TITLE 12
LAND USE ORDINANCE

CHAPTER 1
GENERAL AND SUPPLEMENTARY PROVISIONS

12.01.001: SHORT TITLE:

This title shall be known as title 12, or the LAND USE ORDINANCE OF ECHO CANYON, UTAH, and may be so cited and pleaded.

12.01.005: PURPOSE:

This title is adopted to provide for the health, safety and welfare, and promote the prosperity, improve the morals, peace and good order, comfort, convenience and aesthetics of Echo Canyon and its present and future inhabitants and businesses, to protect the tax base, secure economy in governmental expenditures, to foster the State agricultural and other industries, to protect both urban and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide fundamental fairness in land use regulation, and to protect property values.

12.01.010: EFFECT OF CHAPTER:

The regulations hereinafter set forth in this chapter qualify or supplement, as the case may be, the district regulations and all other regulations appearing elsewhere in this Code.

12.01.015: INTERPRETATION:

In interpreting and applying the provisions of this Code, the requirements contained herein are declared to be the minimum requirements for the purposes set forth.

12.01.020: CONFLICT:

1. This code may not nullify the more restrictive provisions of covenants, agreements or other ordinances or laws, but shall prevail notwithstanding such provisions which are less restrictive.

2. Whenever other restrictions or provisions are adopted under state law, the most restrictive requirement shall govern. However, Echo Canyon may not impose stricter requirements than are required in Utah Code Annotated sections 10-9a-305, 10-9a-514, 10-9a-516 and 10-9a-520.

12.01.025: LICENSING:

All departments, officials and public employees of Echo Canyon which are vested with duty or authority to issue permits or licenses shall conform to the provisions of this title and shall issue no permit or license for uses, buildings or purposes where the same would be in conflict with the provisions of this title and any such permit or license, if issued in conflict with the provisions of this title, shall be null and void.

12.01.030: SEVERABILITY:

Should any chapter, section, clause or provision of this title be declared by the courts to be invalid, the same shall not affect the validity of this title as a whole, or any part thereof, other than the part so declared to be invalid.

12.01.035: LEGAL REMEDIES FOR VIOLATION:

1. Misdemeanor: Any person, firm or corporation, whether as principal, agent or employee, who violates or causes the violation of any of the provisions of this title, shall be guilty of a class C misdemeanor as allowed by state code and, upon conviction thereof, shall be punished as provided in this code.

2. Other Permitted Action: In addition, the following may institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, or maintenance or use:

a. Echo Canyon by action of the municipal legislative body; or

b. Any owner of real estate within the zoning district, if applicable, in which an alleged violation of this title has occurred; or the owner of real estate across a zoning district line and abutting or facing the real estate where the alleged violation has occurred.

12.01.040: APPEALS:

1. Administrative Remedies Exhausted: No person may challenge in district court Echo Canyon land use decision made under this chapter or under the regulation made under authority of this chapter or this title, until they have exhausted their administrative remedies.

2. Petition For Review; Time Limit To File: Any person adversely affected by any decision made in the exercise of the provisions of this chapter may file a petition for review of the decision with the district court within thirty days.

12.01.050: ENFORCEMENT:

1. Authority: Echo Canyon or any owner of real estate within Echo Canyon in which violations of this chapter or ordinances enacted under the authority of this chapter occur or are about to occur may, in addition to other remedies provided by law, institute:

a. a. Injunctions, mandamus, abatement, or any other appropriate actions; or

b. Proceedings to prevent, enjoin, abate or remove the unlawful building, use or act.

b. Echo Canyon need only establish the violation to obtain the injunction.

2. Withhold Building Permit: Echo Canyon may enforce this title by withholding building permits.

a. It is unlawful to erect, construct, reconstruct, alter or change the use of any building or other structure within Echo Canyon without approval of a building permit.

b. Echo Canyon may not issue a building permit unless plans of and for the proposed erection, construction, reconstruction, alteration or use fully conform to all regulations then in effect.

12.01.055: BUILDING PERMITS; SITE PLAN REQUIRED:

An application for a building or use permit shall be made to the building official and shall include a site plan and such other information as may be required by ordinance in Echo Canyon.

12.01.060: BUILDING, USE AND OCCUPANCY PERMITS REQUIRED TO COMPLY WITH THIS TITLE:

1. Permits Required: No building or structure may be constructed, reconstructed, altered or moved, and no land may be used, except after the issuance of a building, use and occupancy permit for the same by the building official.

2. Issuance Of Permits In Violation Prohibited: Building, use and occupancy permits may not be granted for the construction or alteration of any building or structure, for the moving or removal of a building onto or from a lot, or for the use or occupancy of a building or land, if such structure, construction, alteration, moving, use or occupancy would be in violation of any of the provisions of this title. Permits issued in violation of any provision of this title, whether intentional or otherwise, shall be voidable.

3. Improvements Completed Prior To Occupancy Permit: An occupancy permit may not be issued until the zoning administrator and building official shall have filed on record a report finding that the structures and intended uses are in compliance with the provisions of this title and specifically as to location and completion of both off site

12.01.065: INSPECTION AND APPROVAL REQUIRED PRIOR TO OCCUPANCY:

Buildings and structures requiring a building permit pursuant to the provisions of this title may not be occupied nor put into use until the building official has inspected such building or structure, finds compliance with this title and the building code of Echo Canyon, and gives a written certificate of occupancy and use to the owner or his agent to occupy or use the building or structure in the manner approved by the issuance of a valid building permit.

12.01.070: NONCONFORMING LOTS PROHIBITED:

No lot having less than the minimum width, depth and area required in the district in which it is located may be created, nor may building permits be issued for construction on such nonconforming lots created subsequent to adoption of this title.

12.01.075: LOT STANDARDS AND STREET FRONTAGE:

Every lot shall have such area, width and depth as required by this title for the district in which such lot is located and shall have frontage upon a public street or upon a private street or right-of-way approved by the Planning Commission, before a building permit may be issued.

12.01.080: EVERY DWELLING TO BE ON A LOT:

Every dwelling structure shall be located and maintained on a separate lot having no less than the minimum area, width, depth and frontage required by this title for the district in which the dwelling structure is located.

12.01.085: YARD SPACE FOR ONE BUILDING ONLY:

No required yard or other open space around an existing building or which is hereafter provided around any building for the purpose of complying with the provisions of this title may be considered as providing a yard or open space for any other building or use; nor may any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected or established.

12.01.095: MINIMUM HEIGHT OF DWELLINGS:

No dwelling or structure containing a dwelling may be erected to a height less than one story above grade.

12.01.100: WATER AND SEWERAGE REQUIREMENTS:

1. Water: A culinary water supply, which shall be approved by the Municipal Engineer and State Board of Health and Kane Springs Improvement District, shall be available to each lot in the subdivision and shall be provided in conformance with the standards and rules and regulations of Echo Canyon. Where an approved public water supply is available, the subdivider shall install water mains and service lines or laterals from such mains to each lot within the subdivision, prior to the installation of road base, surfacing, curbs, gutters and sidewalks.

2. Sewer: All sewer lines shall be connected to Kane Springs Improvement District systems or another approved wastewater system.

12.01.105: SALE OR LEASE OF REQUIRED SPACE:

No space needed to meet the width, yard, area, coverage, parking or other requirements of this title for a lot or building may be sold or leased away from such lot or building.

12.01.110: UTILITY EXTENSIONS AUTHORIZED ONLY TO PERMITTED STRUCTURES AND BUILDINGS:

No sewer service line, water service line, electrical nor gas utility line may be installed by a public or private company to a building, structure or use which does not comply with the provisions of this title or other local regulations.

12.01.115: UTILITIES RESPONSIBLE FOR EXCAVATIONS:

It is the intent of this title to hold franchised utilities responsible for all excavations, backfilling and paving. To this end, all such work, whether done by a private or public entity, shall be commenced only pursuant to the issuance of a permit.

12.01.120: PROPERTY OWNED BY OTHER GOVERNMENT UNITS; EFFECT OF LAND USE AND DEVELOPMENT ORDINANCES:

1. Compliance Required: Each county, municipality, school district, special district and political subdivision of the State shall conform to the land use and development ordinances of any municipality when installing, constructing, operating or otherwise using any area, land or building situated within that municipality only in a manner or for a purpose that conforms to that municipality's ordinances.

2. School Districts: A school district is subject to Echo Canyon land use regulations as required by State Statute.

12.01.125: ACCESSORY DWELLING UNITS:

Accessory dwelling units, as defined under Utah statutes, are permitted only to the minimum extent required by Utah statutes.

12.01.130: INTERPRETATION

1. Generally: The words used in this Code shall be construed to affect the intended purposes. Definitions of various words and phrases used throughout the Code are provided in this title. Other definitions may be found in specific sections of the Code and apply only to that section or portion of the Code. All words or phrases not specifically defined shall be given their common and usual meanings as determined by general usage and standard dictionary references (Webster's Merriam Collegiate Dictionary, 11th edition, 2003).

2. Usage; general rules of construction: The following general rules of interpretation shall apply:
    a. The present tense includes the future, and, where appropriate, the past.
    b. The singular number includes the plural, and vice versa. The male gender includes the female, and vice versa.
    c. The word “shall” is mandatory; the word “may” is permissive.
    d. Reference in one section of this Code to another section of this Code or the Echo Canyon code by section number shall include all subsections within that section.
    e. Where appropriate to the context, words and terms defined in U.C.A. 1977, § 10-9a-104 shall apply here.
    f. Where appropriate to the context, words not included herein but defined in other Sections or chapters of the Echo Canyon municipal code shall be construed as defined therein.
    g. Words not included herein but defined in the building code or other municipal codes shall be construed as defined therein.
    h. Some sections of this Code contain separate definitions sections intended primarily for use in connection with the relevant section or portion of the Code.
    i. Determinations as to the meaning of a word or term shall be the responsibility of the planning director, whose decision may be appealed as provided herein.

12.01.135: ZONING CODE/TEXT OR LAND USE MAP AMENDMENT

1. The Zoning Code or Land Use Map amendment process provides a method for modifying the zoning regulations to address changes in land use policies and respond to the evolving community needs. Amendments may include:
2. Text Amendments which change zoning definitions, development standards, land use

regulations, or procedural requirements; or

3. Land Use Map Amendments which make changes to the official zoning map, reclassifying a property or area to a different land use designation.
4. An amendment may be initiated by:
   a. The Echo Canyon legislative body;
   b. Property owner or application by submitting an application;
   c. Planning Commission;
   d. Echo Canyon Staff for technical corrections or updates.
5. Applicants requesting a text or zoning map amendment must submit:
   a. A Complete Zoning Code/Land Use Map Amendment application using forms established by Echo Canyon.
   b. Proposed amendment language for text amendments and redline deletions and highlight additions to the Land Use Code.
   c. Provide a statement explaining the need for the amendment.
   d. For rezoning requests, include a legal description and zoning map showing affected properties.
   e. Application fee established by Echo Canyon's fee schedule.
6. Echo Canyon reviews the application for completeness within ten (10) business days of submission. If complete, staff analyzes for consistency with the General Plan, as applicable, compatibility with the surrounding zoning and land uses, and impact on infrastructure, traffic, and other services. A zoning text or Land Use Map amendment may be approved if it meets the following criteria:
   a. Consistent with the General Plan, as applicable, and aligns with Echo Canyon's long-term land use goals.
   b. Does not negatively impact surrounding properties or uses.
   c. Does not conflict with the State or Federal legal requirements.

