

**ORDINANCE NO. 20-12**

**AN ORDINANCE AMENDING CHAPTER 16.15 OF THE WASATCH COUNTY CODE  
TO AMEND THE JORDANELLE BASIN OVERLAY ZONE (JBOZ) IN ORDER TO  
REMOVE UNNECESSARY SECTIONS AND MODIFY THE PERMITTED AND  
CONDITIONAL TABLES IN THE ZONE AND TO REORGANIZE CERTAIN  
SECTIONS OF THE WASATCH COUNTY CODE.**

**RECITALS**

**WHEREAS**, counties may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that they consider necessary or appropriate for the use and development of land within the unincorporated area of the county to provide for the health, safety, and welfare, promote prosperity, improve good order, comfort, convenience, and aesthetics of each county, and to protect both urban and non-urban development; and

**WHEREAS**, pursuant to this authority, the County Legislative Body enacted the Land Use and Development Code, and now amends the Land Use and Development Code; and

**WHEREAS**, the County Legislative Body desires to modify the permitted and conditional uses in the Jordanelle Basin Overlay Zone (JBOZ), and;

**WHEREAS**, the County Legislative Body desires to remove redundant language in the code, and;

**WHEREAS**, the County Legislative Body desires to reorganize certain sections of code, 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 finds that these amendments more fully promote the objectives and purposes of the general plan and the Land Use and Development Code;

**NOW THEREFORE**, the County Legislative Body of Wasatch County ordains as follows:

**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If any provisions of the County Code heretofore adopted are wholly inconsistent with this ordinance, they are hereby repealed.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;
- 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 17 day of June, 2020.

Attest:

WASATCH COUNTY

COUNCIL:

  
 Calvin Griffiths  
 Wasatch County Clerk / Auditor

  
 Danny Goode, Chair  
 Wasatch County Council

Danny Goode, Chairman  
 Mark Nelson, Vice-Chair  
 Marilyn Crittenden  
 Jeff Wade  
 Kendall Crittenden  
 Steve Farrell  
 Spencer Park

**VOTE**  
 ✓  
 ✓  
 ✓  
 ✓  
 ✓  
 ✓  
 ✓

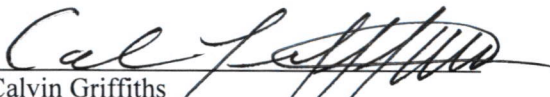
**ADOPTION OF ORDINANCE AFFIDAVIT**

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

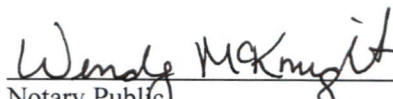
I, the undersigned, the duly qualified and acting County Clerk of Wasatch County, Utah, and ex officio Clerk of the Wasatch County Council do hereby further certify, according to the records of said Council in my official possession, and upon my own knowledge and belief, that I have fulfilled the requirements 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.

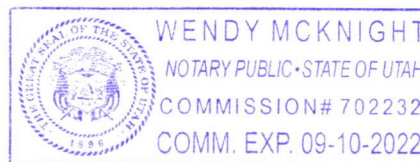
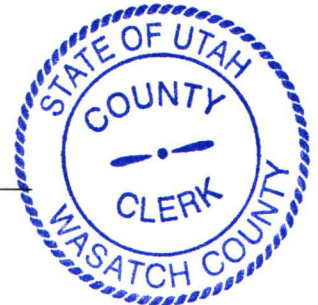
IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the County Council of Wasatch County, Utah, this 17 day of June, 2020.

  
Calvin Griffiths  
Wasatch County Clerk / Auditor

SUBSCRIBED AND SWORN to me, a Notary Public, this 17 day of June, 2020.

  
Notary Public

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



1 **16.05.15: GRAVEL PIT STANDARDS**~~RESERVED~~

- 2 1. ~~Gravel pits are only allowed in the preservation zone (P-160) as a conditional use.~~
- 3 2. ~~Before a conditional use application is considered by the planning commission, the applicant shall~~
- 4 ~~submit the following items for their review and consideration:~~
- 5 1. ~~Mining plan which shows the limits of disturbance for the entire property and the surface~~
- 6 ~~area for each phase that can be disturbed at one time;~~
- 7 2. ~~Bonding is required to assure that each phase is restored and complies with the restoration~~
- 8 ~~plan;~~
- 9 3. ~~Dust control plan;~~
- 10 4. ~~Noise control plan;~~
- 11 5. ~~Lighting plan;~~
- 12 6. ~~Time of operation plan;~~
- 13 7. ~~Provide restoration plan for each of the phases and the entire property; and~~
- 14 8. ~~Any information or plan that the Wasatch County planning director or planning~~
- 15 ~~commission may require.~~

