

**ORDINANCE NO. 22-10**

**AN ORDINANCE AMENDING WASATCH COUNTY CODE CHAPTER 16.12 TO REMOVE THE OFFICE AND BUSINESS PARK ZONE FROM THE CODE.**

**RECITALS**

**WHEREAS**, Chapter 16.12 of the Wasatch County Code outlines regulations for the Office and Business Park Zone; and

**WHEREAS**, there are no properties in Wasatch County zoned as Office and Business Park at the time of this ordinance; and

**WHEREAS**, the regulations outlined in Chapter 16.12 are no longer needed; and

**WHEREAS**, Utah Code 17-27a-502 requires Wasatch County to give notice of public hearing as provided in Utah Code 17-27a-205(1)(a), and to hold a public hearing; and

**WHEREAS**, Wasatch County gave notice of all public meetings and public hearings related to this ordinance as required, and the planning commission held a public hearing as required; and

**NOW THEREFORE**, the County Legislative Body of Wasatch County ordains that the Wasatch County Zoning Map and Land Use and Development Code be amended as follows:

**See Exhibit A**

**SECTION I: Enactment.** The following amendments, additions, and deletions to Title 16, the Land Use and Development Code, are hereby enacted: See attached exhibit.

**SECTION II: Repealer.** If any provisions of the County Code heretofore adopted are wholly inconsistent with this ordinance, they are hereby repealed.

**SECTION III: Amendment of Conflicting Ordinances.** To the extent that any ordinances, resolutions, or policies of Wasatch County partially conflict with this ordinance, they are hereby amended to comply with the provisions hereof.

**SECTION IV: 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 V: 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 VI: 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;

**Chapter 16.12: OFFICE AND BUSINESS PARK ZONE (OBP)**

**16.12.01: RESERVED PURPOSE**

**16.12.02: RESERVED PERMITTED PRINCIPAL USES**

**16.12.03: RESERVED CONDITIONAL USES**

**16.12.04: RESERVED LOT AREA REQUIREMENTS**

**16.12.05: RESERVED LOT WIDTH REQUIREMENTS**

**16.12.06: RESERVED SETBACK REQUIREMENTS**

**16.12.07: RESERVED HEIGHT REQUIREMENTS**

**16.12.08: RESERVED DESIGN AND SITE PLAN APPROVAL**

**16.12.09: RESERVED SITE PLAN PROVISIONS**

**16.12.10: RESERVED PERMISSIBLE LOT COVERAGE**

**16.12.11: RESERVED PARKING, LOADING AND ACCESS REQUIREMENTS**

**16.12.12: RESERVED OTHER REQUIREMENTS**

**16.12.13: RESERVED LIGHTING STANDARDS**

**16.12.01: RESERVED PURPOSE**

The purpose of this chapter is to establish areas within Wasatch County that allow for the development of office complexes, research facilities, businesses, assembly areas and applicable accessory uses. This zone establishes regulations to ensure compatibility of new development with the surrounding land uses through standards that provide an open campuslike setting with attractive buildings, parklike grounds, generous landscaping and other appropriate amenities that support employee activity.

**16.12.02: RESERVED PERMITTED PRINCIPAL USES**

Those principal uses, or categories of uses as listed herein, and no others, are permitted in the office and business park zone (OBP).

- A. All uses contained herein are listed by number as designated in the Wasatch County land use classifications, which is published and maintained by the planning department, and is attached as appendix 1, chapter 16.36 of this title. Classes or groupings of uses permitted in the zone are identified by a four (4) digit number in which the last one or two (2) digits are zeros, and subuses of those categories or groupings will follow that number. (For example, a particular category may be listed as 8100, and a subcategory of 8100 would be 8110 and a subcategory of 8110 would be 8111.) This document, available in the planning office, is to be used by the planning office and others to assist in determining similar uses and the intent of this chapter.
- B. All such classes listed herein and all specific uses contained within them in the Wasatch County land use classification will be permitted in the office and business park zone (OBP), subject to the limitations set forth herein:

**PERMITTED PRINCIPAL USES IN THE OFFICE AND BUSINESS PARK ZONE (OBP)**

<b>Use Number</b>	<b>Use Classification</b>
2700	Printing, publishing and allied industries
2830	Pharmaceutical preparations
3970	Motion picture production—small scale

4500	Highway and street rights of way
4800	Utilities (except 4813, 4856, 4857)
4811	Electric transmission lines less than 38 kVA and less than 35 feet in height
4841	Underground sewer pipeline right of way
4844	Sewage pressure control stations
4873	Storm drain or right of way
5121	Pharmaceuticals—small scale
5160	Electrical goods—small scale
5320	Mail and phone order houses—call centers and telecommuting centers
5392	Small general convenience store to serve business park—no gasoline sales
5463	Doughnut shops
5494	Delicatessen
5496	Food to go
5740	Office equipment, furniture, machines and supplies—small scale
5800	Eating and drinking places (except 5813)
5940	Books, stationery, art and hobby supplies
6100	Finance, insurance and real estate services
6222	Commercial photography (aerial photos and mapping services)
6252	Laundry and dry cleaning pick up services only

6297	Gymnasiums, athletic clubs, spas, aerobic centers, etc.
6311	Advertising services
6316	Direct mail advertising
6320	Consumer and mercantile credit reporting services
6330	Duplicating, mailing, stenographic and office services
6390	Business services, NEC (except 6397)
6493	Watch, clock, jewelry repair and engraving
6510	Medical and other health services (except 6515, 6516, 6519)
6520	Legal services
6530	Engineering services
6540	Research services
6550	Data processing services
6590	Professional services
6610	General contract construction office only—no equipment stored
6930	Business, professional and labor organizations and services

39 ~~C. Permitted Accessory Uses: Accessory uses and structures are permitted in the office and business~~  
40 ~~park zone (OBP), provided they are incidental to, and do not substantially alter the character of~~  
41 ~~the permitted principal use or structure.~~

42 **16.12.03: RESERVED CONDITIONAL USES**

43 The following uses and structures are permitted in the office and business park zone (OBP) only after a  
44 conditional use permit has been approved, and subject to the terms and conditions thereof:

45  
46 **CONDITIONAL USES IN THE**  
47 **OFFICE AND BUSINESS PARK ZONE (OBP)**

Use Number	Use Classification
4700	Communications
4810	Electric utility (except 4813)
4820	Gas utilities (except 4822 and 4823)
4830	Water utilities or irrigation (except 4832, 4834)
6519	Other medical services, NEC
6700	Governmental services (all levels of government)
6810	Nursery, primary and secondary education
6820	Universities, college, junior college and professional school
6830	Special training and schooling

48 **16.12.04: RESERVED LOT AREA REQUIREMENTS**

49 There are no specific lot area requirements for this zone, except that the lot is large enough to  
50 accommodate the business facility and setback requirements required by this chapter.

51 **16.12.05: RESERVED LOT WIDTH REQUIREMENTS**

52 There are no specific width requirements for this zone, except that the width and frontage must be  
53 sufficient to provide reasonable space to accommodate the requested uses, including buildings,  
54 landscaping and off street parking, while maintaining a safe and adequate access from the street.

55 **16.12.06: RESERVED SETBACK REQUIREMENTS**

- 56 A. Front Setback: All buildings and structures shall be set back at least thirty feet (30') to provide a  
57 landscaped front yard.
- 58 B. Side Setback: No building shall be located closer than twenty feet (20') to any side property  
59 boundary line.
- 60 C. Corner Properties: No building shall be located closer than thirty feet (30') to any street. Corner  
61 properties shall be treated as though they have two (2) front setbacks, and landscaping for the  
62 front setbacks would apply to both front setbacks.
- 63 D. Rear Setback; Interior Property Boundaries: No building shall be located closer than twenty feet  
64 (20') to any rear property lines.
- 65 E. Setbacks For Lots Bordering Residential Zones: See section 16.21.19 of this title for information  
66 on transitional development standards for nonresidential uses bordering residential uses.

