

**ORDINANCE NO. 20-02**

**AN ORDINANCE AMENDING TITLE 16 OF THE WASATCH COUNTY CODE TO AMEND A NUMBER OF SECTIONS OF THE LAND USE CODE REGARDING: ADMINISTRATIVE CONDITIONAL USES, EXPIRATION OF FINAL APPROVALS, CLARIFICATIONS FOR AMENDMENTS TO THE ZONING CODE AND ZONING MAP, GUIDELINES FOR NOTICING REQUIREMENTS FOR PLAT AMENDMENTS, CLARIFICATIONS FOR VARIOUS DEFINITIONS, FINAL PLAT REQUIREMENTS, SETBACKS FOR DWELLINGS ADJACENT TO RAILROAD TRACKS, REGULATIONS ON CAMPING AND STANDARDS FOR SUBDIVISIONS FOR PUBLIC UTILITIES.**

**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 allow yurts as an administrative approval, and;

**WHEREAS**, the County Legislative Body desires to provide more leniency on the expiration of final approvals when construction permits have been obtained, and;

**WHEREAS**, the County Legislative Body desires to provide more clarification for amendments to the land use code or zoning map, and;

**WHEREAS**, the County Legislative Body desires to provide requirements for noticing for plat amendments, and;

**WHEREAS**, the County Legislative Body desires to provide for added clarification to various definitions, and;

**WHEREAS**, the County Legislative Body desires to provide for added clarification regarding railroad setbacks, and;

**WHEREAS**, the County Legislative Body desires to provide for regulations on camping and recreational vehicle use, and;

**WHEREAS**, the County Legislative Body desires to provide for amended final plat requirements for dedication of public utility easements, and;

**WHEREAS**, the County Legislative Body desires to provide for modified subdivision requirements for public utilities, 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.



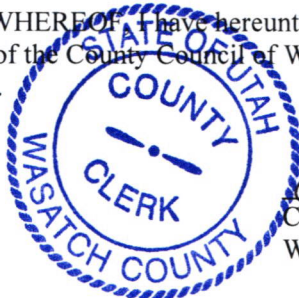
**ADOPTION OF ORDINANCE AFFIDAVIT**

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 19 day of February, 2020.

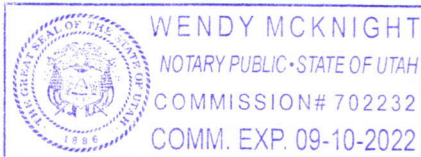


Calvin Griffiths  
Calvin Griffiths  
Wasatch County Clerk / Auditor

SUBSCRIBED AND SWORN to me, a Notary Public, this 19 day of February, 2020.

Wendy McKnight  
Notary Public

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



1 **16.01.05: AUTHORITY PROVISIONS**

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3 A. Administrative staff are authorized to approve the following applications as the Land Use Authority  
4 on behalf of the Planning Commission for the following items, unless a public hearing is required  
5 or if opposition has been received within 10 days after noticing requirements under applicable law  
6 have been met:

7 1. The following Conditional Use Permits:

- 8 a. Cell towers or other communication facilities if the applications are for stealth or
- 9 collocation.
- 10 b. Utility buildings and structures.
- 11 c. Utility lines in any zone that do not exceed thirty six (36) kV, are less than forty
- 12 nine feet (49') in height from finished grade and consist of no more than 3 new
- 13 poles (not replacement).
- 14 d. Bed and breakfast uses if the application is for five (5) bedrooms or less and there
- 15 will be no food service to anyone other than overnight guests.
- 16 e. Kennels, catteries, or animal hospitals.
- 17 f. Accessory building with a footprint one-thousand five-hundred (1,500) square feet
- 18 or larger.
- 19 g. Free standing solar panel structures over 300 square feet (in the aggregate).
- 20 h. Retaining Walls (over 10' to 30')
- 21 i. Accessory residential units (ARUs) and second kitchens pursuant to 16.21.46(A)-
- 22 (B)
- 23 j. Small wireless facilities, unless in a zone identified by 16.01.05(A)(8) or
- 24 16.21.47(C)(2)
- 25 k. Yurts on private property.