16 **Chapter 16.15: JORDANELLE BASIN OVERLAY ZONE (JBOZ)**

17 16.15.01: PURPOSE

18 16.15.02: STANDARDS AND PROCEDURES TO BE USED IN COMBINATION

19 16.15.03: PERMITTED AND CONDITIONAL USES

20 16.15.04: ~~LANDS TO WHICH THE JBOZ ZONE APPLIES~~~~RESERVED~~

21 16.15.05: ~~PHYSICAL CONSTRAINTS RESTRICTIONS~~~~RESERVED~~

22 16.15.06: JBOZ DENSITIES

23 16.15.07: ~~RESORT SPECIALLY PLANNED AREA (RSPA)~~~~RESERVED~~

24 16.15.08: ~~ERU CALCULATIONS~~~~RESERVED~~

25 16.15.09: MASSING

26 16.15.10: TRANSPORTATION

27 16.15.11: PUBLIC SERVICES AND UTILITIES

28 16.15.12: ~~MINING~~~~RESERVED~~

29 16.15.13: OPEN SPACE

30 16.15.14: ~~BUILDING ELEMENTS~~~~RESERVED~~

31 16.15.15: REQUIREMENTS FOR COMMERCIAL/INDUSTRIAL BUILDINGS BETWEEN TWENTY

32 FIVE THOUSAND TO FIFTY THOUSAND SQUARE FEET

33 16.15.16: SETBACKS

34 16.15.17: MINIMUM LOT FRONTAGE

35 16.15.18: ~~AFFORDABLE HOUSING~~~~RESERVED~~

36 16.15.19: ~~WEED CONTROL~~~~RESERVED~~

37 16.15.20: ~~IMPACT FEES~~~~RESERVED~~

38 16.15.21: ~~DENSITY INCREASES~~~~RESERVED~~

39 16.15.22: ~~JORDANELLE ARCHITECTURAL ADVISORY COMMITTEE~~~~RESERVED~~

40 16.15.23: ~~SALE OF PROPERTY UNDER CONDOMINIUM OWNERSHIP ACT~~~~RESERVED~~

41 16.15.24: RESERVED

42 16.15.25: SIGN STANDARDS

43 **16.15.01: PURPOSE**

44 The Jordanelle Basin overlay zone (JBOZ) is to implement the goals and standards established by the  
45 previously adopted Jordanelle Basin land use plan and map and accomplish the following purposes:





4841	Underground sewage pipeline right of way	P	P	P	P	P	P	P	P	<u>-P</u>
4911	Petroleum pipeline right of way	C	C	C	C	C	C	C	C	<u>-C</u>
5200	Building Materials, hardware, farm equipment and supplies	-	-	-	-	-	-	<u>PC</u>	<u>PC</u>	-
<del>5390</del> 5300	<del>Retail-</del> General Merchandise	-	-	-	-	-	P	P	P	<u>-C</u>
5400	Food	-	-	-	-	-	P	P	P	-
5530	Gasoline Service Stations	-	-	-	-	-	-	P	P	-
5600	Apparel and Accessories	-	-	-	-	-	<u>-P</u>	P	P	-
5700	Furniture, Home furnishings and equipment	-	-	-	-	-	P	P	P	-
5800	Eating and Drinking Places (Except 5813)	-	-	-	-	-	P	P	P	<u>-C</u>
5910	Drug and proprietary	-	-	-	-	-	P	P	P	-
5931	Antiques	-	-	-	-	-	P	P	P	-
5940	Books, stationery, art and hobby supplies	-	-	-	-	-	P	P	P	-
5950	Sporting goods, bicycles and parts	-	-	-	-	-	P	P	P	-
5970	Jewelry	-	-	-	-	-	P	P	P	-
5990	Miscellaneous retail trade, NEC (Except 5992)	-	-	-	-	-	P	P	P	-
6100	<u>Finance, insurance and real estate service</u>	=	=	=	=	=	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>
6200	<u>Personal service (Except 6240 and 6290)</u>	=	=	=	=	=	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>

