § 29.11.040) (Ord. 00-11, passed 4-16-2000; Ord. 01-15, passed 2-15-2001; Ord. 02-22, passed 6-27-2002; Ord. 02-27A, passed 9-19-2002; Ord. 03-18, passed 5-1-2003; Ord. 19-20, passed 11-7-2019; Ord. 22-01, passed 2-17-2022; Ord. 22-16, passed 8-11-2022)

§ 156.090 AREA REGULATIONS.

The minimum lot area in acres for any use in the districts regulated by this subchapter shall be:

MU-40	MU-80	MU-160	A-1	A-5	A-20	RR-1	RR-5
40	80	160	1	5	20	1	5

(Prior Code, § 29.11.050) (Ord. 22-16, passed 8-11-2022)

§ 156.091 WIDTH REGULATIONS.

The minimum width in feet for any lot in the districts regulated by this subchapter, except as modified by planned unit developments or cluster subdivisions, shall be:

MU-40	MU-80	MU-160	A-1	A-5	A-20	RR-1	RR-5
660	1,320	1,320	120	200	330	120	200

(Prior Code, § 29.11.060) (Ord. 22-16, passed 8-11-2022)

§ 156.092 FRONTAGE REGULATIONS.

The minimum frontage in feet for any lot in the districts regulated by this subchapter on a public street or a private street approved by the governing body shall be:

MU-40	MU-80	MU-160	A-1	A-5	A-20	RR-1	RR-5
60	60	60	25	50	50	25	50

(Prior Code, § 29.11.070) (Ord. 22-16, passed 8-11-2022)

§ 156.093 FRONT YARD REGULATIONS.

(A) The minimum depth in feet for the front yard for main buildings in districts regulated by this subchapter shall be:

MU-40	MU-80	MU-160	A-1	A-5	A-20	RR-1	RR-5
60	60	60	30	30	30	30	30

(B) Accessory buildings may have the same minimum front yard depth as main buildings if they have the same side yard required for main buildings; otherwise, they shall be set back at least six feet in the rear of the main building:

MU-40	MU-80	MU-160	A-1	A-5	A-20	RR-1	RR-5
A	A	A	A	A	A	A	A

(Prior Code, § 29.11.080) (Ord. 22-16, passed 8-11-2022)

§ 156.094 REAR YARD REGULATIONS.

The minimum depth in feet for the rear yard in the districts regulated by this subchapter shall be:

	MU-40	MU-80	MU-160	A-1	A-5	A-20	RR-1	RR-5
For main buildings	60	60	60	30	50	50	30	50
For accessory buildings (public utility easements may dictate otherwise)	20	20	20	10	20	20	10	20

(Prior Code, § 29.11.090) (Ord. 22-16, passed 8-11-2022)

§ 156.095 SIDE YARD REGULATIONS.

The minimum side yard in feet for any dwelling or main buildings shall be:

	<i>MU-40</i>	<i>MU-80</i>	<i>MU-160</i>	<i>A-1</i>	<i>A-5</i>	<i>A-20</i>	<i>RR-1</i>	<i>RR-5</i>
	60	60	60	15	20	20	15	20
Except on corner lots the side yard in feet which faces on a street for both main and accessory buildings, shall be not less than	60	60	60	30	30	30	30	30
The minimum side yard in feet for any accessory building shall be (public utility easements may dictate otherwise)	20	20	20	10	20	20	10	20

(Prior Code, § 29.11.100) (Ord. 22-16, passed 8-11-2022)

§ 156.096 HEIGHT REGULATIONS.

The maximum height for all buildings and structures in districts regulated by this subchapter, except as provided in §156.344 of this chapter shall be:

	<i>MU-40</i>	<i>MU-80</i>	<i>MU-160</i>	<i>A-1</i>	<i>A-5</i>	<i>A-20</i>	<i>RR-1</i>	<i>RR-5</i>
In feet	35	35	35	35	35	35	35	35
In number of stories	2-1/2	2-1/2	2-1/2	2-1/2	2-1/2	2-1/2	2-1/2	2-1/2
No dwelling shall be erected to a height less than 1 story above grade	A	A	A	A	A	A	A	A

(Prior Code, § 29.11.110) (Ord. 22-16, passed 8-11-2022)

§ 156.097 KEEPING OF ANIMALS AND FOWL.

(A) Any person or persons owning, possessing or using any parcel or premises upon which any animals or fowl are kept shall:

(1) Provide adequate food, water, shelter, care and sanitation so that animals or fowl will not anguish abuse or neglect; and

(2) Barns, coops, hutches or other facilities directly related to the feeding and shelter of animals and fowl shall:

(a) Be located in the rear yard setback and at least 20 feet away from the owner's primary dwelling and 25 feet away from any dwelling located on an adjacent lot.