TITLE 12
LAND USE ORDINANCE

CHAPTER 2
ZONING AND LAND USE

12.02.001: LAND USE

Land Use Table

Uses indicated as "P" below are Permitted Uses in all areas within the jurisdictional boundaries of Echo Canyon.

Uses indicated as "C" are Conditional Uses.

All other uses not specified in this table are not permitted.

Airport	P
Agricultural	P
Automobile sales or rentals	P
Bank or financial institutions	P
Car wash	P
Child daycare	P
Community Center	P
Gas or refueling station including electric-vehicle charging stations	P
General retail sales, large or small items	P
Golf Course	P
Grocery store	P
Hotels	P
Instructional facility	P
Medical or dental office	P
Motels	P
Movie Theatre	P
Office	P
Office, General	P
Outdoor Storage	P
Parking lot or structure	P
Place of Worship	P
Post Office	P
Private Park, recreational grounds	P
Public Library	P
Public Park	P

Public or Private school	P
Residential Dwelling Units, Multi-Family	P
Residential Dwelling Units, Single Family Attached	P
Residential Dwelling Units, Single Family Detached	P
Restaurant with drive-up window	P
Retail	P
Self-storage	P
Short-term rental	P
Tobacco or smoke shop	P
Temporary Use	P
Trails	P

12.02.005: SITE STANDARDS.

1. Minimum Lot Area
    i. Single Family Residential – 2,000 square feet per dwelling unit.
        a. Attached Single Family Residential require 600 square feet additional lot area for each additional attached Single-Family Unit.
    ii. Multi-Family Residential – 6,000 square feet.
    iii. Commercial Uses – 10,000 square feet.

2. Minimum Lot Width
    i. Single Family Residential – forty feet (40').
        a. Attached Single Family Residential require ten feet (10') additional lot width for each additional attached Single-Family Unit.
    ii. Multi-Family Residential – seventy feet (60').
    iii. Commercial Uses – seventy (60').
    iv. Flag Lots are allowed pursuant to the following:

        a. Flag Portion: The main body of the lot (the "flag"), exclusive of the access strip (the "pole"), shall have a minimum lot width in compliance with the use identified above based on the minimum width, measured at the front building line.

        b. Pole Portion: The access strip providing frontage to a public or private street (the "pole") shall have a minimum width of 20 feet for its entire length and shall provide direct and exclusive access to the flag portion of the lot.

        c. Lot Area: The minimum lot area shall be calculated exclusive of the pole portion and shall meet the applicable zoning requirements for the district in which the lot is located.

    Additional Standards: No more than one flag lot shall be served by a single access

pole unless otherwise approved by the land use authority, and shared access may be subject to easement and maintenance agreement requirements.

3. Minimum Yard Setbacks
   i. Residential Uses
      a. Front – 5'
      b. Side – 5'
      c. Side Corner- as required for site visibility standards.
      d. Rear – 5'
   ii. All other uses:
      a. Front – 0'
      b. Side – 0'
      c. Side Corner- as required for site visibility standards.
      d. Rear – 0'

4. The maximum building height for any structure is eighty (80) feet from grade.

12-2-010: SITE PLAN APPROVAL

1. General Requirements
   a. Applicant shall prepare site development plans consistent with the standards contained in this chapter and shall pay for the design, evaluation, construction, and inspection of any public improvements required.
   b. Proposed development is on a legal lot.
   c. All necessary utilities located under the street, access, or right-of-way surfaces are installed and accepted by Echo Canyon and other appropriate agencies.
   d. A plan for vegetation protection during construction, and for revegetation after construction is required.
   e. Final Grading required.
   f. Fire hydrants are fully operational in the area of the proposed development where permits are requested.

2. Site Plan Submittal Requirements
   a. Copies of Site Plan including street layout and plans that contain general identification of the project such as;
      1. A title that includes the name of the development.
      2. Parcel name/number and its location by number of sections, township, range, and municipality.
      3. Name, address and official seal of the registered professionals preparing the plan such as surveyor, planner, architect, or engineer.
      4. Scale, north arrow, date of the site plan preparation.

5. Mapped data for the plan, showing the overall location and the surrounding area, boundaries, vicinity map that includes major street names and highlighted subject property.
6. Existing topography at 2 foot intervals.
7. Geological and hazard report.
8. Site Plan layout, including street layout, right-of-way easement width(s), utilities, utility easements, proposed names of streets, street numbers, alleys, pedestrian ways, easements,
9. Designation of all land to be dedicated or reserved for public use or recreation use.
10. Roadway Plan
    i. Existing and proposed road designs and layout.
    ii. Existing and proposed utilities including but are not limited to gas, sanitary sewer, culinary water, communications, power lines, drainage infrastructure.
    iii. Street monuments.
11. Architectural Design
    i. Provide all front, rear, and side elevations of all buildings and accessory structures.
    ii. Rendering of landscaping and other amenities.
    iii. Building footprint of the primary building, elevation, number of stories and construction type.
    iv. Dumpsters, storage or utility boxes, fences, and walls.
12. Grading and Drainage Plan
    i. Existing and proposed contour at 2 ft. contour intervals.
    ii. Existing and proposed stormwater runoff and drainage infrastructure such as outlets, and drainage collection systems.
    iii. Existing and proposed detention and retention basins.
    iv. Proposed and existing easements with specifications and measurements.

b. In addition, the applicant shall submit the following:

1. Scaled drawings that include property boundaries, dimensions, and setbacks, building footprints, heights, and elevations.
2. A project narrative of the proposed development, including the use, compliance with zoning standards.
3. Traffic Impact study may require for developments that expect to generate increase in traffic.
4. Environmental or Stormwater report that address potential impacts.
5. Application fee set forth by Echo Canyon's fee schedule.

3. Approval Criteria

All Site Plans must comply with the approval criteria outlined in this Code.

4. Approval Process

Applications for site review must comply with the standards outlined in this Code.

TITLE 12
LAND USE ORDINANCE

CHAPTER 1
GENERAL AND SUPPLEMENTARY PROVISIONS

12-1-001: SHORT TITLE:

This title shall be known as title 10, or the LAND USE ORDINANCES OF ECHO CANYON, UTAH, and may be so cited and pleaded.

12-1-005: PURPOSE:

This title is adopted to provide for the health, safety and welfare, and promote the prosperity, improve the morals, peace and good order, comfort, convenience and aesthetics of Echo Canyon and its present and future inhabitants and businesses, to protect the tax base, secure economy in governmental expenditures, to foster the State agricultural and other industries, to protect both urban and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide fundamental fairness in land use regulation, and to protect property values.

12-1-010: EFFECT OF CHAPTER:

The regulations hereinafter set forth in this chapter qualify or supplement, as the case may be, the district regulations and all other regulations appearing elsewhere in this Code.

12-1-015: INTERPRETATION:

In interpreting and applying the provisions of this Code, the requirements contained herein are declared to be the minimum requirements for the purposes set forth.

12-1-020: CONFLICT:

A. This code may not nullify the more restrictive provisions of covenants, agreements or other ordinances or laws, but shall prevail notwithstanding such provisions which are less restrictive.

B. Whenever other restrictions or provisions are adopted under state law, the most restrictive requirement shall govern. However, Echo Canyon may not impose stricter requirements than are required in Utah Code Annotated sections 10-9a-305, 10-9a-514, 10-9a-516 and 10-9a-520.

12-1-025: LICENSING:

All departments, officials and public employees of Echo Canyon which are vested with duty or authority to issue permits or licenses shall conform to the provisions of this title and shall issue no permit or license for uses, buildings or purposes where the same would be in conflict with the provisions of this title and any such permit or license, if issued in conflict with the provisions of this title, shall be null and void.

12-1-030: SEVERABILITY:

Should any chapter, section, clause or provision of this title be declared by the courts to be invalid, the same shall not affect the validity of this title as a whole, or any part thereof, other than the part so declared to be invalid.

12-1-035: LEGAL REMEDIES FOR VIOLATION:

A. Misdemeanor: Any person, firm or corporation, whether as principal, agent or employee, who violates or causes the violation of any of the provisions of this title, shall be guilty of a class C misdemeanor as allowed by state code and, upon conviction thereof, shall be punished as provided in this code.

B. Other Permitted Action: In addition, the following may institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, or maintenance or use:

1. Echo Canyon by action of the municipal legislative body; or

2. Any owner of real estate within the zoning district, if applicable, in which an alleged violation of this title has occurred; or the owner of real estate across a zoning district line and abutting or facing the real estate where the alleged violation has occurred.

12-1-040: APPEALS:

A. Administrative Remedies Exhausted: No person may challenge in district court Echo Canyon land use decision made under this chapter or under the regulation made under authority of this chapter or this title, until they have exhausted their administrative remedies.

B. Petition For Review; Time Limit To File: Any person adversely affected by any decision made in the exercise of the provisions of this chapter may file a petition for review of the decision with the district court within thirty days.

12-1-050: ENFORCEMENT:

A. Authority: Echo Canyon or any owner of real estate within Echo Canyon in which violations of this chapter or ordinances enacted under the authority of this chapter occur or are about to occur may, in addition to other remedies provided by law, institute:

1. a. Injunctions, mandamus, abatement, or any other appropriate actions; or

b. Proceedings to prevent, enjoin, abate or remove the unlawful building, use or act.

2. Echo Canyon need only establish the violation to obtain the injunction.

B. Withhold Building Permit: Echo Canyon may enforce this title by withholding building permits.

1. It is unlawful to erect, construct, reconstruct, alter or change the use of any building or other structure within Echo Canyon without approval of a building permit.

2. Echo Canyon may not issue a building permit unless plans of and for the proposed erection, construction, reconstruction, alteration or use fully conform to all regulations then in effect.

12-1-055: BUILDING PERMITS; SITE PLAN REQUIRED:

An application for a building or use permit shall be made to the building official and shall include a site plan and such other information as may be required by ordinance in Echo Canyon.

12-1-060: BUILDING, USE AND OCCUPANCY PERMITS REQUIRED TO COMPLY WITH THIS TITLE:

A. Permits Required: No building or structure may be constructed, reconstructed, altered or moved, and no land may be used, except after the issuance of a building, use and occupancy permit for the same by the building official.

B. Issuance Of Permits In Violation Prohibited: Building, use and occupancy permits may not be granted for the construction or alteration of any building or structure, for the moving or removal of a building onto or from a lot, or for the use or occupancy of a building or land, if such structure, construction, alteration, moving, use or occupancy would be in violation of any of the provisions of this title. Permits issued in violation of any provision of this title, whether intentional or otherwise, shall be voidable.

C. Improvements Completed Prior To Occupancy Permit: An occupancy permit may not be issued until the zoning administrator and building official shall have filed on record a report finding that the structures and intended uses are in compliance with the provisions of this title and specifically as to location and completion of both off site

12-1-065: INSPECTION AND APPROVAL REQUIRED PRIOR TO OCCUPANCY:

Buildings and structures requiring a building permit pursuant to the provisions of this title may not be occupied nor put into use until the building official has inspected such building or structure, finds compliance with this title and the building code of Echo Canyon, and gives a written certificate of occupancy and use to the owner or his agent to occupy or use the building or structure in the manner approved by the issuance of a valid building permit.

12-1-070: NONCONFORMING LOTS PROHIBITED:

No lot having less than the minimum width, depth and area required in the district in which it is located may be created, nor may building permits be issued for construction on such nonconforming lots created subsequent to adoption of this title.