6500	Professional services	=	=	=	=	=	P	P	P	=
6800	Educational services	=	=	=	=	=	P	P	P	=
6911	Churches, synagogues, temples, and missions	-	C	C	C	C	C	C	C	-
7100	Cultural activities and nature exhibitions	C	=	=	=	=	P	P	P	C
741100	Recreational activities (except 7450)-golf courses (open to public)	P	P	P	P	-P	-P	-P	-P	-P
7412	Recreational activities-golf course (private membership)	P	P	P	P	-	-	-	-	-
7450	Firearms and archery	C	C	=	=	=	C	C	C	C
7510	Resorts (except 7518)	-	-	-	-	-	C	P	P	P-
7518	Recreational Resort Parks	-	-C	-	-	-	-	-	-	CP
7600	Parks	P	P	P	P	P	P	CP	CP	-P
8110	Field and seed crops	-P	P	P	P	P	P	P	P	-
8160	Pasture and rangeland	-P	P	P	P	P	P	P	P	-P

- 71 D. Permitted Accessory Uses: Accessory uses and structures are permitted in the JBOZ, provided  
72 they are incidental to, and do not substantially alter the character of, the permitted principal use or  
73 structure.
- 74 1. Accessory buildings such as garages, carports, greenhouses, gardening sheds, recreation  
75 rooms and similar structures, which are customarily used in conjunction with and are  
76 incidental to a principal dwelling or structure.
  - 77 2. Swimming pools and incidental bath houses for private use.
  - 78 3. Storage of materials used for the construction of a building, including a temporary  
79 contractor's office and/or tool shed; provided, that such uses are on the building site; and  
80 provided, further, that such use shall be for only the period of construction and thirty (30)  
81 days thereafter. Approval is subject to a bond and site plan approval from planning staff.

82 **16.15.04: LANDS TO WHICH THE JBOZ ZONE APPLIES RESERVED**

83 ~~The JBOZ shall apply to all lands shown within the JBOZ on the zoning map of Wasatch County.~~

84 **16.15.05: PHYSICAL CONSTRAINTS RESTRICTIONS RESERVED**

85 ~~No land within the JBOZ shall be developed that does not conform to the physical constraints standards~~  
 86 ~~established in section 16.27.25 of this title.~~

87 **16.15.06: JBOZ DENSITIES**

88 The following densities shall be allowed within the JBOZ. ~~Densities may be transferred from lower~~  
 89 ~~density areas to higher density areas to allow for more open space and preservation of sensitive areas and~~  
 90 ~~view corridors, and to encourage clustering of development. If appropriate to meet the goals of the~~  
 91 ~~Jordanelle land use plan, the legislative body, after a recommendation for or against by the planning~~  
 92 ~~commission has the authority, during the approval processes, to allow portions of the property to be~~  
 93 ~~adjusted up or down one land use density category, without the necessity of granting a variance. Mixed~~  
 94 ~~use commercial and commercial densities may not be changed to residential densities.~~ The standard  
 95 densities shall be measured in equivalent residential units termed "ERUs".

- 96 A. Critical/Sensitive Lands Open Space: Density: 1 ERU/40 acres. This amount may be transferred to a higher density area deemed appropriate by the county council after a recommendation for or against by the planning commission. Areas where development is prohibited due to steep hillsides (over 30%), high value wetlands, ridge lines, fault lines, stream corridors, landslide areas and flood plains. Recreation amenities such as equestrian activities, trails and public open space are encouraged. Transfers of development to off-site properties may be authorized where a greater percentage of open space is desired and compensatory enhancement to assure permanent value to the land is appropriate.
- 104 B. Countryside Residential: Density: One ERU/five (5) net developable acres. Designed to encourage open space, this district preserves view corridors, and a sense of openness. Agricultural activities are allowed, as is recreation with limited development. Residential development shall not exceed one (1) residence per 5 acres. Transfers of development to off-site properties may be authorized where a greater percentage of open space is desired and compensatory enhancement to assure permanent value to the land is appropriate.
- 110 C. Low Density Residential: 1.5 ERU/net developable acres. Areas suitable for low density developments with substantial open space to provide protection and preservation of wetlands, stream corridors, flood plains, ridge lines, wildlife habitat, view corridors, hillsides, and aesthetic attributes. A variety of housing types and styles, and flexibility is allowed.
- 114 D. Medium Density Residential: 2.5 ERU/net developable acre. Clustered, master planned developments are encouraged in this district. Interconnected open space amenities through developments of this type assist to create conservation of stream corridors, view sheds and ridge lines as well as development of a Jordanelle Basin trail system-.
- 118 E. High Density Residential: 3.25 ERU/net developable acre. This area allows a variety of housing types, with proximity to schools, shopping areas, and major recreational facilities. This district can also be used as a transitional area between commercial uses and lower density residential areas.
- 122 F. Mixed Use Commercial: Eight (8) ERU/net developable acre. Designed to provide a mixture of compatible, interrelated- uses within a community. Mixed-use- requires that the uses be in the same or interconnected buildings or in immediate proximity to one another within a parcel or parcels owned by the same property owner that are zoned mixed-use. For example-\_-small offices are compatible in the same building as housing (horizontal mixed use). Housing can also be