- 26 2. Home Occupation permits.
- 27 3. Retaining Walls (4' to 10').
- 28 4. Commercial off-street parking reduction.
- 29 5. Telecommunication (stealth & collocation only).
- 30 6. Commercial Site Plan.
- 31 7. Small Scale Subdivisions.
- 32 8. Temporary Uses.
- 33 9. Building Relocations.
- 34 10. Non-conforming use determinations.
- 35 11. Boundary Line Adjustments.

36 ...

37 **16.02.05: PROCEDURE TO AMEND TITLE, CODE OR ZONING MAP**

38 A. Application: This title, including the zoning map, may be amended by the Wasatch County  
39 legislative body in accordance with the requirements of the Utah Code Annotated section 17-27a-  
40 101 et seq., the county land use development and management act. For the purpose of  
41 establishing and maintaining sound, stable and desirable development within Wasatch County,  
42 amendments shall not be made to this title or the adopted zoning map except to promote more  
43 fully the objectives and purposes of the general plan and this title.

- 44 1. Any person seeking an amendment to this title or the adopted zoning map shall submit to
- 45 the planning department a written petition containing the following information:

- 46 a. Designation of the specific zone change or title amendment desired;  
 47 b. The reason and justification for such zone change or title amendment, and a  
 48 statement setting forth the manner in which a proposed amendment or zone  
 49 would further promote the objectives of the general plan and the purposes of this  
 50 title;  
 51 c. A complete and accurate legal description of the area proposed to be rezoned; or  
 52 a draft of the proposed title amendment;  
 53 d. For zone changes, ~~an accurate conceptual~~ development plan, drawn to scale,  
 54 showing all areas to be included within the proposed rezoning, designating the  
 55 present zoning of the property, and properties immediately adjacent thereto;  
 56 e. For zone changes, a slope map showing categories of slopes at zero to ten percent  
 57 (10%), eleven (11) to twenty percent (20%), twenty one (21) to thirty percent  
 58 (30%) and over thirty percent (30%) slopes; and  
 59 f. The filing fee as established by ordinance. The planning director, the county  
 60 manager, the planning commission, or the county legislative body may propose  
 61 an amendment to this title or the adopted zoning map ~~and General Plan~~ without  
 62 paying the filing fee.
- 63 2. The county legislative body or the planning commission can propose an amendment to  
 64 this title, ~~or the zoning map or general plan~~ through a motion, directing the planning  
 65 director to prepare a proposed title amendment, ~~or zoning map change, or general plan~~  
 66 amendment, in addition to their own rights to propose a change under Section  
 67 16.02.05(a)(1). Proposals by the planning commission shall be ratified by the County  
 68 Council.
- 69 3. Except as otherwise provided in this title, the county legislative body shall consider  
 70 ~~rezonings and general plan amendments, as defined in this section, zoning map~~  
 71 ~~amendments~~ annually by the end of November. ~~The county legislative body may approve~~  
 72 ~~zoning map amendments after November if the zoning map amendment, even if~~  
 73 ~~modified, was considered prior to the end of November.~~ Other properly submitted  
 74 amendments to this title may be considered anytime. The deadline for such ~~rezoning~~  
 75 ~~zoning map amendment~~ applications to be submitted to the planning department is by  
 76 July 15, of any given year for the recommendation by the planning commission. After  
 77 July 15, the item may not be entertained until the following year, unless the matter was  
 78 continued in a public meeting of the planning commission prior to July 15. All ~~approved~~  
 79 ~~zoning map amendments rezonings and associated general plan amendments~~ shall be  
 80 effective ~~within 14 days of the approval. The zoning map will be updated in~~ January of  
 81 the following year when the zoning map, general plan and code are updated; however  
 82 applicants can pursue development approvals prior to January if approvals have been  
 83 granted based on the new ordinance.
- 84 4. Exceptions: So long as the county legislative body follows all requirements under the  
 85 Utah Code to amend this title and the adopted zoning map ~~and general plan~~, they shall  
 86 have authority to amend this title at any time if the county legislative body finds that  
 87 expedited enactment of a ~~land use ordinance or amendment to the zoning map is~~  
 88 necessary for the preservation of the peace, health, safety or welfare of the county and its  
 89 inhabitants. If the county legislative body finds that an expedited ~~enactment of a land use~~  
 90 ~~ordinance, the general plan or zoning map is necessary~~, the planning director, planning  
 91 commission, and other necessary county personnel shall act with haste, and are hereby  
 92 authorized to follow the minimum requirements of the State Code to recommend an  
 93 amendment to this title or ~~a rezoning the zoning map~~, or to decline to recommend the  
 94 proposed amendment after holding a properly noticed public hearing.
- 95 B. Planning Commission Public Hearing: After providing any notices required under the Utah Code,  
 96 and this title, the planning commission shall hold a public hearing on any properly proposed