12-1-075: LOT STANDARDS AND STREET FRONTAGE:

Every lot shall have such area, width and depth as required by this title for the district in which such lot is located and shall have frontage upon a public street or upon a private street or right-of-way approved by the Planning Commission, before a building permit may be issued.

12-1-080: EVERY DWELLING TO BE ON A LOT:

Every dwelling structure shall be located and maintained on a separate lot having no less than the minimum area, width, depth and frontage required by this title for the district in which the dwelling structure is located.

12-1-085: YARD SPACE FOR ONE BUILDING ONLY:

No required yard or other open space around an existing building or which is hereafter provided around any building for the purpose of complying with the provisions of this title may be considered as providing a yard or open space for any other building or use; nor may any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected or established.

12-1-095: MINIMUM HEIGHT OF DWELLINGS:

No dwelling or structure containing a dwelling may be erected to a height less than one story above grade.

12-1-100: WATER AND SEWERAGE REQUIREMENTS:

A. Water: A culinary water supply, which shall be approved by the Municipal Engineer and State Board of Health and Kane Springs Improvement District, shall be available to each lot in the subdivision and shall be provided in conformance with the standards and rules and regulations of Echo Canyon. Where an approved public water supply is available, the subdivider shall install water mains and service lines or laterals from such mains to each lot within the subdivision, prior to the installation of road base, surfacing, curbs, gutters and sidewalks.

B. Sewer: All sewer lines shall be connected to Kane Springs Improvement District systems or another approved wastewater system.

12-1-105: SALE OR LEASE OF REQUIRED SPACE:

No space needed to meet the width, yard, area, coverage, parking or other requirements of this title for a lot or building may be sold or leased away from such lot or building.

12-1-110: UTILITY EXTENSIONS AUTHORIZED ONLY TO PERMITTED STRUCTURES AND BUILDINGS:

No sewer service line, water service line, electrical nor gas utility line may be installed by a public or private company to a building, structure or use which does not comply with the provisions of this title or other local regulations.

12-1-115: UTILITIES RESPONSIBLE FOR EXCAVATIONS:

It is the intent of this title to hold franchised utilities responsible for all excavations, backfilling and paving. To this end, all such work, whether done by a private or public entity, shall be commenced only pursuant to the issuance of a permit.

12-1-120: PROPERTY OWNED BY OTHER GOVERNMENT UNITS; EFFECT OF LAND USE AND DEVELOPMENT ORDINANCES:

A. Compliance Required: Each county, municipality, school district, special district and political subdivision of the State shall conform to the land use and development ordinances of any municipality when installing, constructing, operating or otherwise using any area, land or building situated within that municipality only in a manner or for a purpose that conforms to that municipality's ordinances.

B. School Districts: A school district is subject to Echo Canyon land use regulations as required by State Statute.

12-1-125: ACCESSORY DWELLING UNITS:

Accessory dwelling units, as defined under Utah statutes, are permitted only to the minimum extent required by Utah statutes.

12-1-130: INTERPRETATION

A. Generally: The words used in this Code shall be construed to affect the intended purposes. Definitions of various words and phrases used throughout the Code are provided in this title. Other definitions may be found in specific sections of the Code and apply only to that section or portion of the Code. All words or phrases not specifically defined shall be given their common and usual meanings as determined by general usage and standard dictionary references (Webster's Merriam Collegiate Dictionary, 11th edition, 2003).

B. Usage; general rules of construction: The following general rules of interpretation shall apply:
    1. The present tense includes the future, and, where appropriate, the past.
    2. The singular number includes the plural, and vice versa. The male gender includes the female, and vice versa.
    3. The word “shall” is mandatory; the word “may” is permissive.
    4. Reference in one section of this Code to another section of this Code or the Echo Canyon code by section number shall include all subsections within that section.
    5. Where appropriate to the context, words and terms defined in U.C.A. 1977, § 10-9a-104 shall apply here.
    6. Where appropriate to the context, words not included herein but defined in other Sections or chapters of the Echo Canyon municipal code shall be construed as defined therein.
    7. Words not included herein but defined in the building code or other municipal codes shall be construed as defined therein.
    8. Some sections of this Code contain separate definitions sections intended primarily for use in connection with the relevant section or portion of the Code.
    9. Determinations as to the meaning of a word or term shall be the responsibility of the planning director, whose decision may be appealed as provided herein.

12-1-135: ZONING CODE/TEXT OR LAND USE MAP AMENDMENT

A. The Zoning Code or Land Use Map amendment process provides a method for modifying the zoning regulations to address changes in land use policies and respond to the evolving community needs. Amendments may include:
B. Text Amendments which change zoning definitions, development standards, land use

regulations, or procedural requirements; or

C. Land Use Map Amendments which make changes to the official zoning map, reclassifying a property or area to a different land use designation.

D. An amendment may be initiated by:
   1. The Echo Canyon legislative body;
   2. Property owner or application by submitting an application;
   3. Planning Commission;
   4. Echo Canyon Staff for technical corrections or updates.

E. Applicants requesting a text or zoning map amendment must submit:
   1. A Complete Zoning Code/Land Use Map Amendment application using forms established by Echo Canyon.
   2. Proposed amendment language for text amendments and redline deletions and highlight additions to the Land Use Code.
   3. Provide a statement explaining the need for the amendment.
   4. For rezoning requests, include a legal description and zoning map showing affected properties.
   5. Application fee established by Echo Canyon's fee schedule.

F. Echo Canyon reviews the application for completeness within ten (10) business days of submission. If complete, staff analyzes for consistency with the General Plan, as applicable, compatibility with the surrounding zoning and land uses, and impact on infrastructure, traffic, and other services. A zoning text or Land Use Map amendment may be approved if it meets the following criteria:
   1. Consistent with the General Plan, as applicable, and aligns with Echo Canyon's long-term land use goals.
   2. Does not negatively impact surrounding properties or uses.
   3. Does not conflict with the State or Federal legal requirements.

Draft 1.0 for Public Hearing Planning Commission June 23, 2025

TITLE 12
LAND USE ORDINANCE

CHAPTER 2
ZONING AND LAND USE

12-2-001: LAND USE

Land Use Table

Uses indicated as "P" below are Permitted Uses in all areas within the jurisdictional boundaries of Echo Canyon.

Uses indicated as "C" are Conditional Uses.

All other uses not specified in this table are not permitted.

Airport	P
Agricultural	P
Automobile sales or rentals	P
Bank or financial institutions	P
Car wash	P
Child daycare	P
Community Center	P
Gas or refueling station including electric-vehicle charging stations	P
General retail sales, large or small items	P
Golf Course	P
Grocery store	P
Hotels	P
Instructional facility	P
Medical or dental office	P
Motels	P
Movie Theatre	P
Office	P
Office, General	P
Outdoor Storage	P
Parking lot or structure	P
Place of Worship	P
Post Office	P
Private Park, recreational grounds	P
Public Library	P
Public Park	P

Public or Private school	P
Residential Dwelling Units, Multi-Family	P
Residential Dwelling Units, Single Family Attached	P
Residential Dwelling Units, Single Family Detached	P
Restaurant with drive-up window	P
Retail	P
Self-storage	P
Short-term rental	P
Tobacco or smoke shop	P
Temporary Use	P
Trails	P

12-2-005: SITE STANDARDS.

A. Minimum Lot Area
- i. Single Family Residential – 2,000 square feet per dwelling unit.
  - a. Attached Single Family Residential require 600 square feet additional lot area for each additional attached Single-Family Unit.
- ii. Multi-Family Residential – 6,000 square feet.
- iii. Commercial Uses – 10,000 square feet.

B. Minimum Lot Width
- i. Single Family Residential – forty feet (40').
  - a. Attached Single Family Residential require ten feet (10') additional lot width for each additional attached Single-Family Unit.
- ii. Multi-Family Residential – seventy feet (60').
- iii. Commercial Uses – seventy (60').
- iv. Flag Lots are allowed pursuant to the following:

  a. Flag Portion: The main body of the lot (the "flag"), exclusive of the access strip (the "pole"), shall have a minimum lot width in compliance with the use identified above based on the minimum width, measured at the front building line.

  b. Pole Portion: The access strip providing frontage to a public or private street (the "pole") shall have a minimum width of 20 feet for its entire length and shall provide direct and exclusive access to the flag portion of the lot.

  c. Lot Area: The minimum lot area shall be calculated exclusive of the pole portion and shall meet the applicable zoning requirements for the district in which the lot is located.

  Additional Standards: No more than one flag lot shall be served by a single access

pole unless otherwise approved by the land use authority, and shared access may be subject to easement and maintenance agreement requirements.

C. Minimum Yard Setbacks

i. Residential Uses
   a. Front – 5'
   b. Side – 5'
   c. Side Corner- as required for site visibility standards.
   d. Rear – 5'

ii. All other uses:
   a. Front – 0'
   b. Side – 0'
   c. Side Corner- as required for site visibility standards.
   d. Rear – 0'

D. The maximum building height for any structure is eighty (80) feet from grade.

12-2-010: SITE PLAN APPROVAL

A. General Requirements

i. Applicant shall prepare site development plans consistent with the standards contained in this chapter and shall pay for the design, evaluation, construction, and inspection of any public improvements required.
ii. Proposed development is on a legal lot.
iii. All necessary utilities located under the street, access, or right-of-way surfaces are installed and accepted by Echo Canyon and other appropriate agencies.
iv. A plan for vegetation protection during construction, and for revegetation after construction is required.
v. Final Grading required.
vi. Fire hydrants are fully operational in the area of the proposed development where permits are requested.

B. Site Plan Submittal Requirements

i. Copies of Site Plan including street layout and plans that contain general identification of the project such as;
   1. A title that includes the name of the development.
   2. Parcel name/number and its location by number of sections, township, range, and municipality.
   3. Name, address and official seal of the registered professionals preparing the plan such as surveyor, planner, architect, or engineer.
   4. Scale, north arrow, date of the site plan preparation.

5. Mapped data for the plan, showing the overall location and the surrounding area, boundaries, vicinity map that includes major street names and highlighted subject property.
6. Existing topography at 2 foot intervals.
7. Geological and hazard report.
8. Site Plan layout, including street layout, right-of-way easement width(s), utilities, utility easements, proposed names of streets, street numbers, alleys, pedestrian ways, easements,
9. Designation of all land to be dedicated or reserved for public use or recreation use.
10. Roadway Plan
    i. Existing and proposed road designs and layout.
    ii. Existing and proposed utilities including but are not limited to gas, sanitary sewer, culinary water, communications, power lines, drainage infrastructure.
    iii. Street monuments.
11. Architectural Design
    i. Provide all front, rear, and side elevations of all buildings and accessory structures.
    ii. Rendering of landscaping and other amenities.
    iii. Building footprint of the primary building, elevation, number of stories and construction type.
    iv. Dumpsters, storage or utility boxes, fences, and walls.
12. Grading and Drainage Plan
    i. Existing and proposed contour at 2 ft. contour intervals.
    ii. Existing and proposed stormwater runoff and drainage infrastructure such as outlets, and drainage collection systems.
    iii. Existing and proposed detention and retention basins.
    iv. Proposed and existing easements with specifications and measurements.

ii. In addition, the applicant shall submit the following:

1. Scaled drawings that include property boundaries, dimensions, and setbacks, building footprints, heights, and elevations.
2. A project narrative of the proposed development, including the use, compliance with zoning standards.
3. Traffic Impact study may require for developments that expect to generate increase in traffic.
4. Environmental or Stormwater report that address potential impacts.
5. Application fee set forth by Echo Canyon's fee schedule.

