

ORDINANCE NO. 13-23

**AN ORDINANCE AMENDING THE WASATCH COUNTY CODE SECTION 16.10.03,
REGARDING STORAGE UNITS IN A (C) COMMERCIAL ZONE AS A
CONDITIONAL USE WITH THE REQUIREMENTS LISTED.**

WHEREAS, Wasatch County has enacted Wasatch County Code Section 16.10.03, which lists the conditional uses allowed in the commercial zone; and

WHEREAS, the previous code did not allow for storage units in the commercial zone; and

WHEREAS, under the previous code there were a number of non-conforming storage units that could not expand; and

WHEREAS, the amendment allows for storage units as a conditional use with the requirements listed in the footnote; and

WHEREAS, the County Council after direction from the Planning Commission determined that the existing storage units are a viable business in the commercial zone and should be allowed to improve their properties with the requirements added to the code.

NOW THEREFORE, be it resolved that the legislative body of Wasatch County hereby ordains as follows:

SECTION I: Repealer. If any provisions of the County Code heretofore adopted are inconsistent herewith they are hereby repealed.

SECTION II: Enactment.

A. Section 16.10.03 of the Wasatch County Code, is hereby updated and enacted as follows:

16.10.03: CONDITIONAL USES:

The following shows the uses and structures that are permitted in the commercial zone (C) only after a conditional use permit has been approved, and subject to the terms and conditions thereof.

CONDITIONAL USES IN THE COMMERCIAL ZONE (C)

Use Number	Use Classification
	All must be done as a planned performance development
4811	Electric transmission lines over 38 kVA and less than 35 feet in height
	Electric generation plants
5210	Lumber and other building materials - large scale ¹
5220	Heating and plumbing equipment - large scale ¹
5230	Paint, glass and wallpaper - large scale ¹
5240	Electrical supplies - large scale ¹
5250	Hardware and supplies - large scale ¹
5310	Department stores - large scale ¹
5320	Mail and phone order houses - large scale ¹
5330	Variety stores - large scale ¹
5390	Other retail trade, general merchandise - large scale ¹
5400	Food - large scale ¹
6397	Automobile, truck and trailer rentals
<u>6376</u>	<u>General Warehousing and Storage, and unidentified storage²</u>
7220	Sport assembly

Notes:

1. Large scale means businesses that occupy up to 40,000 square feet.
2. Limited to existing storage units that legally existed on the date of the adoption of this amendment to the code (November 2013). These existing storage units can expand within the property foot print where they are located, but expansion into additional acreage or new commercial zones is not permitted. If storage units are along a state highway storage units cannot be closer than 200' to the Sate right-of-way.

(2002 Code § 16.10.03; amd. Ord. 2005-23, 3-7-2006)

B. All other provisions of Wasatch County Code section 16.10.03 shall remain the same.

SECTION III: Effective Date. This Ordinance shall become effective immediately upon execution by the Chair of the County Council and the completion of public notice requirements imposed by state statute.

SECTION IV: Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

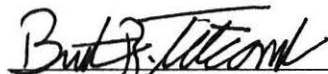
SECTION V: Public Notice. The Wasatch County Clerk, and ex officio Clerk of the Wasatch County Council, is hereby ordered, in accordance with the requirements of Section 17-53-208, Utah Code Annotated, 1953, as amended, to do as follows:


- a. Enter at length this ordinance in the ordinance book;
- b. Deposit a copy of this ordinance in the office of the County Clerk;
- c. Publish a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance, for at least one publication in a newspaper published in and having general circulation in the county; or post a complete copy of this ordinance in nine (9) public places within the County.

APPROVED and PASSED this 21 day of January, 2015.

Attest:

WASATCH COUNTY COUNCIL:


Brent R. Titcomb
Wasatch County Clerk / Auditor


Kendall Crittenden, Chair
Wasatch County Council

	VOTE
Kendall Crittenden, Chairman	<u>yes</u>
Greg McPhie	<u>yes</u>
Kipp Bangerter	<u>yes</u>
Steve Farrell	<u>yes</u>
Danny Goode	<u>yes</u>
Michael Kohler	<u>—</u>
Mike Peterson	<u>yes</u>

ADOPTION OF ORDINANCE AFFIDAVIT

STATE OF UTAH)
 : ss.
COUNTY OF WASATCH)

I, the undersigned, the duly qualified and acting County Clerk of Wasatch County, Utah, and ex officio Clerk of the Wasatch County Council, do hereby further certify, according to the

records of said Council in my official possession, and upon my own knowledge and belief, that I have fulfilled the requirements of Section 17-53-208, Utah Code Annotated, 1953, as amended, by:

- [✓] (a) Causing this ordinance to be entered at length in the ordinance book;
- [✓] (b) Causing three (3) copies of this ordinance to be deposited in the office of the County Clerk;
- [✓] (c) Causing a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance to be published for at least one publication in The Wasatch Wave, a newspaper of general circulation within the geographical jurisdiction of Wasatch County; or posting a complete copy of this ordinance in nine (9) public places within the County.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the County Legislative Body of Wasatch County, Utah, this 22 day of January, 2015.

Brent R. Titcomb

Brent R. Titcomb
Wasatch County Clerk / Auditor

SUBSCRIBED AND SWORN to me, a Notary Public, this 22nd day of

January, 2015.

Sandra Hansen

Notary Public

Residing in: Wasatch County
My commission expires: 3-31-2015