97 amendment, and shall consider any written ~~objections-comments~~ received on any zoning map  
 98 changes. ~~The planning commission may modify or recommend denial of the proposed~~  
 99 ~~amendment or zoning map change. If it is determined that such amendment is in the interest of~~  
 100 ~~the public, and is consistent with the goals and policies of the Wasatch County general plan, the~~  
 101 ~~planning commission may recommend a proposed amendment to this title or to the zoning map.~~  
 102 ~~They-The planning commission~~ may also recommend approval, modify, recommend denial,  
 103 decline to recommend a change and advance the matter to the county legislative body, or continue  
 104 the matter. They shall forward any written ~~objections-comments~~ they received to the county  
 105 legislative body with their recommendation, if they recommend a change to the zoning map.

106 ~~B.C.~~ Council Public Meeting: After providing any notices required under the Utah Code, the  
 107 county legislative body shall, after ~~the application is advanced receiving a recommendation~~ from  
 108 the planning commission, ~~regardless of whether the planning rejects or refuses to recommend~~  
 109 ~~approval of a proposed amendment,~~ hold a public ~~hearingmeeting~~ to consider whether the  
 110 proposed amendment is in the interest of the public, and is consistent with the goals and policies  
 111 of the Wasatch County general plan. ~~The legislative body may approve the proposed amendment~~  
 112 ~~to this title or the zoning map or they may modify, deny, or continue the matter.~~

113 ~~C.D.~~ The county legislative body may amend the number, shape, boundaries or area of any  
 114 zoning district, or any regulation of or within a zoning district, or any other provision of this title.

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#### 116 **16.02.06: PLAT AMENDMENTS**

117 Plat amendments shall be processed in accordance with the requirements of Utah Code Annotated. Notice  
 118 shall be provided to all owners whose real property adjoins or lies within five hundred feet (500') of all  
 119 parts of the lot(s) on which the proposed plat amendment is located and all property owners within the  
 120 plat where the property is located. Determination for plat amendments shall be made according to the  
 121 standards in Utah Code Annotated and Wasatch County Code and shall not be granted without sufficient  
 122 evidence there is good cause for the amendment.

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#### 125 **16.02.09: APPEALS PROCEDURE**

126 Appeals of administrative decisions shall be made as follows:

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128 C. Deadline For Filing: A notice of appeal before the board of adjustment and all supporting  
 129 documents shall be filed within ~~ten (10)~~thirty (30) calendar days of decision or action taken by  
 130 the official. If the ~~tenth-thirtieth~~ day falls on a Saturday, Sunday or legal holiday, the next  
 131 business day shall be treated as the ~~thirtieth~~tenth calendar day. The notice of appeal to the board  
 132 of adjustment shall be filed with the planning department. An appeal to district court of a decision  
 133 of the board of adjustment or county council shall be filed within thirty (30) calendar days in  
 134 accordance with Utah law after the decision is voted upon during the board of adjustment or  
 135 county council meeting.

136 ...

137 F. Determination Of Hearing Date: Within five (5) business days of receipt of a notice of appeal, or  
 138 as soon as is reasonably possible to find a time a quorum can meet, the applicant will be informed  
 139 of a date for the hearing before the board of adjustment, which shall be no sooner than thirty (30)  
 140 days thereafter, and no later than seventy five (75) days thereafter, unless waived by the applicant  
 141 and the enforcement officer.