C. Approval Criteria

All Site Plans must comply with the approval criteria outlined in this Code.

D. Approval Process

Applications for site review must comply with the standards outlined in this Code.

TITLE 12
LAND USE ORDINANCE

CHAPTER 4
DEFINITIONS

12-4-05: DEFINITIONS:

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this title. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular; the word "building" shall include the word "structure", the words "used" or "occupied" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used or occupied; the word "shall" is mandatory and not directory, and the word "may" is permissive; the word "person" includes a firm, association, organization, partnership, trust, company or corporation, as well as an individual; the word "lot" includes the words plot or parcel. An asterisk (*) at the definition means that the word is defined in the State Code. Words used in this title, but not defined herein, shall have the meaning as defined in any other ordinance adopted by the City.

ABUTTING:	Property that is adjacent or contiguous to another property including property separated by an alley, a private right-of-way or a utility strip.
ACCESSORY BUILDING OR STRUCTURE:	A subordinate building or structure, located on the same lot with the main building, occupied by or devoted to an accessory use. An accessory building or structure is clearly incidental to, and customarily found in connection with the main building, is operated and maintained for the benefit of the principal use, and is not a dwelling unit. Detached garages, sheds, workshops, and barns are examples of accessory buildings or structures.
AGRICULTURAL INDUSTRY (AGRICULTURAL BUSINESS):	The processing of raw food products by packaging, treating and/or intensive feeding. "Agricultural industry" includes, but is not limited to, animal feed yards, the raising of furbearing animals, food packaging and/or processing plants, commercial poultry or egg production, commercial greenhouses, and similar uses as determined by the Planning Commission.
AGRICULTURAL USE:	The use of a tract of land for growing crops in the open, dairying, pasturage, horticulture, floriculture, general farming uses and necessary accessory uses, including the structures necessary for carrying out farming operations. (Possibly tangential)
AGRICULTURE:	The production of food through the tilling of the soil, the raising of crops, breeding and raising of domestic animals and

	fowl, except household pets, and not including any agricultural industry or business. (Possibly tangential)
AIRPORT:	Any airport definitions and regulations which are adopted by the municipality, except as airports are governed under the general use regulations of this title.
ALLEY:	A public accessway less than twenty six feet (26') in width, which is designed to give secondary access to lots or abutting properties. An alley shall not be considered a street for the purpose of this title.
ARCHITECTURAL METAL PANELS:	A modular exterior cladding system comprised of insulated or uninsulated prefinished metal panels and supporting framework attached to the structural frame of a building.
AUTOMATIC CAR WASH:	A facility for automatic or self-service washing and cleaning of automobiles and small trucks not exceeding three thousand (3,000) gross vehicle weight (GVW).
AUTOMOBILE SELF-SERVICE STATION:	A place where gasoline or any other motor fuel for operating motor vehicles is offered for sale and is dispensed to the vehicle by the purchaser. The self- service station may be independent or in conjunction with a retail store.
AUTOMOTIVE SALES AREA:	An open area used for display, sale or rental of new or used motor vehicles, mobile homes, recreational coaches, or recreation vehicles in operable condition.
BIKE PATH (BIKE TRAIL, BIKE LANE):	A right-of-way designed and constructed for use by bicycles and not intended for use by pedestrians or motor vehicles of any kind. A bike path may be located within or without a street right-of-way, at grade, or at grade separated from vehicular traffic. Bike lanes may also be included as a part of a street.
BUILDING:	Any structure used or intended to be used for the shelter or enclosure of persons, animals or property.
BUILDING, HEIGHT OF:	The vertical distance from the highest point of elevation of the finished grade surface at the foundation to the highest point of the building roof or coping.
BUILDING OFFICIAL:	The person designated or appointed as the building official for Echo Canyon.
CAR WASH:	Facility used for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty vehicles. A car wash may be an accessory use to a gas station or convenience store or it may be a principal use on the lot.
CERTIFICATE OF OCCUPANCY:	An official authorization to occupy a structure as issued by the Echo Canyon building official, or designee.

CHANGE OF USE:	The replacement of an existing land use by a new land use, or a change in the nature of an existing land use which does not increase the size, occupancy, or site requirements. A change of ownership, tenancy, name or management, or a change in product or service within the same use classification where the previous nature of the use, line of business, or other function is substantially unchanged is not a change of use.
CHECK CASHING/PAYDAY LOAN BUSINESS:	A business that conducts transactions of cashing a check for consideration or extending a deferred deposit loan and shall include any other similar types of businesses licensed by the State pursuant to the Check Cashing and Deferred Deposit Lending Registration Act (Utah State Code 7-23). The term check cashing shall not include fully automated stand alone services located inside of an existing building, so long as the automated service incorporates no signage in the windows or outside of the building.
CLINIC, DENTAL OR MEDICAL:	A building in which a group of dentists, physicians or allied professionals in the healing arts are associated for the conduct of their professions. The clinic may include a dental or medical laboratory and an apothecary, but it shall not include inpatient care or operating rooms for major surgery.
COMPATIBLE LAND USE:	A use of land and/or building(s) that, in terms of development intensity, building coverage, design, bulk and occupancy, traffic generation, parking requirements, access and circulation, site improvements, site design, landscaping, storage needs, and public facilities and service demands, is consistent with and similar to neighboring uses and does not adversely affect the quality of life of persons in surrounding or nearby buildings.
COMPATIBLE WITH RESIDENTIAL:	Compatibility will be measured by whether or not the proposed development adversely impacts the quality of life in the area. Property values must be sustained or enhanced as opposed to diminishing values; the effects of ultimate traffic on streets will be considered rather than complaints that a new development will increase unwanted traffic; improvements in the infrastructure will be considered as to how and who pays for them; positive contributions to the financing of needed improvements will be weighed against the assessment on existing residential developments; proximity of possible impacts will be evaluated and indirectly impacted citizens will be considered in the group of the general citizenry.
COUNTY:	The unincorporated area of the County.

CROSSWALK OR WALKWAY:	A right-of-way designed for use by pedestrians and not intended for use by motor vehicles of any kind, a crosswalk or walkway or pedestrianway may be located within or without a street right-of-way, at grade, or grade separated from vehicular traffic.
CUL-DE-SAC:	A street which is designed to remain permanently closed at one end, with the closed end terminated by a vehicular turnaround.
CULINARY WATER FACILITIES:	Water supply lines, pumps, springs, wells or any other physical facilities necessary to provide a supply of culinary water to a use in sufficient quantity and of approved quality to meet the standards of this title.
DAYCARE CENTER, CHILD:	See the definition for daycare center, commercial or daycare center, residential.
DENSITY:	A measure of the number of dwelling units per acre of area. It shall be expressed dwelling units per acre (DU/acre). Unbuildable land (as defined by the Planning Commission) is land with a slope greater than thirty percent (30%), subject to inundation or other geological hazards.
DEVELOPER:	Any person, firm, corporation, partnership or association who causes land to be divided into a subdivision for himself/herself or others, a developer.
DEVELOPMENT (LAND):	The conversion or alteration of use or physical characteristics of land; placing improvements on the land; or putting land to intensive use, including a subdivision, PUD, mobile home park, recreation vehicle park, shopping center, industrial park or excavation.
DEVELOPMENT REVIEW COMMITTEE:	A committee of City staff or City consultants, whose primary responsibility is to review all development requests, process all development applications and make recommendations with respect to development applications to the Planning Commission, City Council, applicants and Mayor. The committee includes, but is not limited to, the City Manager, City Engineer, Community and Economic Development Director, Public Works Director, City Planner, City Fire Chief, City Building Official, City Police Chief, and any other person or agent that the City Manager deems appropriate to function as a member of the committee.
DISTRICT (Also Known As ZONE OR ZONING DISTRICT):	A portion of the territory of Echo Canyon established as a zoning district by this title, if applicable, within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this title.

DWELLING:	Any building or portion thereof designed or used as the principal residence or sleeping place of one or more persons or families, but not including a tent, a recreational coach, hotel, motel, hospital or nursing home.
DWELLING, ATTACHED:	A building containing multiple single family dwelling units, sharing a common wall at the property line.
DWELLING, SINGLE-FAMILY:	A building containing only one dwelling unit.
DWELLING UNIT:	One or more rooms in a dwelling, apartment complex, hotel or motel, providing complete, independent living facilities for a single person or family, including permanent provisions for living, sleeping, eating, cooking and sanitation.
EASEMENT:	Any portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner of said property. The easement may be for use on, under, or above said lot or lots.
ENVIRONMENTAL IMPACT REPORT:	A. A report which describes, by means of written narrative as well as maps, a geographical area in terms of existing: 1. Slope; 2. Soils; 3. Watercourses; 4. Water table; 5. Flood hazard areas; 6. Geologic hazards; 7. Vegetative types; 8. Wildlife; 9. Wildlife habitat; or 10. Essential urban services presently available. B. The report includes a tabulation of proposed population density and the numbers and types of proposed dwellings and other buildings and spaces to be occupied at full development. C. The report further describes by means of written narrative, as well as maps, the impact of the proposed development on the following specific subject areas once the anticipated population density is achieved within the area to be developed: 1. Watercourses and flood hazards; 2. Natural vegetation; 3. Wildlife;

4. Erosion;
5. Topsoil loss;
6. Sedimentation of watercourses and reservoirs;
7. Slope stability;
8. Dust;
9. Fire potential;
10. Accumulation of solid or liquid wastes; or
11. The need and desire for urban services.

D. The report evaluates the potential area wide economic impact of the development on both private and public economic sectors and the potential impact on school, public utility and transportation systems.

E. The report recommends measures which, if undertaken, will mitigate or obviate the adverse impacts resulting from construction of the proposed development, and discusses the benefits to be gained from such development, and what adverse impacts cannot be avoided and the extent of their detrimental influence.

EQUIPMENT AND MATERIALS STORAGE YARDS:	Includes any use related to outdoor storage of large construction equipment or machinery, company vehicles or large quantities of other materials. Typical uses include contractor storage yards and corporation yards.
FEE SCHEDULE:	The Echo Canyon adopted list of fees and charges for services which includes, but is not limited to, fees for land development activities.
FENCE:	A structure erected to establish property boundaries, buffer incompatible land uses or provide privacy or security. A wall or similar barrier shall be deemed a fence.
FINAL PLAT:	A plat map prepared in accordance with the provisions of this title, which is designed to be placed on record in the Office of the County Recorder.
FINANCIAL INSTITUTION:	A building, property or activity, the principal use or purpose of which is the provision of financial services, including, but not limited to, banks, facilities for automated teller machines (ATMs), credit unions, savings and loan institutions, stock brokerages and mortgage companies. "Financial institution" shall not include any use or other type of institution which is otherwise listed in the table of permitted and conditional uses for each category of zoning district or districts under this title.
FLOOD CONTROL WORDS AND PHRASES:	All flood controlled related terms as defined in 11-2-1.