127 provided above shops and offices (vertical mixed-use). Offices can be located above shops. These  
 128 mixed-uses can come in a number of combinations. Hotels are also allowed within this category.

129 G. Neighborhood Commercial: Neighborhood commercial centers shall provide for a limited range  
 130 of commercial uses to meet the shopping needs of the residents in the adjacent neighborhoods.  
 131 Businesses are to be oriented to the neighborhood and compatible with surrounding residential  
 132 uses. Examples may include convenience stores, bakery, variety store or child care centers.  
 133 Minimum site area: Twenty thousand (20,000) square feet;  
 134 Maximum building footprint size: Three thousand five hundred (3,500) square feet;  
 135 Maximum building square foot/site ration: Thirty five percent (35%).

136 H. Community Commercial Uses: Community Commercial uses include general retail  
 137 centers providing for general retail, service and recreation-oriented commercial uses intended to  
 138 serve the basin as a whole. This designation allows limited commercial uses to serve the  
 139 community. Preferred uses include business support services, financial services, health care  
 140 services, personal services, professional offices, repair services, veterinary clinics, and business  
 141 or vocational schools. Hotels are also allowed within this category. Special consideration shall be  
 142 directed to traffic generation, visual impacts, surrounding natural features, parking, lighting,  
 143 landscaping and architecture. Proposed development shall screen and minimize external impacts.  
 144 Proposed developments shall preserve and enhance natural features. Coordination and clustering  
 145 of all Community Commercial Uses is required. Development standards and review criteria are  
 146 specifically intended to prohibit strip development and encourage high amenity, low impact  
 147 commercial areas. **Requirements:**  
 148 Minimum site area: Forty thousand (40,000) square feet.  
 149 Maximum building footprint size/site ratio: Eighteen percent (18%).  
 150 Maximum building square foot/site ratio: Thirty five percent  
 151 (35%).

152 I. Community/Civic Facilities: As the needs arise.

153 **16.15.07: RESORT SPECIALLY PLANNED AREA (RSPA) RESERVED**

154 ~~Density for resort specially planned areas (RSPA), meeting the requirements set forth below, shall be~~  
 155 ~~determined by an approved preliminary plan and implemented through implementation guidelines and~~  
 156 ~~standards approved by the county. (See chapter 16.41, "Appendix 6, Deer Valley Lakeside Resort~~  
 157 ~~Specially Planned Area (RSPA)", of this title.)~~

158 ~~A. Purpose: The purpose for an RSPA is to allow flexibility and creativity in the effective use of~~  
 159 ~~land, density, amenities, mixed uses, site layout and project design. Specific densities, height~~  
 160 ~~limitations, parking requirements, setbacks and other requirements of the JBOZ and other~~  
 161 ~~provisions of this title may be amended or modified as necessary to accommodate the details of~~  
 162 ~~the proposed master plan. Upon combining the RSPA with an existing zone, variations from the~~  
 163 ~~development standards of such underlying zone may be permitted, provided the variations are~~  
 164 ~~specifically adopted as part of the approved implementation guidelines and standards. The~~  
 165 ~~variations from the density determination or underlying zone shall only be considered for the~~  
 166 ~~purpose of leading to a better design and functionality of the resort.~~

167 ~~B. Prerequisites: In order for an RSPA application to be accepted and processed by the county, the~~  
 168 ~~following threshold requirements must be satisfied:~~

- 169 ~~1. The property to be included in the RSPA must contain at least eighty (80) acres.~~
- 170 ~~2. The property must incorporate within its boundaries, or be immediately adjacent to, a~~  
 171 ~~"major resort feature", which may be a ski resort, golf course with at least eighteen (18)~~

holes, marina, or other recreational facility designated by the county as a "major resort feature".

