ESCALANTE CITY
ORDINANCE 2022-03

AN ORDINANCE AMENDING ESCALANTE CITY CODE NO.10.54.030, 10.54.040, 10.54.140, 10.54.140, 10.54.160, 10.54.170, 10.54.260 AND PROVIDING REPEALER WITHIN THE CITY OF ESCALANTE, STATE OF UTAH.

WHEREAS, the City Council, as the governing body of the City of Escalante, State of Utah, specifically finds that it is in the best interest of the safety and welfare of the citizens of the City of Escalante to amend the followeing Ordinance; and

WHEREAS, The City Council and Mayor wish to amend such an Ordinance.

NOW THEREFORE, be it ordained by the Council of the Escalante City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** "10.54.170 Fees" of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.54.170 Fees

Any and all persons filing plats with the city clerk, shall pay an office checking fee according to the following schedule:

A. $50.00 as a minimum checking fee for subdivisions which contain three ~~ten~~ (3~~10~~) lots or less.
B. For subdivisions of ~~eleven~~ four (4~~11~~) lots or more, an additional charge of $50.00 ~~5.00~~ shall be made for each lot over ~~ten~~ three (3~~10~~).
C. Preliminary Plat Review six hundred dollars $600.00.
D. Final Plat Review three hundred dollars $300.00.
E. Determination of Impact on Culinary Water System three hundred dollars $300.00.
F. Determination of Impact on Sewer System (if applicable) three hundred dollars $300.00
G. Additional fees may be required, depending on the physical or legal complication of the proposed subdivision.

SECTION 2: **AMENDMENT** "10.54.030 Definitions - Subdivisions" of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.54.030 Definitions - Subdivisions

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this Ordinance. Words used in the present tense include the future; singular numbers shall include the plural, and the plural, the singular; the word "building" shall include the word "structure"; and the words "used" and "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 firm, association, organization, partnership, trust, company, or corporation, as well as an individual; the word "lot" includes the words plot or parcel. Words used in this Ordinance but not defined herein shall have the meaning as defined in any other Ordinance adopted by the Escalante City Council:

BEGINNING OF CONSTRUCTION: Grading or removal of any vegetation or earth from a site for construction of access routes or preparation for excavation of building pads or footings.

BUILDING: Any structure used or intended to be used for the shelter or enclosure of a person, animals or property.

BUILDING, HEIGHT OF: The vertical distance from the average finished grade surface to the highest point of the building roof or coping.

BUILDING SET BACK LINE: A line parallel to the street line between which no building structure or portion thereof, may be erected, constructed or established.

BUILDING OFFICIAL: The official designated as the Building Inspector for Escalante City.

CAMPGROUND: A parcel designated and approved by Escalante City for occupancy by tents, trailers, motor homes or campers on a temporary basis.

CITY ENGINEER: The Escalante City Engineer or his duly authorized representative. (Ord. 1987 sec 1-3, 1987)

COMMISSION: Means the planning commission of the city, provided however, that the city board may act for and in the place of the planning commission, as set forth in Chapter/Section 24/111.

COMMISSION'S AUTHORIZED REPRESENTATIVE: Means the planning director or any other city employee or official who has been designated by the commission to represent the city enforcing or carrying out the function of the commission as set forth in this chapter.

COUNTY: County shall mean Garfield County, Utah.

CUL-DE-SAC: A street or passage that is only open on one end, which must measure 100 feet in radius at its termination.

DESIGN: Design refers to a street alignment, grades and widths, and alignment and widths of easements and right-of-way for roads, drainage, sewage, water supply and other utilities, lot area dimensions, and the treatment of such factors for the proposed use of the land.

DIVISION OF AGRICULTURE LAND FOR AGRICULTURE PURPOSES: A bona fide division or partition of agriculture land into two (2) or more parcels for agriculture purposes as defined herein.

DWELLING: Any building or portion thereof, which is designed for residential use, except the following: hotels, apartment hotels, boarding houses, lodging houses, motels, apartment motels, trailers, mobile homes, or dormitories.

DWELLING. SINGLE FAMILY: A building arranged or designed to be occupied by one (1) family, the structure having only one (1) dwelling unit.