FLOODPLAINS:	Areas adjoining any streams, ponds or lakes which are subject to "100-year recurrence interval floods" on maps prepared for the "national flood insurance program", or a study conducted by anyone else expert and experienced in the preparation of hydrological studies and the determination of flood lines.
GAS STATION:	A principal building site and structures for the sale and dispensing of motor fuels or other petroleum products and accessory the sale of convenience retail.
*GENERAL PLAN:	A. A document that Echo Canyon adopts that sets forth general guidelines for proposed future development of the land within Echo Canyon; and B. Is commonly referred to as a "master plan" or "comprehensive plan".
GEOLOGIC HAZARD:	A. A surface fault rupture; B. Shallow groundwater; C. Liquefaction; D. A landslide; E. A debris flow; F. Unstable soil; G. A rockfall; or H. Any other geologic condition that presents a risk: 1. To life; 2. Of substantial loss of real property; or 3. Of substantial damage to real property.
GOLF COURSE:	An area free of buildings, except for restrooms, pro shop, clubhouse, a reception or concession area within a clubhouse, executive offices, dressing rooms, equipment storage, golf related repair shop, maintenance buildings or pavilions, and used primarily for golf. Golf carts and other golf course related maintenance vehicles shall be permitted on a golf course.
GOVERNING BODY:	The City Council of Echo Canyon.
GRADE (LOT GRADE, FINISHED GRADE):	The final grade or elevation of the building site, slope or terrace, including the area five feet (5') from the foundation.
GRADING PLAN:	The grading plan shows all finish grades, spot elevations as necessary and existing and new contours with the developed landscape area.
HAZARDOUS WASTE:	Solid waste or a combination of solid wastes which, because of its quantity, concentration or physical, chemical or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness or may pose a

	substantial present or potential hazard if transported, disposed of, or otherwise managed.
HOTEL/MOTEL:	An establishment providing, for a fee, sleeping accommodations and customary lodging services, including maid service, the furnishing and upkeep of furniture and bed linens, and telephone and desk service. Related ancillary uses may include conference and meeting rooms, restaurants, reception centers, and recreational facilities.
IMPROVEMENTS:	Work, objects, devices, facilities or utilities required to be constructed or installed in a land development. Such improvements may include, but are not limited to, street construction to required standards, water facilities, sewer facilities, sidewalks, curbs and gutters, drainage facilities, street trees, street signs, streetlights, traffic control or safety devices, fire hydrants, survey monuments, and such other facilities or construction required by this title, the subdivision regulations, or by the Planning Commission and/or City Council for the necessary proper development of the proposed land development.
IMPROVEMENTS AGREEMENT:	An agreement between Echo Canyon and a developer, wherein the developer agrees to install improvements required by this title, subdivision regulations, or by the Planning Commission and/or City Council for the necessary proper development of the proposed land development.
INFECTIOUS WASTE:	Solid waste that contains or may reasonably be expected to contain pathogens of sufficient virulence and quantity that exposure to the waste by a susceptible host could result in an infectious disease.
INTERPRETATION:	An administrative decision regarding the general provisions of this title to specific cases. Interpretations shall not include administrative decisions that will affect a permitted use, conditional use or nonconforming use.
LAND, AGRICULTURAL:	Land used for bona fide agricultural purposes, or which is projected for agricultural use by the master plan or the zoning ordinance adopted by Echo Canyon, but not including legally existing nonconforming uses located in areas so projected.
LAND, COMMERCIAL:	Land used for bona fide commercial purposes, or which is projected for commercial use by the master plan or the zoning ordinance adopted by Echo Canyon, except legally existing nonconforming uses located in areas designated commercial in such ordinance.
LAND DEVELOPMENT STANDARDS:	Adopted construction standards, including, but not limited to, drawings, tables, charts and references which have been

	adopted by the City Council by resolution and which set standards for the construction of improvements to land and which regulate said construction of improvements to land.
LAND USE:	The conduct of an activity, or the performance of a function or operation, on a site or in a building or facility for the purpose for which the land or building is occupied, or maintained, arranged, designed or intended.
LANDSCAPE PLAN DOCUMENTATION PACKAGE:	The preparation of a graphic and written criteria, specifications, and detailed plans to arrange and modify the effects of natural features such as plantings, ground and water forms, circulation, walks and other features to comply with the provisions of this title. The landscape plan documentation package shall include a project data sheet, a planting plan, an irrigation plan, and a grading plan.
LANDSCAPE ZONE:	A portion of the landscaped area having plants with similar water needs, areas with similar microclimate (i.e., slope, exposure, wind, etc.) and soil conditions, and areas that will be similarly irrigated. A landscape zone can be served by one irrigation valve, or a set of valves with the same schedule.
LEGISLATIVE BODY:	The City Council.
LIBRARY:	A public, nonprofit facility in which literary, musical, artistic, or reference materials such as, but not limited to, books, manuscripts, computers, recordings, or films are kept for use by or loaning to patrons of the facility.
LOT:	A parcel or unit of land abutting a public street or approved private street, described by metes and bounds and held or intended to be held in separate lease or ownership, or a parcel or unit of land shown as a lot or parcel on a subdivision plat map, planned unit development plot map, or condominium lot map, provided it is created pursuant to this title.
LOT AREA:	The area contained within the property lines of the individual parcels of land shown on a subdivision plat or required by this title, excluding any area within an existing street right-of-way, or any area required as open space under this title, and including the area of any easements.
LOT DEPTH:	The shortest horizontal distance in feet measured from any point on the front lot line to any point on the rear lot line.
LOT FRONTAGE:	The length, in feet, of the front lot line which is coterminous with the front street line.
LOT, INTERIOR:	A lot other than a corner lot.
LOT, LEGAL NONCONFORMING:	A lot which was legally created prior to the adoption of this title.

LOT LINE, REAR:	Ordinarily, that line of a lot which is opposite and most distant from the front line of the lot. In the case of a triangular or gore shaped lot, a line ten feet (10') in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where this definition is ambiguous, the Community Development Director shall designate the rear lot line.
LOT LINE, SIDE:	Any lot boundary line not a front or rear lot line. (This does not apply to any yard fronting on a street, which is by definition a front yard line.)
LOT LINES:	The property lines bounding the lot.
LOT RIGHT-OF-WAY:	A strip of land not less than thirty feet (30') in width connecting a lot to a street for use as private access to that lot.
LOT WIDTH:	The horizontal distance between the side lot lines, measured at the required front yard setback line or rear yard setback line, whichever is shorter.
MAJOR STREET PLAN:	A map of Echo Canyon which shows the existing and future public street system and which has been officially adopted by the Planning Commission and City Council as the major street plan for Echo Canyon.
MOTEL:	See definition of hotel/motel.
*MUNICIPALITY:	A city or town.
*NONCOMPLYING STRUCTURE:	A structure that: A. Legally existed before its current land use designation; B. Because of one or more subsequent land use ordinance changes, does not conform to the setback, height restrictions or other regulations, excluding those regulations which govern the use of land.
NONCONFORMING USE:	A use of land that: A. Legally existed before its current land use designation; B. Has been maintained continuously since the time the land use ordinance regulation governing the land changed; and C. Because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.
NONCONFORMITY:	The presence of any noncomplying use or noncomplying structure.
OFF SITE FACILITIES:	Improvements not on individual lots but generally within the right-of-way and the boundaries of the development which they serve, and as further outlined in this title.

OFFICE:	A type of business use, which may or may not offer services to the public that, is engaged in the processing, manipulation or application of business information or professional expertise. An office use is not materially involved in fabricating, assembling or warehousing of physical products for the retail or wholesale market, nor is an office engaged in the repair of products or retail services. Examples of professional offices include accounting, investment services, architecture, engineering, legal services and real estate services. Unless otherwise specified, office use shall include doctors' and dentists' offices. Office use shall not include any use or other type of establishment which is otherwise specifically listed in the table of permitted and conditional uses for the applicable zoning districts.
OPEN SPACE:	Land used for recreation, agriculture, resource protection, amenity or buffers; is freely accessible to all residents of the development, except in the case of agricultural lands where access may be restricted; and is protected by the provisions of this title to ensure that it remains in such uses. "Open space" does not include land occupied by nonrecreational buildings, roads or road rights-of-way; nor does it include the yards or lots of single- or multiple-family dwelling units or parking areas as required by the provisions of this title. Open space should be left in a natural state, except in the case of recreation uses which may contain impervious surfaces. Such impervious surfaces shall be included in the calculation of the impervious surface ratio.
PARCEL:	A continuous area of real property, or lot, which is legally described and recorded with Grand County. See definition of lot area.
PARK:	A noncommercial, not for profit facility designed to serve the recreation needs of the residents of the community.
PARKING LOT:	A paved, open area on a lot used for the parking of more than four (4) automobiles whether free, for compensation, or as an accommodation for clients and customers.
PEDESTRIANWAY (WALKWAY OR CROSSWALK):	A right-of-way designed for use by pedestrians and not intended for use by motor vehicles of any kind; a pedestrianway may be located within or without a street right-of-way, at grade, or grade separated from vehicular traffic.
PERMITTED USE:	A use of land which is allowed within a particular district without the necessity of obtaining a conditional use permit.

PERSON:	A firm, association, authority, organization, partnership, company or corporation as well as an individual.
PLACE OF WORSHIP:	A church, synagogue, temple, mosque or other place of religious worship, including any accessory use or structure used for religious worship.
PLANNED UNIT DEVELOPMENT (PUD):	Is both a type of real estate development, as well as a regulatory process. For purposes of this title, a "PUD" shall mean: A. 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. Planned unit development regulations may govern the subdivision of land if it is proposed by the development to sell individual lots in the planned unit development. Thus, planned unit development regulations can be subdivision regulations which may be chosen by the developer as an alternative to specifically designated subdivision regulations of this Code, to become effective only through the planned unit development process. B. A coordinated, real estate development where a unit or the whole building is owned by an individual and where the ownership of common spaces is shared and maintained by other members of the homeowners' association for the benefit of the owners. A PUD under this definition is treated as a subdivision and must comply with the subdivision regulations of this Code.
PLANNING COMMISSION:	The Planning Commission of Echo Canyon.
PRIMARY BUILDING OR STRUCTURE:	The main building or structure on a parcel of land designed or used to accommodate the primary use to which the premises are devoted.
PRINCIPAL USE:	Any use which is named and listed in the use regulations and other provisions of this title, except those uses specifically designated as accessory uses; any use which is or may be conducted on a lot independently, or any other use on the lot and not incidental or accessory to any other use on the lot; any use which establishes the primary activity on a lot.
PRIVATE NONPROFIT RECREATIONAL GROUNDS AND FACILITIES:	Nonprofit recreational grounds and facilities operated by a nonprofit corporation, association or group.