3. ~~The property must incorporate mixed uses, including at least six (6) of the following: condominiums, hotels, timeshares or other shared ownership products, private residence clubs, townhomes, single family homes, retail shops, recreational facilities, restaurants, and resort related commercial enterprises. The intention of this provision is that each project shall have a commercial/retail component.~~

4. ~~The application must be executed by, or submitted pursuant to the written authorization of, owners of land comprising at least sixty six and sixty seven hundredths percent (66.67%) of the total number of ERUs allocated to all of the land included in the proposed RSPA. The applicant shall have the option of modifying the area of the proposed RSPA following the submission of an application if necessary to satisfy the foregoing requirement, or if determined by the county and the applicant to be beneficial to the planning of the RSPA. The RSPA shall not be binding upon any particular property owner not executing or authorizing such application, unless such owner later submits the property to the RSPA by written notice to the county, and agrees that such property shall be subject to the implementation guidelines and standards of the RSPA.~~

C. ~~Review And Approval Process: The process for review and approval of an RSPA shall be the process set forth in subsections 16.15.24A, D and H of this chapter, subject to the following:~~

1. ~~The items listed in subsection 16.15.24D10 through D25 of this chapter shall not be required for review of the RSPA, but shall be required in connection with the review and approval of each specific project to be developed within the RSPA.~~

2. ~~The applicant shall submit with its preliminary plans detailed implementation guidelines and standards, setting forth the vision and objectives for the RSPA, the land use plan, proposed densities, zones within the RSPA, permitted uses, infrastructure plan, amenities plan, architectural and design guidelines, and other confirmation deemed necessary and appropriate by the planning director for the review of proposed RSPA.~~

3. ~~If, at the hearing before planning commission described in subsection 16.15.24H2 of this chapter, the planning commission approves the RSPA plan, a recommendation will be issued to the legislative body to establish the RSPA and adopt the implementation guidelines and standards related thereto.~~

4. ~~If, at the hearing before the legislative body described in subsection 16.15.24H5 of this chapter, the legislative body approves the RSPA plan, the county legislative body shall approve and establish the RSPA, and shall approve and adopt the implementation guidelines and standards for the RSPA, subject to any conditions which the county legislative body may adopt in connection with such approval. Following such approval, the implementation guidelines and standards shall govern the development of all property within the RSPA. All projects proposed for development within the RSPA shall comply with the RSPA implementation guidelines and standards, and shall be processed in accordance with the provisions of section 16.15.22 of this chapter.~~

D. ~~Standards For Approval: Before an RSPA is designated and approved for any area, the planning commission and county legislative body shall determine the following:~~

1. ~~There are substantial benefits to be derived by the general public in the county from adoption of the RSPA.~~

2. ~~There are unique circumstances with respect to the property and proposed master plan that justify the use of the RSPA.~~

3. ~~The proposed RSPA furthers the goals and objectives of the Jordanelle Basin land use plan.~~

4. ~~Approving the RSPA will not adversely affect the public health, safety and general welfare.~~

222 **16.15.08: ERU CALCULATIONS RESERVED**

223 ERU calculations shall be based upon the unit equivalent chart contained in chapter 16.37, "Appendix 2,  
224 Illustrations", figure 11, of this title and in chapter IV.C.5 of the Jordanelle land use plan (JLUP). In the  
225 event of a conflict, the density in the JLUP shall take precedence. This does not, however, prevent the  
226 special service district from charging more for sewer and water. Notwithstanding the chart, if a use is  
227 proposed that is not specifically listed in the chart, the planning staff shall assign an ERU value to said  
228 use which most closely compares to the requested use. This assigned value may be adjusted by the  
229 legislative body, after a recommendation for or against by the planning commission, during the  
230 application review process as long as the adjustment is consistent with this title and the general plan.

231 **16.15.09: MASSING LOT COVERAGE**

232 No structures shall be built that consumes more than forty percent (40%) of the size of the lot, including  
233 all accessory structures.

234 ...