142 ...

143 K. Jurisdiction: The board of adjustment only has jurisdiction over matters involving the  
 144 interpretation of the provisions of this title by a county official (other than a member of the  
 145 legislative body) or the planning commission when it is acting as the land use authority. The  
 146 planning director shall make the determination as to whether or not the board of adjustment has  
 147 jurisdiction over the matter being appealed to the board of adjustment. The planning director's  
 148 decision as to the board of adjustment's jurisdiction may be appealed in accordance with  
 149 subsection C of this section. In such a case, the appeal shall be forwarded directly to the board of  
 150 adjustment without determination by the planning director of jurisdiction. The Board of  
 151 Adjustment does not have jurisdiction to hear refusals or denials of requests or demands that the  
 152 enforcement officer initiate or advance enforcement actions.

153 ...

#### 154 **16.04.02: DEFINITIONS OF TERMS AND WORDS**

155 The following words shall have the described meaning when used in this title, unless a contrary meaning  
 156 is apparent from the context of the word:

157 ...

159 ACCESSORY BUILDING: A building or structure, the use of which is incidental and subordinate in size  
 160 and use to the main building ~~and more than ten feet (10') away from any main building or structure~~.

162 ~~ACCESSORY RESIDENTIAL DWELLING FOR NONRESIDENTIAL USES: A dwelling unit~~  
 163 ~~accessory to a nonresidential use located on the same premises, to be used solely for persons employed on~~  
 164 ~~the premises.~~

166 ACCESSORY RESIDENTIAL UNIT ~~(attached)~~: A secondary dwelling unit attached to the existing  
 167 single-family dwelling with accessibility between the unit and main dwelling, ~~solely for the housing of a~~  
 168 ~~blood relative, which shall not be a rented unit and shall be incidental to the main house. A deed~~  
 169 ~~restriction shall be recorded to ensure the above requirements run with the dwelling in perpetuity.~~

170 ...

172 CARETAKER ACCESSORY DWELLING UNIT: A living space that is either attached to or detached  
 173 from the main residence or structure, and is intended for housing of a caretaker (plus immediate family)  
 174 or an employee of the property owner (plus immediate family) who is caretaking, managing, or working  
 175 on the subject property. Employment on the property shall be for a use that is legally recognized and  
 176 approved by county zoning ordinance or official county approval (i.e., farming or ranching operations,  
 177 property maintenance, employee for a permitted on site business).

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180 CLUSTERING: A subdivision or development design technique that concentrates the buildings or lots on  
181 a part of the site to allow the remaining land to be used for recreation, common open space and/or  
182 preservation of environmentally sensitive areas.

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185 DEVELOPABLE AREA: The portion of a site or building lot that is not within any areas considered to  
186 be physical~~ly~~ constrain~~ed~~s or within required setbacks. In the case of raw ground, "developable" would  
187 mean areas that and can be serviced by required infrastructure, including roads, sewer and water.

188 ...

189 DWELLING: A building ~~or portion thereof~~ designed or used for residential occupancy, including one-  
190 family, two-family, multi-family and apartment structure; but shall not include boarding, rooming or  
191 lodging houses, tents, trailers, mobile home parks, motels, motor courts, motor lodges, cottage camps, or  
192 similar structures designed or used primarily for transient residential uses.

193

194 DWELLING, MULTIPLE-FAMILY-UNIT: A ~~building arrangement~~ dwelling or group of dwellings on  
195 one lot containing separate living units for designed for and/or occupied by three (3) or more families  
196 having separate or joint entrances.

197

198 DWELLING, SINGLE-FAMILY ATTACHED: A dwelling ~~unit~~ sharing a common wall or walls, but  
199 each unit being located on an individual lot including twin-homes and townhomes.

200

201 DWELLING, SINGLE-FAMILY DETACHED: A building designed for and occupied exclusively by one  
202 family on a separate lot and not sharing any common wall.

203

204 DWELLING, TWO-FAMILY (DUPLEX): Two (2) dwellings sharing a common wall or walls and  
205 located on one lot.

206

207 DWELLING UNIT: A single unit providing complete, independent living facilities for one or more  
208 persons, including provisions for living, sleeping, eating, cooking and sanitation.