PROFESSIONAL TEAM, QUALIFIED:	An individual or group of individuals qualified by virtue of training, experience, State licensing, where appropriate, and membership in professional associations which pass upon qualifications prior to admittance to membership. A determination of whether or not a team is qualified shall be made solely by the Planning Commission.
PUBLIC FACILITIES AND PUBLIC SERVICE FACILITIES:	For the public convenience, certain infrastructure, including streets, water lines, sewer lines, public utilities and drainage facilities, may be allowed to serve various areas of the community, as public facilities. Possible additional facilities such as a substation for fire or police, Post Office or hospital may be determined to be in the public interest as public service facilities by Echo Canyon.
PUBLIC OR PRIVATE RECREATIONAL FACILITY:	A golf course, swimming pool, tennis club or other similar facility whose recreational use functions as the principal use of the property, whether under public or private control, operation or management.
QUASI-PUBLIC CORPORATION:	An artificial person, private in ownership, individually created as a corporation by the State which has accepted from the State the grant of a franchise or contract involving the performance of a public purpose relating to the State or its citizens.
RECREATION (INDOOR):	Public or private recreation facilities, tennis or other racquet courts, swimming pools, bowling alleys, skating rinks, ball courts, video arcades, community centers, gymnasiums, health and fitness facilities, or similar uses which are enclosed in buildings primarily for the use of persons who do not reside on the same lot as that on which the recreational use is located. The term "recreation (indoor)" shall include any accessory uses, such as snack bars, pro shops, and locker rooms, which are designed and intended primarily for the use of patrons of the principal recreational use. The term "recreation (indoor)" shall not include theaters, cultural facilities, massage parlors, or any use which is otherwise listed specifically in the table of permitted and conditional uses.
RECREATION (OUTDOOR):	Public or private golf courses, golf driving ranges, miniature golf, swimming pools, tennis courts, country clubs, ball fields, ball courts, fishing piers, skateboarding courses, water slides, mechanical rides, go-cart or motorcycle courses, raceways, drag strips, stadiums, marinas, overnight camping, or gun firing ranges, or other similar type uses which are not enclosed in buildings and are operated for the use of persons who do not reside on the same lot as that on which the

	recreational use is located. The term "recreation (outdoor)" shall include any accessory uses, such as snack bars, pro shops, and clubhouses which are designed and intended primarily for the use of patrons of the principal recreational use.
RESIDENTIAL SHORT TERM RENTAL (STR):	Any single-family or individual multi-family dwelling or portion thereof that is available for use for temporary sojourn or transient visit of guests, for direct or indirect remuneration, for a period of less than thirty (30) consecutive days.
RETAIL SERVICE ESTABLISHMENT:	A building, property or activity, the principal use or purpose of which is the provision of personal services directly to the consumer. The term "retail service establishment" shall include, but shall not be limited to, barbershops, beauty parlors, laundry and dry cleaning establishments (plant off premises), tailoring shops, shoe repair shops and the like. Retail service establishment shall not include any use or other type of establishment which is otherwise listed specifically in the table of permitted and conditional uses found in this title.
RIGHT-OF-WAY:	The portion of land dedicated to the public use for street or utility purposes or maintained in private use for similar purposes.
ROADWAY WIDTH:	The horizontal distance from the lip of gutter to lip of gutter of street, otherwise, the width of actual paved surface where no curb and gutter exists.
RUNOFF:	Irrigation water that is not absorbed by the soil or landscape area to which it is applied, and which flows onto other areas.
SCHOOL, PRIVATE:	A school which is operated by a quasi-public or private group, individual or organization, for profit or nonprofit and which has a curriculum similar to that provided in any public school, whether or not a complete educational curriculum.
SCHOOL, PUBLIC:	A school operated by a school district or other public agency in the State of Utah.
SIGN:	A presentation or representation of words, letters, figures, designs, picture or colors, publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid; also, the sign structure supports lighting systems and any attachments, ornaments or other features used to draw the attention of observers.
SITE:	A parcel or parcels of land intended to have one or more buildings or intended to be subdivided into one or more lots.

SITE AREA:	All land area within the site as defined in the deed. Area shall be determined from an actual survey rather than from a deed description.
SITE PLAN:	A scaled drawing of and information pertaining to a proposed development site. A "site plan" shall include the following: A. The name and business address of the developer; B. The name and business address of the project designer; C. The dimensions of the site; D. North point; E. Locations and names of existing and proposed buildings; F. Locations and names of existing and proposed streets; G. Public and private easements related to site; H. Survey monuments; I. Watercourses and impoundments; J. Location and description of existing and proposed vegetation; K. Location of proposed parking; L. Location and size of utility service (water, sewer, power, gas, telephone cable) lines; M. Location of proposed septic or sewer connection; N. Location of all other proposed on site and off site improvements.
SKYSPACE:	The portion of the sky that must remain unobstructed for a solar collector to operate effectively. The skyspace can be measured for specific time of year use and location.
SOLAR ACCESS:	The availability of sunlight to solar collectors and solar energy systems. Solar access to a site depends upon the specific system type and most often demands rooftop, south wall, south lot or detached collector protection.
*SPECIAL SERVICE DISTRICT:	All entities established under authority of Utah Code Annotated title 17D and any other governmental or quasi-governmental entity that is not a county, municipality, school district or unit of the State.
STEEP SLOPES:	Areas where the average slope exceeds eight percent (8%) which, because of this slope, are subject to high rates of stormwater runoff and therefore erosion.
STORAGE (OUTDOOR):	Any equipment, materials, goods, wares, merchandise, commodities, junk, debris or any other item located outside of a completely enclosed building which is not displayed for sale or lease for a continuous period in excess of one business day. See also definition of sales and display (outdoor).

STORAGE, SELF:	A retail service establishment providing off site storage space to residents and businesses, offering convenience storage and limited warehousing services primarily for personal effects and household goods within enclosed structures having individual access, but excluding use as workshops, hobby shops, manufacturing or commercial activity.
STORE, CONVENTIONAL DEPARTMENT:	A retail business which offers a broad range of merchandise lines at moderate level price points, consisting of primarily apparel and home goods. No merchandise line predominates and goods are displayed in a departmentalized format. Customer assistance is provided in each department, but checkout facilities can be either departmentalized or centralized.
STORE, PAWNSHOP:	A commercial establishment which lends money at interest in exchange for valuable personal property left with it as security.
STORY (FLOOR):	The vertical distance between the finished floor of one level and the finished floor of the level above or below.
*STREET:	A public right-of-way, including highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements and other ways.
STREET (FRONTAGE):	A street which is parallel to and adjacent to a limited access street and which provides access to abutting properties and protection from through traffic.
STRUCTURE:	Anything constructed, the use of which requires fixed location on the ground, or attachment to something having a fixed location upon the ground.
*SUBDIVISION:	A. Any land that is divided, resubdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development, either on the installment plan or upon any and all other plans, terms and conditions. B. ”Subdivision” includes: 1. The division or development of land, whether by deed, metes and bounds description, devise and testacy, map, plat or other recorded instrument; and 2. Except as provided in subsection C of this definition, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes. C. ”Subdivision” does not include:

1. A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;

2. A recorded agreement between owners of adjoining unsubdivided properties adjusting their mutual boundary if:

a. No new lot is created; and

b. The adjustment does not violate applicable land use ordinances;

3. A recorded document, executed by the owner of record:

a. Revising the legal description of more than one contiguous unsubdivided parcel of property into one legal description encompassing all such parcels of property; or

b. Joining a subdivided parcel of property to another parcel of property that has not been subdivided, if the joiner does not violate applicable land use ordinances;

4. A recorded agreement between owners of adjoining subdivided properties adjusting their mutual boundary if:

a. No new dwelling lot or housing unit will result from the adjustment; and

b. The adjustment will not violate any applicable land use ordinance; or

5. A bona fide division or partition of land by deed or other instrument where the land use authority expressly approves in writing the division in anticipation of further land use approvals on the parcel or parcels.

D. The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a "subdivision" under this definition as to the unsubdivided parcel of property or subject the unsubdivided parcel to the City subdivision ordinance.

TEMPORARY USE: Any use of land which, in the determination of the Planning Commission, and approved by the City Council, shall not extend beyond two (2) years from inception of such land use. A determination as to whether or not a land use is temporary shall be based solely upon facts submitted to the Planning Commission at the time of application for a conditional use permit for a temporary use. Unless found to be temporary, any use of the land shall be presumed to be permanent. Such uses include construction facilities, emergency facilities as well as interim uses of land and buildings awaiting ultimate

	use, i.e., pasture for a few months before construction begins, a carnival, fair, sports field, staging area, etc.
THEATER, MOVIE:	An establishment for showing movies or motion pictures.
UTILITY, SEWAGE TREATMENT PLANT:	A licensed facility that purifies sanitary sewer effluent to a minimum level as established by State and/or Federal environmental protection agencies.
VARIANCE:	An official permit to use property in a manner that departs from the way in which other property in the same locality can be used; as regulated by Utah State Code section 10-9a-702.
VEGETATION:	Living plant material including, but not limited to, trees, shrubs, flowers, grasses, herbs and ground cover.
VICINITY MAP:	A map or drawing, not necessarily to scale, showing where a subdivision, or proposed subdivision, PUD, commercial development, or other property is located.
VICINITY PLAN:	A map or drawing to scale of any area proposed for development, showing existing and proposed streets, buildings, public facilities and utilities within the general influence area of the proposed project (1 mile radius); boundaries of zoning districts, taxing districts, and other special districts on and in the immediate vicinity of the land proposed for project; watercourses, impoundments, streams, springs, wells and areas subject to continuous or occasional flooding on and in the immediate vicinity of the land proposed for project and significant vegetative patterns on and in the immediate vicinity of the land proposed for development.
WAREHOUSE:	A structure, or part thereof, or area used principally for the storage of goods and merchandise.
YARD:	A required open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as permitted elsewhere in this title.
YARD, FRONT:	A. A space on the same lot with a building, between the front line of the building 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. B. On a corner lot, there are two (2) front yards.
YARD, REAR:	A space on the same lot with a building, between the rear line of the building and the rear lot line, and extending the full width of the lot.

YARD, SIDE:	A yard, extending from the front yard to the rear yard between the side lot line and the nearest part of any building or structure on the lot.
ZONING DISTRICT:	An area of the City designated in the text of this title in which requirements and standards for the use of land and buildings are prescribed.
ZONING MAP:	A map adopted as part of a land use ordinance that depicts land use zones, overlays or districts.

Draft 1.0 for Public Hearing Planning Commission June 23, 2025

TITLE 4 – BUILDING CODE

CHAPTER 1 – Adoption of Uniform Codes

Sec. 4.01.010. – Uniform Codes Adopted.

The following codes as adopted by the State unless stated otherwise are hereby adopted for use as part of this Code for use in Echo Canyon, State of Utah.

1. The International Building Code
2. The International Residential Code
3. The International Plumbing Code
4. The International Mechanical Code
5. The International Fuel Gas Code
6. The National Electrical Code
7. The International Energy Conservation Code
8. The International Existing Building Code
9. The HUD Code
10. The NFPA 225 Model Manufactured Home Installation Standard
11. The International Swimming Pool and Spa Code
12. The Modular Building Institute Standards
13. The Utah Wildland Urban Interface Code
14. The Uniform Code for the Abatement of Dangerous Buildings

Draft 1.0 for Public Hearing Planning Commission June 23, 2025

TITLE 5 – FIRE PROTECTION CODE

CHAPTER 1 – International Fire Code.

Sec. 5.01.010. – Adoption of International Fire Code.

There is hereby adopted the current Edition of the International Fire Code and future editions as are published by the International Code Council, Inc. and adopted by the State of Utah, except such portions as are deleted, modified, amended or added by this chapter. In addition, the following appendices of the 2024 Edition of the International Fire Code are adopted:

1. Appendix B – Fire-Flow Requirements for Buildings
2. Appendix C – Fire Hydrant Locations and Distribution
3. Appendix D – Fire Apparatus Access Roads
4. Appendix E – Hazard Categories
5. Appendix F – Hazard Rankings

CHAPTER 2 – Fire Chief.

Sec. 5.02.010. – Office of Fire Chief.

There is hereby created the office of fire chief. The Echo Canyon fire chief shall be appointed by the municipal legislative body.