235 **16.15.12: MINING RESERVED**

236 All mining rights shall be reviewed by the county as conditional uses. Mining rights shall be in the form  
237 of valid traditional rights as opposed to contract rights. The water quality standard of approval is the  
238 discharge quality. A statement must accompany applications for conditional use containing the following  
239 information:

- 240 ~~A. Size of operation;~~
- 241 ~~B.A. Work shifts;~~
- 242 ~~C.A. Tons per year estimation;~~
- 243 ~~D.A. Materials to be extracted;~~
- 244 ~~E.A. Processing methods;~~
- 245 ~~F.A. Impact statement regarding air quality, water quality and transportation;~~
- 246 ~~G.A. Proposed mitigation measures as to above items;~~
- 247 ~~H.A. List of all federal and state permits required, and the name of the supervising authority of~~  
248 ~~each agency involved;~~
- 249 ~~I.A. Title report;~~
- 250 ~~J.A. Written legal opinion about the applicant's right to access their mining products on or under the~~  
251 ~~surface;~~
- 252 ~~K.A. Economic viability;~~
- 253 ~~L.A. Parking;~~
- 254 ~~M.A. Administrative offices;~~
- 255 ~~N.A. Noise abatement plan not exceeding fifty (50) dBA (decibels) at any adjoining property~~  
256 ~~line;~~
- 257 ~~O.A. Adjacent support and subsidence plans;~~
- 258 ~~P.A. Transportation plan and impact analysis which evidences that such materials will not be~~  
259 ~~transported through a residential area and will not adversely impact any residential or commercial~~  
260 ~~area; and~~
- 261 ~~Q.A. A plan which complies with all Wasatch County and Jordanelle Basin water quality~~  
262 ~~standards.~~

263 ...

264 **16.15.14: BUILDING ELEMENTS RESERVED**

265 All buildings shall be built to meet the requirements of this zone, the adopted building code and all  
266 Wasatch County building requirements, including those contained in the ridgeline/viewshed requirements  
267 of this chapter.

268 ...

269 **16.15.16: SETBACKS**

270 A. Setbacks for residential uses in the JBOZ shall be as per the required setbacks for the underlying  
271 zone, or, if the building is in an overlay zone, the required setbacks for the applicable overlay  
272 zone. The planning director may determine that a lesser setback is allowed or a greater setback is  
273 required based upon a finding that the factors listed in this section are met. A setback line shall be  
274 established by the county planner based upon a visual assessment of the property and the use for  
275 which it is intended, follows:

- 276 1. Front: Twenty (20) feet minimum.
- 277 2. Side, Interior: Twelve (12) feet minimum.
- 278 3. Rear: Thirty (30) feet minimum unless garage is accessed from an alley as described in  
279 paragraph 4 below.
- 280 4. Garage Door: The garage door shall be setback from any front or corner side street a  
281 minimum of thirty (30) feet unless the garage is side-loaded to reduce the visual impact  
282 of the door from the street. Garages accessed from an alley may be a minimum of 20 feet  
283 from the alley.

284 B. The factors used by the planning director for a different setback than required in the underlying  
285 zone or overlay zone include the following: whether setbacks vary from structure to structure  
286 within any one lot or development; whether setbacks vary from setbacks on adjoining roadway  
287 oriented property to avoid creating a walled effect; whether the buildings are located in such a  
288 manner as to enhance and frame views as determined in the visual assessment; whether setbacks  
289 allow for appropriate gathering and seating areas in commercial nodes; and whether the usable  
290 space on the lot is maximized. This assigned setback may be appealed directly to the board of  
291 adjustment in accordance with section 16.02.09 of this title. Setbacks for commercial uses in the  
292 JBOZ shall be as follows:

- 293 1. Front: Ten (10) feet minimum.
- 294 2. Side, Interior: Ten (20) feet minimum.
- 295 3. Rear: Thirty (30) feet minimum.
- 296 4. Setback from adjacent residential property line: Thirty (30) feet minimum.

297 ...

298 **16.15.18: AFFORDABLE HOUSING RESERVED**

299 All developments will comply with the affordable housing chapter of this title and the policies  
300 implemented therein.

301 **16.15.19: WEED CONTROL RESERVED**

302 The developer shall be responsible for the control and eradication of noxious weeds on all areas of the  
303 property, including graded and disturbed areas until such time that the individual lot is sold, at which time  
304 the individual lot owners shall become responsible.

