

# **IRON COUNTY** **PROPOSED WIND OVERLAY ZONE**

## **Document 2 of 3: Planning Commission Recommendation for Amendments to Iron County Code Chapter 17.16**

**Note: Proposed amendments in this document are shown as “track changes”. Underlined language is new and ~~strikeout~~ indicates the proposed deletions.**

### **17.16.010 Zoning by districts.**

**A.** In accordance with the requirement of the Utah Code that zoning within counties by districts, Iron County, as shown on the Iron County zoning district map, is divided into zoning districts which govern the use, intensity, area and other requirements for the use of land as required by this chapter and the land management code. The map accompanying this chapter and incorporated herein by reference, the Iron County zoning district map, identifies the location and distribution of each district within Iron County. All development, use, activity and authorized permits and licenses shall adhere to all the provisions, standards and requirements of the applicable zoning district.

To meet the purposes of this chapter, Iron County is divided into the following zoning districts:

Base Zoning Districts.

A. Agricultural Districts:

1. Agriculture (A-20);
2. Intensive Agricultural (I-A).

B. Residential Districts:

1. Residential (R-5);
2. Residential (R-2);
3. Residential (R-1);
4. Residential (R-1/2).

C. Commercial Districts:

1. Commercial (C).

D. Industrial Districts:

1. Light Industrial (LI);
2. Industrial (I).

Overlay Zoning Districts

1. Wind Energy (WE).

**17.16.020 Zoning districts purpose.**

Consistent with the goals and policies of the Iron County general plan, the zoning districts are formulated to provide and achieve the following purposes:

Base Zoning Districts:

A. The agriculture (A-20) district is provided and designed to protect and preserve lands suited for farming and the production of food and fiber and open areas protected from the encroachment of incompatible uses. Other purposes of this district include the protection of the economic base of the county and the protection of environmentally sensitive lands, such as areas subject to flooding, wetlands, unstable soils and areas with steep slopes. This district discourages intense uses due to a lack of required services and the potential cost to Iron County residents of providing the services necessary to support more intense development and activities.

B. The intensive agricultural zoning district (I-A) is intended to help preserve existing agricultural land resources, promote the areas suitable for developing agricultural operations that can become or remain competitive by taking advantage of economies of scale, prevent the premature conversion of rural lands to urban use and accommodate animal agricultural uses and other uses that may be more intensive agriculture enterprises than have been historically developed in Iron County. The zone use and development regulations are designed to implement general plan goals by discouraging urban and suburban development on lands that have prime agricultural soils, water and locations that are conducive to agriculture and are not well served by public facilities and services typical of residential development. The I-A zone is generally compatible with the “agriculture” and “open space” land-use designations of the general plan. An I-A zone is intended for more intensive uses than historical agricultural. The I-A zone is not intended to be applied near urbanized areas and is not intended to accommodate residential uses as a principal use. The I-A zone is compatible with, and complimentary to, the A-20 zone and the classification of land into the I-A zone shall not be considered a spot zone when the land is surrounded by property zoned A-20, but is consistent with the intent of the Iron County general plan for agricultural lands. Accordingly, it is inconsistent with the intent of the I-A zone to change land from A-20 zoning district to the I-A zoning district where the intended use of the land is a permitted use in the A-20 zone. It is also inconsistent with the intent of the I-A zone to zone land I-A for more land than is required by the intended use of the land.

C. The residential districts of Iron County (R-5, R-2, R-1 and R-1/2) are formulated to provide

single-family housing choices to meet the needs of Iron County residents, to offer a balance of housing types and densities, and to preserve and provide safe and convenient places to live. These districts are intended for well-designed residential uses free from any activity or use that may weaken the residential integrity of these areas. Generally, residential districts shall be located where adequate public services and facilities are available to meet the needs of residents. Typical uses include single-family dwellings, parks and public facilities necessary to meet the needs of residents. Hobby farms are consistent with the residential districts, so long as, the farms meet the requirements of Section 17.36.250 of this title.

