

ORDINANCE NO. 20-24

CODE AMENDMENT TO SECTION 16.27.17 REGARDING THE SHAPE OF LOTS AND CLARIFICATIONS ON DOUBLE FRONTED LOTS. ALSO A CLARIFICATION FOR THE DEFINITION OF OPEN SPACE IN 16.04.

WHEREAS, the code states that double fronted lots are not allowed; and

WHEREAS, a number of developers and engineers have proposed small holding strips owned by the HOA as an option to allow essentially double fronted lots; and

WHEREAS, these small “holding/nuisance strips” are not allowed in the code in section 16.27.33; and

WHEREAS, these nuisance/holding strips create remnant pieces of property too small and isolated to be maintained by the HOA; and

WHEREAS, Section 16.21.02 does not allow for lots that do not meet the minimum standards of the underlying zone to be created; and

WHEREAS, the County would like to clarify the existing code language regarding double fronted lots when appropriate open space is used; and

WHEREAS, the legislative body finds that these amendments are consistent with objectives and purposes of the general plan and the land use and development code; and

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

Section I. **Enactment**: The following amendments to the Title 16 of the Wasatch County Code are hereby enacted:

16.21.06 OPEN SPACE

A. When open space is required as part of a development approval or where open space is used to comply with another land use ordinance, the open space shall meet the following minimum criteria in addition to any other criteria specified under the applicable land use section:

- 1. Open space areas shall be protected by a recorded conservation easement enforceable by the county. ~~Further protection may be offered by an actual land dedication to the county or other entity acceptable to the county, upon the approval by the county.~~**

- 2. Open space areas shall be a minimum of twenty (20) feet at the narrowest point unless otherwise permitted by the applicable land use ordinance.
- 3. Open space areas shall not be small isolated remnant parcels that are not contiguous with larger open space parcels.

~~A.B.~~ Ownership Of Open Space: ...

~~B.C.~~ Maintenance Of Open Space:

- 1. ...

...

16.27.17: SHAPE OF LOTS

Lot lines shall generally be perpendicular with the street and run radially away from the street. Odd shaped lots will not be allowed.

A. Double fronted lots will not be allowed, except in situations where access is not allowed onto a major collector, as described in the master street plan.

- 1. A lot is not considered double fronted if there is a minimum of a twenty (20) foot deep open space area running the entire length between the rear property line of the lot and the right-of-way. Open space areas shall conform to the requirements of 16.21.06.

SECTION II: **Repealer.** If any provisions of the County Code heretofore adopted are inconsistent herewith they are hereby repealed.

SECTION III: **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 IV: **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 V: **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

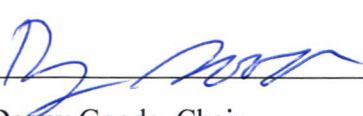
having general circulation in the county; or post a complete copy of this ordinance in nine (9) public places within the County.

APPROVED and PASSED this 25 day of November, 2020.

Attest:

WASATCH COUNTY COUNCIL:


Calvin Griffiths
Wasatch County Clerk / Auditor


Danny Goode, Chair
Wasatch County Council



	VOTE
Danny Goode, Chairman	<u>✓</u>
Steve Farrell	<u>✓</u>
Kendall Crittenden	<u>✓</u>
Mark Nelson	<u>✓</u>
Spencer Park	<u>✓</u>
Marilyn Crittenden	<u>—</u>
Jeff Wade	<u>✓</u>

ADOPTION OF ORDINANCE AFFIDAVIT

STATE OF UTAH)

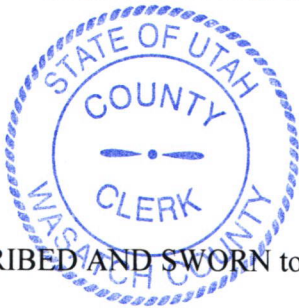
: ss.

COUNTY OF WASATCH)

I, the undersigned, the duly qualified and acting County Clerk of Wasatch County, Utah, and ex officio Clerk of the Wasatch County Council, do hereby further certify, according to the records of said Council in my official possession, and upon my own knowledge and belief, that I have fulfilled the requirements of Section 17-53-208, Utah Code Annotated, 1953, as amended, by:

- [] (a) Causing this ordinance to be entered at length in the ordinance book;
- [] (b) Causing three (3) copies of this ordinance to be deposited in the office of the County Clerk;
- [] (c) Causing a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance to be published for at least one publication in The Wasatch Wave, a newspaper of general circulation within the geographical jurisdiction of Wasatch County; or posting a complete copy of this ordinance in nine (9) public places within the County.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the County Legislative Body of Wasatch County, Utah, this 25 day of November, 2020.



Calvin Griffiths
Calvin Griffiths
Wasatch County Clerk / Auditor

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

Wendy McKnight
Notary Public

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