305 **16.15.20: IMPACT FEES RESERVED**

306 ~~Each development and each individual lot contained within each development within the JBOZ shall be~~  
307 ~~subject to any Wasatch County impact fees for the county and the district, as adopted and amended from~~  
308 ~~time to time.~~

309 **16.15.21: DENSITY INCREASES RESERVED**

310 ~~The county legislative body, after a recommendation for or against from the planning commission and~~  
311 ~~after public hearings, may award reasonable increases in density where appropriate and not barred by~~  
312 ~~sensitive lands, as a means of compensating owners for dedication or contribution of approved schools~~  
313 ~~sites, public facilities or increased open space above the required amount. Such density increases may not~~  
314 ~~exceed twenty five percent (25%) of the lowest base density that would have been granted for the land~~  
315 ~~use. The twenty five percent (25%) maximum shall be calculated based upon the lowest base density, and~~  
316 ~~only one bonus may be granted for any qualifying category.~~

317 **16.15.22: JORDANELLE ARCHITECTURAL ADVISORY COMMITTEE RESERVED**

318 ~~All developments shall submit their plans and documents to the Jordanelle architectural advisory~~  
319 ~~committee for review and recommendation prior to submission for preliminary and final approval. The~~  
320 ~~committee shall review such project for compliance with master CC&Rs, which have been prepared by~~  
321 ~~such advisory committee. A recommendation shall be issued within thirty (30) days after submission~~  
322 ~~thereto or the project shall be deemed approved by such committee. This committee shall serve in an~~  
323 ~~advisory capacity only, and their recommendation shall be considered by the planning commission and~~  
324 ~~legislative body at the time of the hearing thereon. Until such time as the master CC&Rs have been~~  
325 ~~prepared, and the committee appointed, the planning commission and legislative body shall act without~~  
326 ~~such recommendation.~~

327 **16.15.23: SALE OF PROPERTY UNDER CONDOMINIUM OWNERSHIP ACT RESERVE**

328 ~~Where all or part of a development is structured as a condominium project, the documentation for the~~  
329 ~~project shall comply with the provisions of the Utah condominium ownership act, as well as with the~~  
330 ~~provisions of the Wasatch County code. To the extent there is a conflict between the provisions of this~~  
331 ~~title and the act, the provisions of the act shall control. No declaration, bylaw, or other instrument~~  
332 ~~required by or under the act, shall be recorded in the office of the county recorder unless and until the~~  
333 ~~declaration, bylaw, or other instrument shall have been submitted to and approved by the planning~~  
334 ~~commission.~~

335 ...

336 **16.27.35: GRAVEL PIT AND MINING REGULATIONS**

337 Gravel Pits and mining operations, as listed in 8500 of Wasatch County Code 16.36.07, shall only be  
338 allowed when included as ~~in the~~ permitted or conditional use ~~ins-section~~ of the respective zone. All  
339 mining rights shall be reviewed by the county as conditional uses. Mining rights shall be in the form of  
340 valid traditional rights as opposed to contract rights. The water quality standard of approval is the  
341 discharge quality. A statement must accompany applications for conditional use containing the following  
342 information:

343 A. Mining plan which shows:

- 344 1. Size of operation;  
345 2. Limits of disturbance for the entire property;  
346 3. The surface area for each phase than can be disturbed at one time;  
347 4. Work shifts and time of operation;  
348 5. Tons per year limits estimation;  
349 6. Materials to be extracted;  
350 7. Processing methods;  
351 8. Impact statement regarding air quality, water quality and transportation;  
352 9. Dust Control Plan;  
353 10. Lighting Plan;  
354 11. Noise abatement plan not exceeding fifty (50) dBA (decibels) at any adjoining property  
355 line; and  
356 12. Restoration plan and proposed mitigation measures as to above items. Bonding is  
357 required to assure that each phase is restored and complies with the restoration  
358 plan.
- 359 B. List of all federal and state permits required, and the name of the supervising authority of each  
360 agency involved; and either showing permits received, or making the land use approval  
361 conditional upon such permits being received;
- 362 C. Title report;
- 363 D. Written legal opinion about the applicant's right to access their mining products on or under the  
364 surface;
- 365 E. Economic viability;
- 366 F. Parking;
- 367 G. Administrative offices;
- 368 Noise abatement plan not exceeding fifty (50) dBA (decibels) at any adjoining property line;
- 369 H. Adjacent support and subsidence plans;
- 370 I. Transportation plan and impact analysis which evidences that such materials will not be  
371 transported through a residential area and will not adversely impact any residential or commercial  
372 area; and
- 373 J. A plan which complies with all Wasatch County and Jordanelle Basin water quality standards;  
374 and
- 375 K. Any information or plan that the Wasatch County planning director or planning commission may  
376 require.