As authorized by state law, the fire chief is hereby authorized to issue orders prohibiting open burning, open fires, or the use of any ignition source in any area of Echo Canyon that they deem appropriate.

For the purposes of this section "ignition source" shall mean fireworks, lighters, matches, smoking materials, welding, cutting, grinding and similar means to ignite fire or which may cause a fire.

CHAPTER 3 – Enforcement.

Sec. 5.03.010. –International Fire Code Enforcement.

The International Fire Code and the International Fire Code Standards shall be enforced by the Fire Department.

Sec. 5.03.020. – Conflict.

The provisions of the International Fire Code shall be read and interpreted whenever possible so as to comply with the provisions of the zoning, building, and other ordinances of Echo Canyon. If a conflict between the International Fire Code and another ordinance arises, the conflicting provisions shall be interpreted to first, provide for the greatest safety of the property and citizens of the community and second, to provide as nearly as possible for the accomplishment of the intent of the International Fire Code.

Sec. 5.03.030. – Penalty.

1. Any person who violates or fails to comply with any of the provisions of this chapter, the International Fire Code, or the International Fire Code Standards, is guilty of a class C misdemeanor.

2. Any person who violates or fails to comply with any order or other action taken by the Fire Department or Fire Chief pursuant to the International Fire Code or International Fire Code Standards is guilty of a class C misdemeanor, if the order or other actions is not appealed or is affirmed upon appeal.

3. Any person who violates any order or other action taken by the Fire Department or Fire Chief pursuant to the International Fire Code or International Fire Code Standards as subsequently modified upon appeal is guilty of a class C misdemeanor.

4. All appeals must be taken in accordance with the International Fire Code.

5. When not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

6. The application of any penalty identified in this Section shall not be held to prevent the enforced removal of prohibited conditions.

CHAPTER 4 – Additional Provisions.

Sec. 5.04.010. – Prohibition of the Use of Fireworks.

Except as permitted by Utah Code § 53-7-221, all fireworks are hereby prohibited in all areas of Echo Canyon.

Sec. 5.04.020. – Burning Permits.

The municipal manager or other official designated by the legislative body of the municipality shall establish a procedure for the issuance of burning permits under the terms of the code of Health and Safety. Said official shall also devise a method of visual determination of any violation of the code and institute appropriate enforcement procedures as necessary

TITLE 6 – EXCAVATION AND GRADING CODE

CHAPTER 1

Sec. 6.01.010. – Purpose and Scope.

1. The purpose of this chapter is to establish minimum requirements for grading, filling, and excavation work, and the procedures by which these requirements may be complied with and enforced.

2. Compliance with the regulations of this chapter in no sense excuses the developer from the applicable requirements outlined elsewhere in this title, including any international codes or general standards adopted by Echo Canyon, or any more restrictive provisions of covenants, agreements, or other ordinances or laws, or from obtaining any easements or authorization for grading on property not owned by the developer.

Sec. 6.01.020. – No Mining.

Excavation and grading activities are permitted in Echo Canyon. "Mining" and "mines" as defined in Utah Code Ann. Section 59-5-201, are not permitted in Echo Canyon.

Sec. 6.01.030. – Developer Obligations.

1. Protection of Utilities. The developer shall be responsible for the prevention of damage to any public utilities or services.

2. Protection of Adjacent Property. The developer shall be responsible for the prevention of damage to adjacent property.

3. Temporary Erosion Control. The developer shall put into effect and maintain all precautionary measures necessary to protect adjacent watercourses and public or private property from damage by water erosion, blowing dust, flooding, or deposition of mud or debris originating from the site.

4. Permit to Work in Public Right-of-Way. Permits for work in public rights-of-way shall be obtained from the appropriate authority.

5. Traffic Control and Protection of Streets. The developer shall provide flag men, signs, barricades, etc., as appropriate to ensure adequate safety when working in or near public streets. Developers shall comply with all applicable City ordinances, state laws, and the current edition of the Manual on Uniform Traffic Control Devices.

6. Hazards From Existing Grading. Whenever the municipal engineer determines that any existing excavation, cut, or fill has become a hazard to persons or property, or adversely affects the safety, use, or stability of a public right-of-way or drainage channel, the developer/owner of the property upon which the excavation, cut, or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the municipal engineer, shall, within the period specified therein, repair, reconstruct, or remove such excavations, cut, or fill to eliminate the hazard. The municipal engineer shall have authority to cause any situation deemed by Echo

Canyon to be a hazard resulting from such grading to be remedied to the satisfaction of the municipal engineer.

7. Tracking of Dirt onto Public Streets. The developer shall provide for adequate cleaning of equipment to prevent the tracking of dirt and debris onto public streets and shall be responsible for cleaning streets in a manner and at intervals as required by the municipal engineer.

8. Maintenance of Waterway and Irrigation Canals. The developer shall take all necessary measures to protect and maintain the flow of waterways and irrigation canals. The developer shall obtain any permit required by the jurisdictional authority for the waterway or canal.

9. Compliance with Permit and Applicable Laws. The developer shall comply with all applicable laws and regulations, as well as any conditions placed on the permit upon issuance by the municipality.

Sec. 6.01.040. – Applications.

(a) Applications for a grading and excavating permit shall be filed in writing by the property owner or legally authorized agent thereof with the municipal engineer.

(b) The application shall include grading, filling, and excavating plans submitted by a professional engineer licensed by the State of Utah. The plans shall be stamped, signed, and dated. In addition, any required fees, as adopted by the municipal legislative body, must be paid.

(c) A separate application and permit are required for work to be done on each individual project site. If grading, filling, or excavation occurs prior to obtaining a permit, it shall be subject to penalties and abatement procedures, except as otherwise specified.

(d) In granting any permit, the municipal engineer may attach conditions deemed necessary to prevent creation of a nuisance or hazard to public or private property and to assure completion of the grading.

TITLE 10 – SUBDIVISION ORDINANCE

CHAPTER 1 – Subdivisions.

10.01.001 Title:

This Ordinance shall be entitled the "Subdivision Ordinance of Echo Canyon, Utah," and may be so cited and pleaded.

10.01.005 Purpose and Intent:

The purpose of this Ordinance is:

A. to promote the health, safety, convenience, and general welfare of the present and future inhabitants of Echo Canyon, Utah;

B. to facilitate the transfer of land having accurate legal descriptions;

C. to establish the rights, duties, and responsibilities of subdividing with respect to land subdivision; and

D. to facilitate the implementation of the general plan.

It is hereby declared to be public policy that these subdivision regulations be promulgated for the purpose of facilitation of the sale of building lots only.

10.01.010 Approval Authorities:

The Echo Canyon Engineer is the administrative land use authority for all subdivision application approvals and site plan approvals and shall act in accordance with this Ordinance.

10.01.015 Requirement of Adequate Public Facilities:

As part of the material submitted in support of an application for subdivision approval, the applicant shall submit sufficient information to demonstrate that adequate public facilities will be available at specified levels of service within a reasonable period of time following the issuance of a subdivision plat approval for the proposed development. Such a determination may include the timing, phasing, and sequencing of the proposed development. Compliance with level of service standards shall be measured in accordance with the adopted level of service standards as set forth herein as they may from time to time be amended. Echo Canyon staff may request additional information from the applicant to assess the adequacy and availability of the public facilities referenced above as part of the subdivision approval process.

If any requirement of this Ordinance and the applicable standards are proposed to be satisfied by relation to, or incorporation of, components of another phase or related development, the applicant shall enter into a development agreement with Echo Canyon governing the applicable phases or related developments or modify the application to satisfy all requirements independently.

10.01.020 Land Shall be Subdivided Before Recording:

From the effective date of this Ordinance no persons may subdivide any tract of land which is located wholly or partly within Echo Canyon, Utah, nor may any person exchange, or offer for sale, or purchase or offer to purchase any parcel of land which is any part of a subdivision of a larger tract of land within the above described territory nor may any person offer for recording any deed conveying a parcel of land or any interest therein, unless he shall first have or cause to have made a plat thereof, which plat must be approved by the appropriate administrative land use authority and recorded in the office of the Grand County Recorder before such sale or exchange or purchase is effected. Approval of the subdivision plat shall be obtained by complying with all of the requirements of this Ordinance.

10.01.025 Definitions:

For the purpose of this Ordinance the following definitions shall apply:

Easement – The quantity of land set aside or over which a liberty, privilege, or advantage existing distinct from the ownership of the land, is granted to the public or some particular person or part of the public.

Subdivision Plat – A map or chart of the land-division which has been accurately surveyed, and such survey marked on the ground, so that streets, alleys, blocks, lots, and other divisions thereof can be identified.

Large-Scale Development – A tract of land which is planned, developed, and maintained as a single entity wherein the requirements applying to all buildings and improvements within the development are modified to conform to the approved plan.

On-Site Facilities – Facilities installed within or on the perimeter of the subdivision or development site.

Off-Site Facilities - Facilities designed or treated so as to serve other property outside of the boundaries of the subdivision - usually lying between the development and existing facilities.

Over-Size Facilities – Facilities with added capacity designed to serve other property, in addition to the land within the boundaries of the subdivisions or development site.

Subdivider – a "subdivider" is any person or legal entity laying out or making a land-division for the purpose of sale, offering for sale, a gift, or selling for himself or others a subdivision or any part thereof.

Subdivision – The term "subdivision" means the division of a tract, lot, or parcel of land, or adjacent parcels under the same ownership into two or more lots, plots, sites, or other division of land for the purpose, whether immediate or future, of sale or of building

development. A planned unit development which is divided into two or more separately-owned units and approved under the terms of the land use code of Echo Canyon, Utah, shall also be deemed to be a subdivision under the terms of the Ordinance. "Small subdivision" means a subdivision containing fewer than ten (10) lots and conforming to all of the other conditions set forth in this Ordinance.

Subdivision Improvement Plans – Shares the same definition as found in Utah Code Section 10-9a-604.2.

Subdivision Plan – A map or chart of a proposed land division.

Vicinity Plan – A map or chart showing the relationship of streets and lands within a proposed subdivision to streets and lands within a proposed subdivision to streets and lands in the surrounding area.

10.01.030 Mandatory Procedures for Subdivision Applications:

The following steps or procedures shall be followed in order to obtain approval of a subdivision, except as identified herein:

1. Subdivision Plan:

   A. Subdivider prepares vicinity plan, environmental impact statement (if required under 10.03.0501) and subdivision plan including the subdivision improvement plans, (together the "subdivision application") and submits the same to the administrative land use authority.

   B. No later than thirty (30) business days after receipt of a subdivision application, the administrative land use authority shall (i) determine whether the application is complete and either (y) notify the subdivider if the application is not complete or (z), if complete, conduct initial ordinance review, including contact of all required parties and agencies, and respond to the subdivider in writing identifying any noncompliance in the completed application.

   C. The Administrative land use authority may not engage in substantive review of subdivision improvement plans during the subdivision plan approval stage or at any other time prior to the beginning of the review cycles for subdivision improvement plans during subdivision plat approval.

   D. Only the review of subdivision improvement plans during plat review constitute "review cycles" under Utah Code Section 10-9a-604.2. Echo Canyon may not engage in more than four (4) review cycles of the subdivision improvement plans. Review cycles are defined and governed by Utah Code Section 10-9a-604.2.

E. The administrative land use authority shall review plans and plats for compliance with all applicable standards of this ordinance and Echo Canyon engineering, planning, and other departments which the administrative land use authority deems necessary to protect the health, safety, and welfare of the public and to ensure the project's compliance with all applicable standards and specifications, and provide written review comments, including receiving comments and feedback from all required agencies and parties, within forty (40) business days of submission.

