

PROPOSED AMENDMENTS

PLANNING AND ZONING ORDINANCES

Chapter 2 Definitions and Rules

8-2-1: General Rules for Construction of Language: put the words “shall” and “may” in parentheses.

Agriculture: The tilling of the soil, the raising or grazing of livestock and raising of crops, horticulture and gardening, including the keeping or raising of domestic animals, fowl, bees and insects.

Accessory Building: add at the end of the definition add: “*Occupation is prohibited*”.

Apartment House: A multiple dwelling where two or more resident units share a wall, ceiling or floor. See definition of dwelling, Multi Family.

Contiguous: Strikeout ~~Substantial~~

Dwelling: Multi-Family: 850 should be 800 and 45 should be 40.

Home Occupation: Under the list of uses add “*curing and packaging of meat products*”

Chapter 3 Administration and Enforcement

8-3-4 A Building Permits: Change the 120 square feet to “*200 square feet*” and add “(See ICC IRC Code R105-2)”

8-3-4 (J)(3) Posting of Building Permit: The building inspector shall be given at least twenty four(24) hours’ written *or electronic* notice of the starting of work under a building permit,

Chapter 5 Board of Adjustment

8-5-1 Appointment, Term, Removal: Change the term to *one year (1)* not five (5).

Section 305 Meetings and Rules.

Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. The Chairman of said Board of Adjustment or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses at such meetings, and all meetings shall be open to the public. The Board shall fix a reasonable time for any meeting and shall give at least 30 days’ public notice thereof. Where appeals are to be heard, 30 days’ public notice of the meeting and 20 days’ written notice by mail to last known address, shall be given all owners of real property located within a 200-foot radius of the property in question.

8-5-9: Request to Appear Form: Strike out entire section 8-5-9.

Chapter 6: Zoning Districts Article A-Multiple Use, Agricultural and Rural Residential Districts.

8-6A-3 Uses

Dwellings: Change Farm or ranch house to Guesthouse. Change the P to C under Multiply Use 40.

Dwellings: Single Family; Change the C's to P's under Multiple Use 80 and 160.

Front Yard Regulations: Under Accessory Buildings it should read "Accessory buildings may have the same minimum front yard depth as any ~~main~~-buildings if they have the same side yard required for any ~~main~~ buildings, otherwise they shall be set back at least 6 feet in the rear of the any ~~main~~-building." This will only apply in Rural Residential ½ and Rural Residential 1. Take out the A's under MU 40,80,60, Agricultural 20 and 40, and Rural Residential 5 and 10.

Chapter 6 Zoning Districts Article B-Residential and Multiple Residential Districts.

8-6B-3 Uses

Power Generation; Minor Wind: Under R-1-40 and R-1-20 add a P instead of blank.

Chapter 6 Zoning Districts Article C Commercial and Industrial Districts

8-6C-3 Uses

Automobile Sales and Service: Automatic car wash; automobile and recreational vehicle sales, lease, rental or repair, new or used conducted outdoors; automobile repair garage. Under CN add a C instead of blank.

Recreation, Commercial:Recreational vehicle parks; Under CS, CH, CG and MD should be all C not P or blank.

Sales and Related Service: Awning sales/repair; Under MG should be C not blank. Gunsmith; Under CG should be C and Blank under MD and MG not C.

Chapter 8 Subdivisions Article B Concept Plans

8-8B-2: Plan Requirements: polities should be policies in second line.

Chapter 8 Subdivisions Article C Minor Subdivisions:

8-8C-11(B)and(E): Change everything to 10 days

Chapter 8 Subdivisions Article D Major Subdivisions

8-8D-1-8(B)and(E): Change to 10 days.

Chapter 8 Subdivisions Article F Plat Amendments and Amendments to Subdivisions:

8-8F-2 (B)- Public Hearing: If a petition is filed, the county commission shall hold a public hearing within forty five (45) days after it is filed, unless exempted under 17-27a-608.

Chapter 9 Supplementary and Qualifying Regulations

8-9-4; Dwelling Requirements: strike out “*facing the street*”.