209

210 ...

211 FACADE, BUILDING: The exterior of a building located above ground and generally visible  
212 from public points of view.

213 FACADE, FRONT: That portion of a building that generally faces the street and/or Front Lot  
214 Line. For purposes of this definition front façade shall generally mean the front wall of the  
215 building and shall not include any porch.

216 ...

217 FLOOR AREA RATIO (F.A.R.): The ratio or percentage computed by the floor surface area (or floor  
218 plate) of the main floor of a building, as the numerator, and the size of the building parcel, as the  
219 denominator.

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GROSS DENSITY: A measure of density determined by computing the total number of units on a property divided by the gross acreage.

...

~~GROUPING OF RESIDENTIAL LOTS: A development design technique that concentrates the lots in specific areas on a site to allow remaining land to be used for recreation, common spaces, or the preservation of historically or environmentally sensitive features.~~

GUEST: A person or persons staying or receiving services ~~for compensation~~ at a hotel, motel, rooming house, rest home, timeshare or similar use.

GUEST ACCESSORY DWELLING UNIT: Living space that is either attached to or detached from the main residence, subordinate in size and use and is intended only for housing temporary guests of the primary occupant of the main residence. ~~A guest ADU may not be a rental unit.~~

...

MANUFACTURED HOME: A home or other building of new construction without attached axles or wheels, which has been assembled fully, or in part, upon another site, or in a factory, and moved to the site upon which it is to be permanently assembled by truck, timber, dolly or similar conveyance; and which is placed upon a permanent foundation in compliance with the provisions of the uniform building code.

...

MOBILE HOME: A detached dwelling designed for long term occupancy and to be transported on its own wheels, or on a flatbed or other trailers or detachable wheels, and arriving at the site where it is to be occupied as a complete dwelling unit ready for occupancy except for connections to utilities and other minor work. Removal of such wheels or placing such dwelling unit on a foundation shall not remove such unit from classification as a mobile home.

...

~~MULTI-FAMILY: A dwelling or group of dwellings on one lot containing separate living units for three (3) or more families having separate or joint entrances and including apartments, row houses, townhomes and condominiums.~~

NET ACREAGE: The acreage of a site after roads and constrained lands are taken out.

NET DENSITY: A measure of density determined by computing the total number of units on a property and dividing it by the net acreage.

...

~~PLANNED DWELLING GROUP: A method of developing property that allows the concentration of development to an area of the property. This allows for large amounts of open space to remain undeveloped in perpetuity.~~

...

264 ~~PREMISES OCCUPATION: An occupation conducted on any premises, outside of the main dwelling, by~~  
 265 ~~persons residing on those premises and subject to conditional use approval.~~

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268 ~~RECORD OF SURVEY MAP: A final plat prepared by a professional land surveyor that reestablishes~~  
 269 ~~land survey controls, boundaries, location of improvements or the alignment of rights of way for~~  
 270 ~~recording.~~

271 ...

272 RESIDENCE: See DWELLING; DWELLING UNIT.

273 RIDGELINE: A ridge location that is visible from a private or public road that is seen as a distinct edge  
 274 against a backdrop of sky or land. The ridgeline shall be from existing natural grade not including  
 275 vegetation or manmade alterations to the existing ridgeline.

276 ~~RIDGELINE, SECONDARY: A ridge below the primary ridgeline that may or may not have a backdrop~~  
 277 ~~of sky.~~

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279 ~~SECONDARY RESIDENTIAL UNIT: A living unit subordinate and accessory to the main structure with~~  
 280 ~~living space found within the main dwelling unit for family of the occupants of the main structure only.~~

281 ...

282 STREET, ARTERIAL: A limited-access road that provides high-capacity movements from collector  
 283 roads to freeways and between urban centers.

