

ORDINANCE NO. 21-18

AN ORDINANCE ADDING TO TITLE 16 AN ALLOWANCE FOR SEASONAL SNOWMOBILE STAGING AREAS IN THE H-S (HIGHWAY SERVICES) AND JBOZ (JORDANELLE BASIN OVERLAY ZONES). THE NEW CODE SECTION IS PROPOSED TO BE IN 16.21.48.

RECITALS

WHEREAS, the County received an application to amend Title 16 to allow for seasonal snowmobile staging areas; and

WHEREAS, a seasonal staging area for snowmobiles is a secure area where snowmobiles can be stored for patrons who have rented the snowmobiles in the Heber Valley and can then drive to the staging area to take the snowmobiles on the adjacent public lands; and

WHEREAS, without a staging area that allows for the storage of snowmobiles the patrons would have to tow the snowmobiles up to the site and deal with the unloading and loading of the snowmobiles; and

WHEREAS, the proposed ordinance would allow a place where clients can drive their cars reducing the number of trailers on the road and the number of vehicles and trailers at the trailhead and provide the service of loading and unloading the snowmobiles; and

WHEREAS, the intent of the General Plan is to encourage tourism and provide opportunities for visitors to spend time and money in the County; 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

WHEREAS, the County Legislative Body, having considered all of the evidence provided to be in the best interest of the health, general welfare, and safety of the inhabitants of Wasatch County;

NOW THEREFORE, the County Legislative Body of Wasatch County ordains that the Wasatch County Land Use and Development Code be amended as follows: See attached exhibit.

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 If any provisions of the County Code heretofore adopted are wholly inconsistent with this ordinance, they are hereby repealed.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

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 15 day of December, 2021.

Joey D. Granger
Joey Granger
Wasatch County Clerk / Auditor



SUBSCRIBED AND SWORN to me, a Notary Public, this 15 day of December, 2021.

Wendy McKnight
Notary Public

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



EXHIBIT A – Title 16 Amended Text

1 **16.11.02: CONDITIONAL USES**

2 Those land uses or categories of uses as listed herein, and no others, are allowed as a conditional use in
 3 the highway services zone (HS).

4 *[Note to editor: The use table in the HS zone shall be modified as shown below. The entire table has not
 5 been shown, only the one row being added is shown.]*

6 **CONDITIONAL USES IN THE HIGHWAY SERVICES ZONE (HS)**

| Use Number | Use Classification |
|-------------|--|
| <u>7419</u> | <u>Private trailhead staging area for snowmobile rentals. (No business transactions)</u> |

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10 **16.15.03: PERMITTED AND CONDITIONAL USES**

11 *[Note to editor: The use table in the JBOZ shall be modified as shown below. The entire table has not been
 12 shown, only the two rows being modified are shown.]*

| Use Number | Use Classification | Critical/Sensitive Lands Open Space | Countryside Residential | Low Density Residential | Medium Density Residential | High Density Residential | Mixed Use Commercial | Neighborhood Commercial | Community Commercial | Commercial Resort |
|-------------|--|-------------------------------------|-------------------------|-------------------------|----------------------------|--------------------------|----------------------|-------------------------|----------------------|-------------------|
| 7400 | Recreational activities (except <u>7419</u> , and <u>7450</u>) | P | P | P | P | P | P | P | P | P |
| <u>7419</u> | <u>Private trailhead staging area for snowmobile rentals. (No business transactions)</u> | <u>C</u> | = | = | = | = | <u>C</u> | <u>C</u> | <u>C</u> | <u>C</u> |

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15 **16.21.48: Seasonal Snowmobile Rental Staging Area**

16 Seasonal snowmobile rental staging areas may be allowed as a conditional use if listed as such under land
17 use number 7419 in the respective zone, and if the applicant shows a preponderance of evidence that the
18 following is true:

- 19 A. The property on which the seasonal snowmobile rental staging area is located is adjacent to public
20 lands such as US Forest Service or Utah State Parks, providing direct access to public lands and
21 trails. If any adjacent property is private, then written consent from the property owner shall be
22 required for access, use, or accessibility, and any conditional use permit shall require the written
23 consent remain in effect as a condition.
- 24 B. The conditional use can only be allowed seasonally from November 15 – April 15 of each year.
- 25 C. If the property is vacant, undeveloped land, then the use shall be seasonal only.
- 26 D. Temporary fencing with privacy screen shall be required to store equipment. The Planning
27 Commission shall consider the visual impacts of the privacy screen design, and may impose
28 requirements on the fencing to mitigate visual impacts, or find that visual impacts cannot be
29 adequately mitigated. Such temporary fencing shall be erected and removed so as to be in place
30 only within the dates of the seasonal use.
- 31 E. Portable restrooms are to remain on-site during the entire seasonal use period. Portable restrooms
32 must be approved by the Health Department. Any permanent structure must meet Health
33 Department requirements for wastewater and culinary water.
- 34 F. Site shall be kept clean of debris and trash at all times. The site plan shall indicate all trash
35 containment measures, chemical storage areas, containment procedures, and spill prevention plans.
- 36 G. There shall be adequate parking within the property boundaries to sustain the use. Parking surface
37 should meet the following minimum requirements:
- 38 1. Level or graded with road base, gravel or recycled asphalt;
39 2. Parking area shall be maintained including plowing; and
40 3. Shall be designed to provide clear ingress and egress to the property.
- 41 H. No commerce shall take place on the property. All business transactions shall occur off-site at a
42 permitted business location.
- 43 I. Temporary signage may be allowed as part of the conditional use permit. The temporary signage
44 shall not exceed 16 square feet affixed to the temporary fencing and shall not have any permanent
45 footings or structure. Any signage shall also conform to the clear view standards set forth in section
46 16.26.14.
- 47 J. Artificial lighting shall not be allowed on the property.
- 48 K. Use of chemical de-icers is prohibited.
- 49 L. Clearview standards set forth in section 16.26.14 shall also be met for snow storage and snow
50 removal on the property.
- 51 M. The applicant has met all requirements for a conditional use permit under Wasatch County Code
52 and Utah Code.