67 **16.12.07: RESERVED HEIGHT REQUIREMENTS**

68 Height of all dwellings, accessory buildings and/or structures shall not exceed forty feet (40') above  
69 natural grade, unless approved as a conditional use. Buildings which abut a residential zone or use shall

70 be increased at least one foot (1') for each two feet (2') in building height above twenty feet (20') (see  
71 section 16.21.19 of this title).

72 **16.12.08: RESERVED DESIGN AND SITE PLAN APPROVAL**

73 Site plan approval is a condition of approval for all development within this zone. The design and site  
74 plan review shall include, but not be limited to, architectural design and theme, building materials,  
75 lighting, signage, landscaping, parking, vehicular, bike and pedestrian access, accessory structures,  
76 helicopter pads, nuisance factors and natural and manmade hazards.

77 **16.12.09: RESERVED SITE PLAN PROVISIONS**

78 Prior to the construction of any building in this zone, a site plan shall be submitted and approved by the  
79 development review committee. Site plans shall be drawn to scale and shall contain, but not limited to, the  
80 following information:

- 81 A. The location of all existing and proposed buildings and structures on the site, with full dimensions
- 82 showing distances between buildings and distances from buildings to adjacent property lines;
- 83 B. A landscaping plan showing the location, types and initial sizes of all planting materials to be
- 84 used, together with the location of fences, walls, hedges and decorative materials;
- 85 C. Preliminary elevations of main buildings showing the general appearance and type of external
- 86 materials to be used;
- 87 D. Parking lot layout;
- 88 E. Dumpster enclosure location;
- 89 F. Site lighting;
- 90 G. Neighboring uses;
- 91 H. Irrigation plan; and
- 92 I. Utility plan.

93 **16.12.10: RESERVED PERMISSIBLE LOT COVERAGE**

94 A building or group of buildings, with all accessory buildings, shall not cover more than thirty percent  
95 (30%) of the property, exclusive of parking areas.

96 **16.12.11: RESERVED PARKING, LOADING AND ACCESS REQUIREMENTS**

97 Each use shall provide approved parking sufficient for the use, as well as safe and adequate pedestrian  
98 access to the building. All loading and unloading must be done in accordance with required standards. For  
99 more information on parking and loading, see section 16.33.12 of this title.

100 **16.12.12: RESERVED OTHER REQUIREMENTS**

- 101 A. Landscaping: Any portion of the lot not included in the structure or parking areas must be
- 102 appropriately landscaped. The front landscape strip shall be thirty feet (30') on any side adjacent
- 103 to a public street. A minimum of thirty percent (30%) of the overall site shall be landscaped. For
- 104 specific regulations, see section 16.21.10 of this title.
- 105 B. Refuse And Debris: The entire lot shall be kept free from refuse, debris and waste material. All
- 106 such refuse, garbage debris and waste material shall be kept in approved containers and stored
- 107 within a building or enclosed in a sight obscuring fence or wall of not less than six feet (6') in
- 108 height. Garbage containers shall not be located within the required front setback (see section
- 109 16.21.15 of this title).
- 110 C. Emissions: No dust, noticeable odor, smoke, vibration, intermittent light or noise shall be emitted
- 111 which is discernible beyond the property boundary lines (see chapter 16.28 of this title).
- 112 D. Storage: All storage and outside activities, except loading and unloading, shall be enclosed within
- 113 a building or if approved as part of the conditional use, within an area that is enclosed with a sight

114 obscuring fence at least six feet (6') and no more than eight feet (8') in height (see section  
115 16.21.15 of this title).

116 E. Sewer System: All uses located within the office and business park (OBP) shall be connected to a  
117 publicly owned and operated sewer system.

118 F. Maintenance: All signs, structures, parking areas, landscaping or other portions of the  
119 development that are visible from either an adjoining residential use, or from a major street or  
120 highway, shall be kept in good repair and maintenance at all times. Failure to do so may be  
121 grounds for refusal to renew any business license or conditional use permit.