284 ~~STREET, LOCAL: A road that provides for movement of local traffic to access high classification~~  
 285 ~~collector streets and is not intended to serve as a primary thoroughfare. has been designated to carry~~  
 286 ~~average daily trips of one hundred fifty one (151) to one thousand five hundred (1,500), with a minimum~~  
 287 ~~of sixty feet (60') right of way. See Wasatch County Code Title 14.~~

288

289 ~~STREET, MAJOR COLLECTOR: A road that provides for movement between arterial and local streets~~  
 290 ~~and limited access to abutting property, with a minimum of seventy five feet (75') right of way. See~~  
 291 ~~Wasatch County Code Title 14.~~

292 ~~Minor Collector: A road that has been designated to carry average daily trips of two thousand one (2,001)~~  
 293 ~~to eight thousand (8,000), with a minimum of sixty six feet (66') right of way.~~

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## 295 16.05.08: SETBACK REQUIREMENTS

296 ...

297 E. ~~Railroad-Other~~ Setbacks: See section 16.21.07 for other setback requirements that may apply.  
 298 ~~The setback of all residential dwellings shall be a minimum of seventy five feet (75') from the railroad~~  
 299 ~~right of way.~~

300 ...

301 **16.06.08: SETBACK REQUIREMENTS**

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303 E. ~~Railroad-Other~~ Setbacks: See section 16.21.07 for other setback requirements that may apply.~~The~~  
304 ~~setback of all residential dwellings shall be a minimum of seventy five feet (75') from the railroad~~  
305 ~~right of way.~~

306 ...

307 **16.07.08: SETBACK REQUIREMENTS**

308 ...

309 E. ~~Railroad-Other~~ Setbacks: See section 16.21.07 for other setback requirements that may apply.~~The~~  
310 ~~setback of all residential dwellings shall be a minimum of seventy five feet (75') from the railroad~~  
311 ~~right of way.~~

312 ...

313 **16.09.09: SETBACK REQUIREMENTS**

314 ...

315 E. Other Setbacks: See section 16.21.07 for other setback requirements that may apply.

316 ...

317 **16.15.11: PUBLIC SERVICES AND UTILITIES**

- 318 A. Sewer: All lots located within the JBOZ shall be served with public sewer, except that if the  
319 property line is more than three hundred feet (300') from a sewer line, and an owner wishes to  
320 build one residence on a parcel of land of at least eighty (80) acres, a septic system for the single  
321 residence may be permitted if approved by the Wasatch City-County health department.
- 322 B. Water: All lots located within the JBOZ shall be served with a public water source, if such is  
323 available within five hundred feet (500') of any portion of the lot, and the lot is a minimum of  
324 eighty (80) acres in size. In the event a private well is allowed, it must meet all county and state  
325 requirements.
- 326 C. Stormwater Management: All developments and lots contained therein shall control the release of  
327 stormwater runoff by complying with the regulations established in the Wasatch County water  
328 quality management plan. If, in the future, either Wasatch County or the JSSD adopt a stormwater  
329 system, all developments shall be required to bring their stormwater management systems into  
330 compliance with the required standards prior to acceptance of responsibility for such systems by  
331 the county or JSSD.
- 332 D. Utilities: All developments shall supply stub-outs to each lot contained in the development for all  
333 utilities, including, but not limited to, natural gas, telephone, electricity, cable television, etc.
- 334 E. Snow Removal And Road Maintenance: Snow removal and road maintenance will be the  
335 responsibility of the homeowners' association within each development for roads contained  
336 therein, except for any roads, or portions thereof, which are specifically accepted, at the time of  
337 approval of the development, by the county and Jordanelle special service district. All roads  
338 accepted by the county and the Jordanelle special service district shall be maintained and snow

- 339 removed by the county. All developments will be planned with snow removal requirements in  
 340 mind. Snow storage areas shall be planned for and adequate shoulders for development roads will  
 341 be required.
- 342 F. Garbage: Garbage collection will be provided by Wasatch County solid waste district.  
 343 Construction debris shall be properly disposed of by the contractor prior to a certificate of  
 344 occupancy being granted for any building.

345 ...