8-9-14: Animals and Fowl: No animals or fowl shall be kept or maintained closer than forty feet (40') from any dwelling. Strike out the rest of the text

Chapter 12 Mobile Home Parks and Recreational Vehicles

8-12-1(A) Placement of Recreational Vehicles and Mobile Homes: Strikeout “A recreational vehicle shall not stay more than sixteen (16) days out of thirty (30) days on the same lot or parcel of land.”

8-12-2(D)(2) Mobile Home Park Regulations/Density: Strikeout “Recreational vehicles shall not be located in mobile home parks, except when unoccupied and located in the storage area.”

Definitions to add.

Bed and breakfast inn: an operator occupied dwelling unit where short-term lodging rooms and meals are provided for compensation on a small scale.

Building, agricultural: a structure designed and constructed to house for farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation, or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.

Building inspector: an official or other person licensed through the state and charged with the enforcement of county ordinances and state building codes.

Building, residential: any one- and two-family dwelling or portion thereof, including townhouses, that is used, or designed or intended to be used for human habitation, for living, sleeping, cooking or eating purposes, or any combination thereof, and shall include accessory structures thereto.

Building setback line: the horizontal distance line which is generally parallel to the related front, rear, or side lot line. The building setback line cannot encroach upon the required minimum yard dimensions for principally permitted and accessory uses or structures.

Camping: a temporary establishment of living facilities such as tents or recreational vehicles for a period of sixteen (16) days or less.

Conditional use permit: the legal authorization to undertake a conditional use, issued by the Planning & Zoning Board, pursuant to authorization by the land use authority, consisting of two parts:

1. A statement of the factual determination by the land use authority which justifies the issuance of the permit; and
2. A statement of specific conditions which must be met in order for the use to be allowed.

Density: the number of persons or dwelling units per acre of gross area.

Design, subdivision: the alignment, grade and width for easements and rights-of-way for utilities; the final grade or contouring and general layout of lots and streets within the area; location of land to be dedicated for park or recreational purposes; and, such specific requirements in the plan and configuration of the entire subdivision as may be necessary or convenient to insure conformity to or implementation of applicable general or specific plans.

Development: the act, process, or result of erecting, placing, constructing, remodeling, converting, altering, relocating, or demolishing any structure or improvement to property, including grading, clearing, grubbing, mining, excavating, or filling of such property.

Dwelling: a permanent building or portion thereof designed for or used as the living quarters for one family, intended, or designed to be built, used, rented, leased, let or hired out to be occupied for living purposes. Dwelling does not include a tent, recreational vehicle, hotel, motel, tourist cabin, boarding house, hospital or nursing home.

Easement: a non-possessory interest in that portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner of the property. The easement may be for use under, on or above the lot or lots. A vested or acquired right to use land, other than as a tenant, for a specific purpose; such right being held by someone other than the owner who holds title to the land.

Essential services: services provided by public or private utilities, including underground, surface or overhead gas, electrical, steam, water, sanitary sewer, storm-water drainage, and communication systems and accessories such as poles, towers, wires, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations and hydrants, but not including buildings used or intended to be used for human habitation.

Façade: the entire area of a building facing or side extending from the roof or parapet to the ground and from one corner of the building to another but does not include any structural or nonstructural elements which extend beyond the roof of a building.

Lot area: the total area of the horizontal plane bounded by the front, side, and rear lot lines, but not including any area occupied by rights-of-way or the waters of any lake or river.

Lot, corner: a lot situated at the intersection of two streets or on a curved street where the interior angle of such intersection or curved street does not exceed one hundred thirty-five (135) degrees.

Lot, double fronting: a lot other than a corner lot that has frontage on more than one street.

Lot, interior: a lot other than a corner lot with frontage on a public right-of-way.

Lot line, front: the common boundary line of a street and a street right-of-way line towards which principal or usual entrance to the main building faces.

Lot line, rear: the boundary line of a lot which is most nearly opposite the front lot line of such lot. In case of a triangular or wedge shaped lot. In case of a corner lot, providing that all requirements for yard space are complied with, the owner may choose either side not abutting a street as the rear lot line, even though it is not opposite the front lot line. Once the choice has been made, it cannot be changed unless all requirements for yard space can be complied with.

Lot width: the width of the lot as measured along the building front setback line required in the zone.