F. Upon approval of the plat, which shall be made in writing by the administrative land use authority to the subdivider, subdivider shall submit the approved plat to Echo Canyon for execution, along with bond or other assurance guaranteeing required improvements.

2. Upon Approval: Subdivider shall record the final approved plat in the office of County Recorder within thirty (30) days upon receipt from Echo Canyon once all required signatures are made and before selling or conveying any lots within the subdivision. Plats not recorded within thirty (30) days from execution by Echo Canyon authorities and delivery to the Subdivider shall be null and void.

10.01.035 Planning and Improvement Requirements:

1. Vicinity Plan-

The Vicinity Plan shall show a simple sketch of the proposed layout of the streets, lots, and other features, in relation to the existing and planned streets within ¼ mile of the subdivision. The plan may be a pencil sketch, or may be made directly on an aerial photograph. The plan shall be prepared at a scale of not smaller than one (1) inch equals 200 feet.

2. Subdivision Plan – The Subdivision Plan shall be drawn to a reasonable engineering scale and shall show:

1. The proposed name of the subdivision.

2. The location of the subdivision. Where the plan submitted covers only a part of the subdivision's tract, the administrative land use authority may require the Subdivider to prepare a subdivision plan covering all of the Subdivider's tract before giving consideration to a subdivision plan covering only part of the tract.

3. The names and addresses of the Subdivider, the engineer, or surveyors of the subdivision.

4. A draft labeling all parcels, showing owners' names, within ¼ mile of land to be subdivided.

5. Information sufficient to locate accurately the property shown on the plan with reference to survey markers or monuments.

6. Contour map at intervals as required by the administrative land use authority.

7. The boundary lines of the tract to be subdivided.

8. The location, width, and other dimensions of all existing or platted streets and other important features such as water courses, unique topography, and building within the tract and within two hundred (200) feet thereof.

9. Existing sanitary sewers, storm drains, water-supply mains, and bridges within the tract or within two hundred (200) feet thereof.

10. The location, width, and other dimensions of proposed streets, alleys, easements, parks and other open spaces with proper labeling of spaces to be dedicated to the public or to the occupants or owners of lots within the subdivision.

11. North point, scale, and date.

12. Engineering drawings, including typical street cross-sections, road profiles, and plans meeting Town standards regarding the width and type of proposed pavement, locations, size, and type of proposed off-site and on-site facilities and other proposed improvements, such as sidewalks, curbs and gutters, park, and fire hydrants.

13. An environmental impact statement may be required by the administrative land use authority for certain types of development, which shall describe the impact which the development will likely have on the natural features of the area within the development and immediate vicinity. Said statement shall also include a description of the measures that should be taken to lessen the occurrence of adverse conditions with respect to:

    a. Control of erosion within the subdivided area.

    b. Reseeding of cuts and fills.

    c. Provision for potable water for the occupants of the subdivision.

    d. Disposition of any geologic hazards or soil conditions which may cause injury to persons or injury or damage to improvements which may be constructed on the subdivision, such as buildings, water and sewer lines and streets.

e. Provision for the proper disposal of solid and liquid wastes that will likely come from the occupants of the subdivision when it is fully developed.

f. Prevention and control of fire and control of dust.

g. Prevention of the accumulation of weeds and debris.

h. Prevention of the destruction of vegetation or else the establishing of new vegetation.

i. Disposal of surface water and disposition of flood hazards.

14. Geometric Road Design – All geometric road design shall comply with AASHTO, FHWA, the IFC, and other engineering standards applicable to roads and streets within the boundaries of the municipality.

15. Cul-de-sac – Each publicly dedicated cul-de-sac shall have a minimum width of fifty (50) feet with a maximum length of 1,300 feet and must be terminated by a turn-around of not less than eighty (8) feet in diameter. Surface water must drain away from the turn-around. Where surface water cannot be drained along the street away from the turn or around due to the grade, necessary catch basins and drainage easements shall be provided.

16. Easements – Where alleys are not provided, easements of not less than eight (8) feet on each side of all rear lot lines and side lines will be required where necessary for poles, wire, conduits, storm or sanitary sewers, gas and water mains, and other public utilities. Easements of greater width may be required along property lines where necessary for surface overflow or for the extension of sewer mains or similar utilities.

17. Street Names – New street names shall not duplicate those names already existing. A street obviously a continuation of another already in existence shall bear the same name. However, all streets shall be designated by number and may be named also. All designations and/or numbers shall be discernible from the street.

18. Bridges and Culverts – All bridges and culverts shall be constructed to support gross vehicle weight as designated by Municipal Engineer.

10.01.040 Improvement Requirements:

The following improvements shall be installed in all subdivisions prior to the recording of the approved plat. A Subdivider may post a bond or other assurance satisfactory to the Administrative land use authority that the required improvement will be installed within one (1) year from the date of the approval of the approved plat. The purpose of the bond or other assurance is to ensure

installation of the required improvements within one (1) year from the date of approval without cost to Echo Canyon. An extension may be granted by Echo Canyon Administrative land use authority for cause. Said improvements shall include:

1. Utilities: All utility lines shall be located underground.
2. Survey Monuments: The installation of survey monuments in accordance with Echo Canyon standards as directed by the Municipal Engineer.
3. Environmental Hazards: Environmental hazards must be eliminated as required by the administrative land use authority as follows:
   a) Cut and fill slopes must be covered with topsoil and reseeded.
   b) Location of streets and buildings on unstable soil shall be avoided.
      1. Surface water shall be confined to the subdivision or shall be drained into natural channels in a manner that will prevent the soil within and outside of the subdivision from eroding.
      2. Natural drainage channels shall be adequately taken into account in laying out the subdivision.
      3. Other environmental hazards must also be eliminated or adequately handled as directed by the Planning Administrator.

10.01.045 Costs and Charges in Connection with the Development of Subdivisions:

Costs and charges in connection with the planning and development of subdivisions in Echo Canyon, Utah, shall be born entirely by the Subdivider and applicant.

10.01.050 Costs and Charges for Large-Scale Development:

When a subdivision is in the form of a large-scale development, All costs and charges in connection therewith shall be the responsibility of the Subdivider and shall be made to comply with the requirements for large-scale developments as set forth in the land use code of Echo Canyon, Utah.

10.01.055 Platting Requirements:

A. Plat Characteristics:
   1. Plat – A plat shall be prepared for all subdivisions.
   2. Material – the plat should be shown on mylar or linen materials and shall conform to the Echo Canyon standards as directed by the administrative land use authority. Details and workmanship shall be neat, clean-cut, and readable.

3. Scale – The actual map shall be made on a scale of one inch equal to 100 feet unless approved otherwise by the administrative land use authority.

4. Prints – The Subdivider shall also furnish Echo Canyon administrative land use authority with three (3) prints of the plat when submitted the tracing.

B. Contents – The drawings or plats shall contain the following information:

1. Subdivision name and general location.

2. A north point and scale on the drawing and the data

3. Accurately-drawn boundaries, showing the proper bearing and dimensions properly tied to public survey monuments. These lines should be slightly heavier than street and lot lines.

4. The names, widths, lengths, bearings, and curve data on center lines of proposed public streets, alley, or easements; also the boundaries, bearings, and dimensions of all portions within the subdivision as intended to be dedicated to the use of the public. Also, the lines, dimensions, bearings, and numbers of all lots; blocks and parks reserved for any reason within the subdivision. All lots and blocks are to be numbered consecutively under a definite system. All proposed streets shall be named or numbered in accordance with an in conformity with the street naming and numbering system in Echo Canyon, Utah

5. The location of existing watercourses

6. The location of all required monuments

7. The description and location of all, monuments set and established by the county or the U. S. Governments that are adjacent or near the proposed subdivision.

8. A description of land to be included in the subdivision

9. Name of registered professional engineer and/or land surveyor's "Certificate of Survey."

10. The owner's dedication

11. A notary public's acknowledgement

12. The administrative land use authority's Certificate of Approval

13. Echo Canyon's Certificate of Acceptance of streets to be dedicated, attested by Echo Canyon Clerk.

14. A statement relieving Echo Canyon, Utah of the responsibility of maintaining all travel easements and other ways not specifically dedicated to the use of the public.

15. A landscaping and maintenance plan for all areas receiving open space credit. Before recordation of the plat, a cash bond for the installation of the landscaping and maintenance for a period of five years shall be placed in an escrow account with Echo Canyon Chair's signature being required for draws. The bond shall be in the amount of 125% of the applicant's engineer's estimate of the above costs, as approved by Echo Canyon Engineer.

10.01.060 Work to be Done by Engineer or Surveyor:

All engineering work or surveying of property must be done by or under the direction of a registered professional engineer or land surveyor registered in the State of Utah.

10.01.065 Scenic Features Protected:

Where natural or scenic features and/or historic community assets exist, such features or community assets shall be safeguarded by dedication to a public or private agency.

10.01.070 Standards and Specifications:

Whenever the provisions of this Ordinance require improvements to be installed in subdivisions in accordance with Echo Canyon standards or specifications, said standards or specifications last adopted by resolution of Echo Canyon Board of Echo Canyon, Utah, are to be used.

10.01.075 Variance:

Where, because of topographical or other extreme physical conditions peculiar to the site, the strict adherence to the requirements contained herein or adopted pursuant to this Ordinance would cause unnecessary hardship, Echo Canyon staff may recommend, and the administrative land use authority may grant, a variance from said requirements. Any variance shall be authorized only after receiving the recommendation of Echo Canyon staff and upon finding that such variance may be made without undermining the intent of these provisions.

Variance granted under this section shall be limited to issues of design and layout only. No variance may be authorized which would constitute a waiver of the improvement requirements for streets, water supply and facilities, sewage disposal, and solid waste disposal.

10.01.080 Amendments May Be Required:

Before approving plans for a plat of a subdivision, the administrative land use authority may require amendments or modifications of the plan if it finds that:

1. The layout of the subdivision does not conform to acceptable standards of design as set forth in this Ordinance;

2. The subdivision is not provided with adequate ingress or egress;

3. The subdivision contains geologic, soil, water, or other hazards which could be detrimental to the subdivision, surrounding area, or to Echo Canyon; or

4. The subdivision does not provide the required improvements or quality of improvements or does not comply with other requirements as set forth in this Ordinance.

Such amendments or modifications shall be sufficient in all cases to correct the inadequacies so the subdivision will conform to the requirements of this Ordinance.

10.01.085 Penalty:

Any person, firm, or corporation who shall transfer or sell any lot or land in a subdivision, as defined in this Ordinance, which subdivision has not been approved by the administrative land use authority and recorded in the office of the Grand County Recorder, shall be guilty of a class B misdemeanor for each lot or parcel so transferred or sold; and the description of such lot or parcel of land by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties, or from the remedies herein provided. Echo Canyon may also enjoin such transfer or sale or agreement.

The Echo Canyon Attorney may bring action before any competent court having jurisdiction to enjoin the continuation of any prohibited condition and impose a civil penalty of up to $1,000 per day plus costs and reasonable attorney's fees.

Each day that a violation is permitted to exist may constitute a separate offense. The imposition of any sentence or fine shall not exempt the offender from compliance with the requirements of this Ordinance.

10.01.090 Validity:

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such holding shall not affect the validity of the remaining portion of this Ordinance.