122 G. Sewer and Water Requirements: See section 16.27.11 of this title.

123 H. Signs: Any signs or other form of advertising must comply with the sign provisions of this title.  
124 Any signs fronting a state highway shall be monument signs (see chapter 16.26 of this title).

125 I. Parking Areas: Parking areas may not cover more than twenty five percent (25%) of the property.

126 J. Accesses: Appropriate access to trails, creeks, sidewalks or open space amenities is required.  
127 Trails shall be created to connect to any existing or planned public trail system in the area.

128 K. Roof Mounted Appurtenances: Roof mounted appurtenances is discouraged. If they are used, they  
129 shall be placed within an enclosure as high as the appurtenance that reflects the architectural  
130 design scheme of the project.

131 L. Utilities: All utility connections shall be compatible with the architectural elements of the site and  
132 not be exposed except where necessary. Utility lines and cables shall be installed underground.

133 M. Walkways: Pedestrian walkways shall be a minimum of five feet (5') in width and public  
134 easements for such walkways and trails shall be required.

135 N. Exterior Materials: All buildings shall be made of brick, wood, stone or masonry materials. Vinyl  
136 and metal siding is prohibited.

137 O. Prohibited Roof Types: Flat roofs, rounded rooflines and mansard roofs are not permitted unless  
138 approved as a conditional use.

### 139 **16.12.13: RESERVED LIGHTING STANDARDS**

140 See section 16.21.16 of this title for additional requirements. In the event of a conflict between that  
141 section and this section, this section shall control.

142 A. Uniformity of lighting is desirable to achieve an overall objective of continuity, and to avoid  
143 objectionable glare.

144 B. The light shall be low intensity, shielded from uses on adjoining lots, and directed downward and  
145 away from adjacent property in a residential or agricultural zone or an adjacent residential or  
146 agricultural use.

147 C. All parking luminaries, except those required for security, shall be extinguished one hour after the  
148 end of business hours. The exception for security lighting requires that security lighting must be  
149 equipped with motion sensors so that only lights sensing movement will come on and thereby  
150 reduce the amount of light interfering with adjoining uses or the night sky.

151 D. Pedestrian walkways shall be lighted along the walkways.

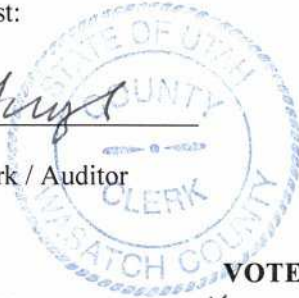
- c. Publish a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance, for at least one publication in a newspaper published in and having general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

APPROVED and PASSED this 18 day of May, 2022.

Attest:

WASATCH COUNTY COUNCIL:

Joyce O. Granger  
 Joyce Granger  
 Wasatch County Clerk / Auditor



Mark Nelson  
 Mark Nelson, Chair  
 Wasatch County Council

**VOTE**

Mark Nelson, Chairman	<u>Y</u>
Spencer Park, Vice-Chair	<u>Y</u>
Marilyn Crittenden	<u>Y</u>
Jeff Wade	<u>Y</u>
Kendall Crittenden	<u>Y</u>
Steve Farrell	<u>Y</u>
Danny Goode	<u>Y</u>

ADOPTION OF ORDINANCE AFFIDAVIT

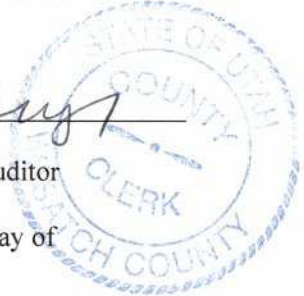
STATE OF UTAH )
): ss.
COUNTY OF WASATCH )

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 Council of Wasatch County, Utah, this 18 day of May, 2022.

Signature of Joey Granger
Joey Granger
Wasatch County Clerk / Auditor



SUBSCRIBED AND SWORN to me, a Notary Public, this 18 day of May, 2022.

Signature of Wendy McKnight
Wendy McKnight
Notary Public

Residing in: Wasatch
My commission expires: 09/10/2022