(b) In no case shall they be located within the front yard setback. On corner lots, the side yard which faces the street, they shall not be within the side yard setback from the public right-of-way.

(B) Fenced areas for pasturing animals and fowl must be located at least five feet from the public right-of-way when located by a public sidewalk, path or trail, and provide adequate area surrounded by a secure, well-built fence of sufficient height and strength to prevent their escape.

(Prior Code, § 29.11.120) (Ord. 22-16, passed 8-11-2022)

§ 156.098 ANIMALS AND FOWL UNITS AND DENSITY PER PARCEL.

The following table only applies to the A-1, RR-1 and RR-5 Zoning Districts.

(A) *Large animals and fowl units per parcel.*

<i>Type of Animal and Fowl</i>	<i>Density Per Acre</i>											<i>Each Additional 0.5 Acre</i>	<i>Available Fenced Area Per Animal</i>
	<i>0.5</i>	<i>0.75</i>	<i>1</i>	<i>1.5</i>	<i>2</i>	<i>2.5</i>	<i>3</i>	<i>3.5</i>	<i>4</i>	<i>4.5</i>	<i>5</i>		
Cow, horse, llama, alpaca	0	2	3	4	6	8	10	12	14	16	18	+2	2,500 sq. ft.
Hog, pig	1	2	4	6	8	10	12	14	16	18	20	+2	500 sq. ft.
Sheep, goat ostrich, emu	2	3	4	6	8	10	12	14	16	18	20	+2	500 sq. ft.
Total per parcel	2	3	4	6	8	10	12	14	16	18	20		

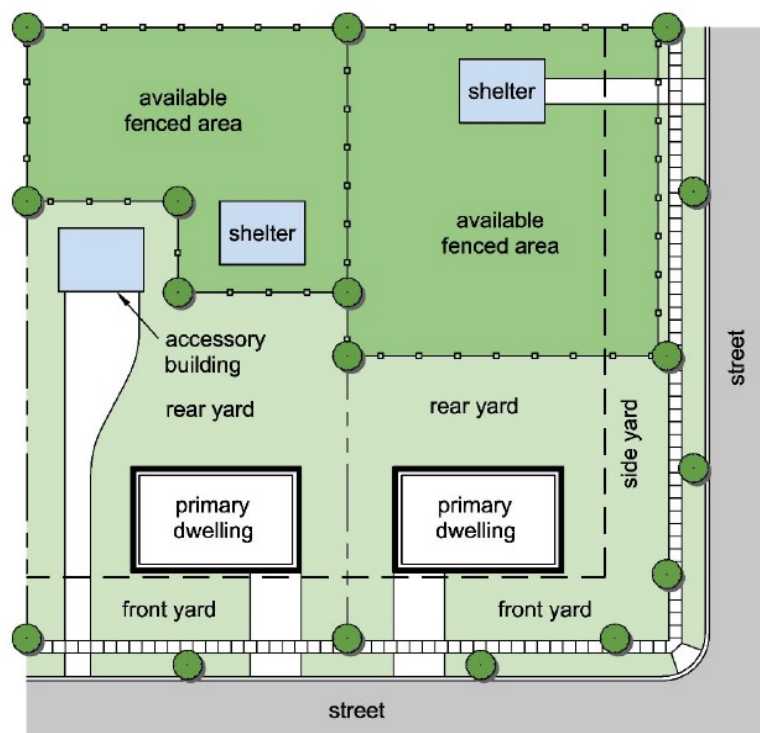
(B) *Small animals and fowl units per parcel.* The Planning Commission may consider additional small animals and fowl units per parcel through a conditional use permit application process. The Planning Commission must find that no additional impact, nuisance (noise, smells, flies, pests) or hardship would occur to the adjacent property owners and no additional impact on the city's transportation and infrastructure system. If an approved plan is violated or causes a situation that becomes a nuisance to adjacent property owners, the conditional use shall be subject to revocation.

Type of Animal and Fowl	Density Per Acre										Each Additional 0.5 Acre
	0.5	1	1.5	2	2.5	3	3.5	4	4.5	5	
Apiary, goose, guinea hen, rabbit, turkey	5	10	15	20	25	30	35	40	45	50	+5
Duck, chicken, pheasant, pigeon, quail	10	20	30	40	50	60	70	80	90	100	+10
Total per parcel	10	20	30	40	50	60	70	80	90	100	

(C) *Examples of large and small animals and fowl units and density formula applied to varied parcel sizes.*

<i>Parcel Size</i>	<i>Example of Total Animal Units Per Parcel</i>
0.5 acre	2 large animals and 10 small animals
0.75 acre	3 large animals and 10 small animals
1 acre	4 large animals and 20 small animals
1.5 acres	6 large animals and 30 small animals

(D) *Example of animals and fowl site layout on an interior and corner parcel.*



(Prior Code, § 29.11.130) (Ord. 22-16, passed 8-11-2022)