Manufactured home: a transportable factory built housing unit constructed on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code), in one or more sections, which, is eight body feet or more in width or forty (40) body feet or more in length, or when erected on site, is four hundred (400) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems and is attached to an approved permanent foundation system that is installed around the exterior of the manufactured home which when completed attaches the home to the ground in accordance with plans providing for vertical loads, uplift, lateral forces and frost protection. The surface of non-concrete foundation applications shall be finished in a manner to appear as masonry or concrete. All manufactured homes shall have a data plate attached to the interior of the

home and a HUD label attached to the exterior of the home. Manufactured homes meeting this definition may be placed in any residential zone.

Mobile home: a transportable factory built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to the Federal Manufactured Housing and Safety Standards Act (HUD Code), and, except as outlined in Section [17.116.130] (A) and (B) of this title, and are only allowed in legally licensed mobile home parks or mobile home subdivisions after complying with the requirements ANSI 225.1.

Owner: the holder of fee title to land or buildings or to property, whether a person, partnership, corporation, or other entity recognized by law, including any lessee, permittee, assignee, or successor in interest.

Parking space: the space required to park one passenger vehicle off the public right-of-way.

Permanent human habitation: the use of a constructed or pre-constructed dwelling, or any vehicle, RV, trailer, or tent in excess of fifteen (15) days for living quarters.

Planned unit development (PUD): an integrated design for development of residential, commercial or industrial uses, or limited combinations of such uses, in which the density and location regulations of the district in which the development is situated may be varied or waived to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed requirements.

Quasi-public use or quasi-public facility: a use conducted by, or a facility or structure owned by, a nonprofit, religious, or eleemosynary institution that provides educational, cultural, recreational, religious, institutional, medical, community service or other similar types of public services, and includes private hospitals, medical offices and cemeteries.

Right-of-way: the area, either public or private, over which the right-of-passage exists

Site plan: a plat of a lot, drawn to scale, showing its actual measurements, the size and location of any existing buildings or structures, and those yet to be erected, the location of the lot in relation to abutting streets, and such other information as may be required by the planning commission, zoning administrator, or this code.

Spot zone: a zoning amendment which singles out a relatively small parcel for a use classification totally different from that of the surrounding area, for the benefit of the owner of such property or which is invalid because it is not in accordance with the general plan.

Story: the space within a building, other than a cellar, included between the surface of any floor and the surface of the ceiling next above.

Structure: that which is built or constructed.

Subdivision amendment: the process of amending or changing in any way a recorded subdivision plat.

Subdivision vacation: the process of removing from record a section of land that was subdivided.

Uniform Building Code: the current edition of the building code as adopted by the State of Utah.

Use: the specific purposes for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained.

Use, accessory: a subordinate use customarily incidental to and located upon the same lot occupied by the main use and devoted exclusively to the main use of the premises.

Use, permitted: any use lawfully occupying land or buildings, as authorized in the zone regulations and for which no conditional use permit is required.

Vacation plat: a plat submitted for the purpose of removing a subdivision from the records of the county recorder and the county assessor which shows the area that is to return to its original state.

Variance: a waiver of specific regulations of this title granted by the board of adjustments, in accordance with the provisions set forth in this title, for the purpose of assuring that no property because of special circumstances applicable to it shall be deprived of privileges commonly enjoyed by other properties in the same zone.

Yard: an open, unoccupied space, other than a court, unobstructed from the ground to the sky, except where specifically provided by this title, on the lot on which a building is situated.

Yard, front: an open space on the same lot with a building between the front line of the building (exclusive of steps) and the front lot line and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line of the building. On corner lots, the front yard is the yard in front of the front or main entrance.

Yard, rear: an open, unoccupied space on the same lot with a building between the rear line of the building (exclusive of steps) and the rear lot line and extending from the full width of the lot. The rear yard is found on the opposite side of the building from the front yard.

Yard, side: an open, unoccupied space on the same lot with a building between the side line of the building (exclusive of steps) and the side lot line and extending from the front yard to the rear yard.

Zoning district: a geographical area of the county, established as a zoning district by this title, within which the zoning regulations and requirements are uniform.