D. The commercial (C) district is intended to provide controlled and compatible locations for retail, office and business/commerce activities, to enhance employment opportunities, to encourage the efficient use of land, to enhance property values and to strengthen the county's tax base. Typical uses allowed in this district include retail sales and services, offices and institutional uses.

E. The purpose of the light industrial (LI) district is to provide locations for industrial uses that produce no appreciable impact on adjacent properties and which provide employment opportunities for residents of Iron County.

F. The industrial (I) district is formulated to recognize existing industrial sites and activities within Iron County, to provide opportunities for heavier industrial activities than allowed in the light industrial district, to provide economic stability and opportunity and to provide employment opportunities for county residents.

#### Overlay Zoning Districts.

G. The Wind Energy Overlay (WE) district provides a zoning district for the primary purpose of establishing commercial wind energy systems to help meet the energy needs of the nation in an ecologically "green" and renewable manner.

When applied to a property, the Wind Energy overlay district is to function in addition to the underlying base zoning district, allowing the uses and standards of the base zone to continue, except when specifically overridden by the standards of the overlay district.

The Wind Energy overlay district may be expanded to, or removed from, a property through the rezone process. However, application of the wind energy overlay district to a property shall consider the standards of 17.34.035, in addition to the standards of 17.12.060.

(Ord. 171 § 9(D) (part), 2001)

#### **17.16.030 Table of uses.**

The table of uses identifies the uses allowed within each zoning district of the county. The purpose of the table of uses is to implement the goals and policies of the Iron County general plan. The table of uses identifies uses allowed as a permitted use (identified as "P" in the table of uses) and uses allowed as a conditional use (identified as "C" in the table of uses). Uses not identified as either a permitted or conditional use are deemed to be a prohibited use (identified as "X" in the table of uses).

**TABLE OF USES**

*(Note: Only the portions of the table relating to amendments are shown.)*

USES	ZONE DISTRICTS								
	A-20	R-5	R-2	R-1	R-1/2	C	LI	I	IA
Geothermal power plant	<u>C(5)</u>	X	X	X	X	X	X	<u>C(5)</u>	<u>C(5)</u>
Power plant, <u>not otherwise listed</u>	X	X	X	X	X	X	X	C	C
Solar power plant	<u>C(6)</u>	X	X	X	X	X	X	<u>C(6)</u>	<u>C(6)</u>
Wind energy system, commercial	<del>X</del> <u>C(7)</u>	X	X	X	X	X	X	<u>C(7)</u>	<del>X</del> <u>C(7)</u>
Wind energy system, small	<del>P</del> <u>***(3)</u>	<del>P</del> <u>***(3)</u>	<del>X</del> <u>P(3)</u>	<del>X</del> <u>P(3)</u>	X	<u>P(3)</u>	<u>P(3)</u>	<u>P(3)</u>	<u>P(3)</u>
Wind monitoring tower and equipment	<u>C(4)</u>	<del>C</del> <u>****(4)</u>	<del>X</del> <u>C(4)</u>	<del>X</del> <u>C(4)</u>	X	<u>C(4)</u>	<u>C(4)</u>	<u>C(4)</u>	<u>C(4)</u>

\*(1) See Definition.

\*\* (2) Requires an acknowledgement agreement to be signed and recorded.

\*\*\* (3) ~~A small wind energy system is not permitted within a subdivision recorded with the Iron County recorder unless a private occupied residence exists on the same lot.~~ See also 17.34.030

\*\*\*\* (4) See also 17.34.050. ~~A wind monitoring tower may be permitted in the R-5 zoning district when the height and setback provision are in compliance with small wind energy systems identified in Sections 17.34.030(C), and 17.34.030(F)(1) through (9) of this title.~~

(5) See also Chapter 17.35.

(6) See also Chapter 17.33.

(7) This use may only be authorized in this zone when the wind energy overlay district has been applied to the property. See also Chapter 17.34.