346 **16.21.33: MOBILE HOMES AND VACATION RECREATION VEHICLES AND**  
 347 **CAMPING PROHIBITED; EXCEPTIONS**

- 348 A. Intent: Most ~~mobile homes~~camping shelters and recreational vehicles have a life expectancy of  
 349 somewhat less than conventionally constructed dwellings and do not comply with all of the  
 350 provisions of the international building code and when located on scattered sites, they tend to  
 351 depreciate surrounding property values, and they are not designed to be permanently connected to  
 352 culinary water and waste water services, and thus increase the probability of causing illness and  
 353 contaminating the water supply as a result of human habitation therein. Therefore, it shall be  
 354 unlawful to place any ~~mobile home~~camping shelter or ~~recreational vehicles~~vacation vehicle on  
 355 any lot or parcel of land in Wasatch County and use the same for human habitation, except in  
 356 compliance with one of the following conditions:
- 357 1. A ~~vacation-recreational~~ vehicle may be temporarily located on a lot, if a permit for a  
 358 dwelling or project has been issued, and a cash bond, in the amount of two thousand five  
 359 hundred dollars (\$2,500.00), is posted with the county auditor guaranteeing the removal  
 360 of the mobile home or terminating occupancy of the recreation vehicle once the home is  
 361 granted occupancy. This bond will be limited to one year, during the time of construction.
  - 362 2. A recreational vehicle or camping shelter ~~vacation vehicle~~-located ~~temporarily~~ on a tract  
 363 of land without a main structure may not exceed twenty (20) days in any one calendar  
 364 year when used for human habitation, unless the property is an established legal camping  
 365 area, a recreational vehicle park, or a recreational resort park.-
- 366 B. Storage: There may not be more than two (2) ~~vacation-recreational~~ vehicles ~~or campers units~~  
 367 (regardless of whether or not titled to the current property owner or resident) stored on an open  
 368 tract of land where there is an existing dwelling. On parcels without a main dwelling, storage of  
 369 ~~mobile homes and vacation vehicles~~recreational vehicles or mobile homes is prohibited.

370 ...

371 **16.21.46: ACCESSORY RESIDENTIAL UNITS, CARETAKER ACCESSORY**  
 372 **DWELLING UNITS, GUEST UNITS AND SECOND KITCHENS**

373 ...

374 A. Accessory Residential Units (ARU's):

375 Accessory residential units (ARU's) are units for immediate family members that are structurally part of  
 376 the main dwelling ~~but can be a stand-alone dwelling unit in that it may have a separate entrance and~~  
 377 ~~kitchen~~ and ~~which~~ must be in compliance with the below restrictions:-

- 378 1. Allowed only in single family detached homes.
- 379 2. Must be part of the main dwelling unit and share common walls. Common walls and roof lines do  
 380 not include covered or enclosed walkways. The unit may have a separate entrance and kitchen,

381 but must have the ability to be accessible through conditioned space through the main dwelling  
382 unit.

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385 8. Must go through an ~~administrative~~ conditional use process as per section ~~16.23.03~~ 16.01.05.  
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388 **16.21.43: EXEMPTIONS FOR SPECIFIC USES**

389 A. The following land uses, as identified in the land use classification appendix, may be exempt  
390 from specific code requirements: (4800) Utilities, (6721) police protection and related activities;  
391 and (6723) fire protection and related activities, (6729) other protective functions and their related  
392 activities, NEC (includes, but is not limited to, customs inspection, immigration offices, FBI  
393 offices, children's justice centers).

394 B. The land use classifications identified above and related services may be exempt from certain  
395 land use requirements if it is determined by the county council, after receiving a recommendation  
396 for or against from the planning commission, that the health, safety and general welfare of the  
397 citizens of Wasatch County is further protected.

398 C. Exempting the above noted uses from land use requirements means exemptions may be for some  
399 or all of the following: frontage, access, acreage, sewer, fees, etc.

400 ...

401 **16.27.12: FINAL PLAT REQUIREMENTS**

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403 L. A form of certification for the following:

404 1. Owner's dedications which shall contain the following elements, if applicable:

405 a. The owner shall dedicate and convey to the owners of the lots in all phases of the  
406 development all open space, common areas, private trails, private roads, and any  
407 other property labeled on the plat as common;

408 b. The owner shall dedicate all property labelled on the plat as public to the public,  
409 and all utility easements to the public for use of utility companies ~~or other~~  
410 ~~utilities~~ as allowed by ~~the~~ Wasatch County;

411 ...