Table of Uses Notes:

P = Permitted Use

C = Conditional Use

X = Prohibited Use

**17.16.040 Table of site development standards.**

The table of site development standards accompanies the table of uses. This table identifies the lot requirements, required setback and yard standards, building height standards, site coverage standards, and other requirements for the uses allowed within each zoning district. The values identified in the following table are the minimum standards that apply in the zones indicated.

[However, more restrictive or additional development standards may also apply, as set forth in other applicable sections of the Iron County Code. A thorough review of the Iron County zoning ordinance is required to ensure that all applicable development standards are identified.](#)

**TABLE OF SITE DEVELOPMENT STANDARDS**

	ZONING DISTRICTS								
	A-20	R-5	R-2	R-1	R-1/2 <sup>(2)</sup>	C	LI	I	I-A
Minimum lot width	300 ft.	300 ft.	165 ft.	165 ft.	120 ft.	90 ft.	100 ft.	150 ft.	1,320 ft.
Minimum front yard setback	60 ft.	60 ft.	60 ft.	30 ft.	30 ft.	20 ft.	25 ft.	25 ft.	200 ft. <sup>(1)</sup>
Minimum rear yard setback	60 ft.	60 ft.	60 ft.	40 ft.	30 ft.	25 ft.	30 ft.	50 ft.	200 ft. <sup>(1)</sup>
Minimum side yard setback	30 ft.	30 ft.	30 ft.	30 ft.	10 ft.	10 ft.	25 ft.	40 ft.	200 ft. <sup>(1)</sup>
Minimum side yard setback (corner lot)	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	NR	NR	NR	200 ft. <sup>(1)</sup>
Minimum distance between buildings	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	NR	NR	NR	15 ft.
Max./min. building height	NR	30 ft. or two (2) stories/ one (1) story	30 ft. or two (2) stories/ one (1) story	30 ft. or two (2) stories/ one (1) story	30 ft. or two (2) stories/ one (1) story	Three (3) stories/ one (1) story	Three (3) stories / one (1) story	Three (3) stories/ one (1) story	NR
Minimum lot size (acres)	20	5	2	1	1/2	NR	NR	NR	80
Maximum total lot coverage (all buildings)	NR	5% (max. site coverage may be >5% for green-houses)	10%	15%	30%	50%	50%	50%	NR
Accessory outside storage areas						When located adjacent to any agricultural or residential district must be screened by a solid, nonlandscape, fence or wall at least six (6) feet in height.			
Outside and security lighting						Must reflect away from adjacent agricultural and residential district.			

(1) All uses and buildings located within the I-A zoning district, except for dwellings and accessory uses for dwellings, shall meet the minimum setbacks required for the I-A zoning district. Accessory uses and buildings in the I-A zoning district shall meet the minimum setbacks of the A-20 zoning district.

(2) The R-1/2 zone, where a “Performance Subdivision Option” is approved, shall incorporate minimum and/or maximum values for setbacks, lot sizes and widths, building separation and heights, and maximum building coverage as prescribed in Section 16.23.040 (Development standards).

**17.20.010 Use Definitions** *(Note: only wind related definitions shown)*

“**Wind Energy System, Commercial**” means a wind energy conversion system consisting of one or more wind turbine(s) and tower(s), with associated control or conversion electronics which will be used for on-site and/or off-site consumption of power with a rated capacity in excess of 100 kW.

“**Wind Energy System, Small**” means a wind energy conversion system consisting of a wind turbine, a tower or other support structure and associated control or conversion electronics with a rated capacity appropriate to the on-site electric usage of the end-use and which will be used primarily to reduce on-site consumption of utility power ~~(limited to one per lot or parcel, or up to four on agricultural properties with 20 acres or more—systems with multiple towers may cluster towers/facilities together)~~. A small wind energy system shall not exceed a rated capacity of 100 kW.

“**Wind Monitoring Tower and Equipment-Meteorological (Met) Tower**” means a ~~temporary~~ tower that houses or supports wind measuring equipment, such as an anemometer, for the purpose of ~~establishing the viability of wind-generated energy by~~ measuring and monitoring wind velocity, duration, intensity, regularity, air temperature and pressure, etc...