412 **16.27.23: DEVELOPMENT AGREEMENTS**

413 The county manager may enter into a development agreement with individuals or entities. Development  
414 agreements may be recorded at a master plan level, site plan, or at a final plat approval or all phases of  
415 approval.

416 A. Maintenance Obligations: Any development which pursuant to county ordinances, conditions of  
417 approval or agreement requires ongoing maintenance obligations to be performed by the  
418 developer must comply with the following prior to shifting majority control of the homeowner's  
419 association to the individual unit owners:

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1. Identify the homeowners' association or other entity intended to undertake the ongoing maintenance obligations;
  2. Provide all legal documentation necessary for such entity, including a binding agreement to provide continued maintenance;
  3. Provide a cash, escrow or letter of credit bond sufficient to pay for the estimated cost, as approved by the county, to provide said maintenance for ~~twenty~~ five (25) years. The bond may be released once a homeowners' association or other ongoing entity is sufficiently established, as determined by the planning director, to carry out the maintenance obligations. In determining if the homeowner's association is adequately funded, the planning director may require the developer to perform a reserve analysis similar to that outlined in Utah Code 57-8a-211, in order to prove the homeowner's association has adequate reserve funds.
- B. Transfer Maintenance Obligations: It is anticipated that developer will transfer certain maintenance obligations to the homeowners' association. The association shall be a nonprofit corporation formed in accordance with the state and federal law. The association shall have authority to impose fees sufficient to perform the maintenance obligations transferred to it.
- C. Written Transfer Agreement Required: In the event developer transfers the developer's maintenance obligations to the homeowners' association, the developer shall do so by written transfer agreement approved by the county. The developer shall also ensure, to the reasonable satisfaction of the County, that the maintenance obligations of the homeowners' association have been adequately funded and kept up to date when the developer loses majority control of the homeowner's association.

443 **16.37.11: ERU (EQUIVALENT RESIDENTIAL UNITS)**

444 FIGURE 11

445 ERU/EQUIVALENT RESIDENTIAL UNITS

Configuration	Notes	ERUs
Motel/hotel room <sup>1</sup>	<del>Attached unit n</del> Not to exceed 500 square feet including bathroom areas, but not including corridors outside of room, <u>and not to exceed 1 bathroom.</u>	0.25
Hotel suite or 1 bedroom apartment	<del>Attached unit n</del> Not to exceed 700 square feet including bathroom areas but not corridors outside of rooms, <u>and not more than 1 bathroom; any detached hotel or motel unit under 500 square feet and not more than 1 bathroom.</u>	<u>0.33</u>
1 or 2 bedroom apartment	<del>Attached unit n</del> Not to exceed 1,000 square feet and not to exceed 1 <sup>1/2</sup> bathrooms.	<u>0.50</u>
Apartment <del>condo or</del> <u>attached single-family product</u>	<del>Attached unit n</del> Not to exceed 1,500 square feet <u>and 2 bathrooms.</u>	<u>0.75</u>
All other residential uses <u>and dwellings</u> <sup>2</sup>	Up to 5,000 square feet <u>per unit</u> , plus an incremental increase based on impacts to the district <sup>2</sup>	1.00
Commercial <u>and Industrial, not including dwellings</u>	For each 2,000 square feet of gross floor area, or for each part of a 2,000 square feet interval	<u>0.86</u>

446 Notes:

- 447 1. Motel/hotel uses must be declared at the time of site plan submittal, and are subject to review for  
448 neighborhood compatibility. Within a hotel, up to 5 percent of the total floor area (as defined in  
449 the current building code) may be dedicated to meeting rooms, and an additional 5 percent for  
450 support commercial areas, without requiring the use of a unit equivalent of commercial space.  
451 2. Incremental increase will be 0.10 ERU per 500 square feet. For planning purposes only, a  
452 detached single-family home ~~on a platted lot~~ shall be 1 ERU per ~~lot~~dwelling, regardless of the  
453 size of the home.