DWELLING. MULTIPLE FAMILY: A building arranged or designed to be occupied by more than one (1) family.

EASEMENT: The acquired privilege or right-of-use or enjoyment that one person may have on the land of another.

ENGINEER: Means the engineer or a surveyor engaged by the subdivider to prepare a final map or to compile such data as may be required in connection therewith in accordance with the provisions of this chapter. Such engineer shall be a registered civil engineer in the State of Utah.

ESSENTIAL SERVICES: Utilities or sanitary and public safety facilities provided by a public or other governmental agency for overhead or surface or underground services, excluding any building, electrical substation and transmission lines.

FAMILY: An individual, or two (2) or more persons related by blood, marriage, or adoption, or a group of not more than four (4) persons (excluding servants) who are not related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities.

FENCE: A physical barrier to delineate, contain, or designate an area designed for a specific use i.e., an enclosure for dwelling unit; an area for storage, etc.

FINAL MAP: Means a final map prepared in ordinance with the provisions of this chapter, which map is designated to be placed on record in the office of the Garfield County Recorder.

FLOOD PLAIN: A highest area of land subject to inundation or overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses within a hundred (100) year time frame.

FRONTAGE BLOCK: All property fronting on one (1) side of the street between intersecting streets or between a street and a right-of-way, waterway, end of dead end street, or political subdivision boundaries, measured along the street line. An intersecting street shall determine only the boundary of the frontage on the side of the street which it intersects.

GEOLOGICAL HAZARD: A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to the movement, failure or shifting of the earth.

GRADE: For buildings adjoining one (1) street, the elevation of the sidewalk at the center of the wall adjoining the street. For buildings adjoining more than one (1) street, the average of the elevation of the sidewalk at the center of all walls adjoining the streets.

HIS: Refers to male or female gender.

IRRIGATED LAND: Parcels that have surface or underground water diverted continuously or intermittently upon them for the production of crops or pasture, through the utilization of man-made improvements.

LANE: A street, either one-way or two-way, with a width less than fifty (50) feet.

LOT: A parcel or unit of land 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 recorded subdivision map, or shown on a plot used in the lease or offer of lease or sale of land resulting from the division of a larger tract into two (2) or more smaller units.

LOT CORNER: A lost abutting two (2) or more streets at their intersection or upon two (2) parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.

LOT DEPTH: The horizontal lines bounding the lot.

LOT LINES: The property lines bounding the lot.

LOT LINE ADJUSTMENT: The relocation of the property boundary line between two adjoining lots with thee consent of the owners of record.

LOT LINES, FRONT: For the interior lot, the lot line adjoining the street; for the corner lot or through lot, the lot adjoining either street as elected by the lot owner.

LOT LINE, REAR: Ordinarily, the 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 (10) feet in length within the parcel parallel to and at a maximum distance from the from lot line. In cases where these definitions are not applicable, the Garfield County Building Inspector shall designate the rear lot line.

LOT LINE, SIDE: Any lot boundary line not a front or rear lot line. In an interior lot, a side lot line separates a lot from another lot or lots. In a street side lot, a side line separates a lot from a street.

LOT RIGHT OF WAY: A strip of land not less than sixteen (16) feet in width connecting a lot to a street for the use as private access to that lot.

MASTER PLAN: A long range policy plan prepared and adopted by Escalante City to guide Escalante City growth.

MOBILE HOME: A detached single family dwelling unit of not less than forty-five (45) feet in length, designed for long term occupancy, and to be transported on it's own wheels or on a flatbed or other trailers or detachable wheels; containing a flush toilet, sleeping accommodations, a tub or a shower, kitchen facilities, and plumbing and electrical connections for attachment to appropriate external systems, and ready for occupancy for connections to utilities and other minor work. Double wide mobile homes which are placed on permanent foundations which meet all applicable building and housing codes, and contain at least one-thousand (1,000) square feet of floor space shall be regulated as conventional housing.

MOBILE HOME LOT: A lot within a mobile home subdivision, designated and to be used for accommodation of one (1) mobile home.

MOBILE HOME PARK: Land designated and approved by Escalante City for occupancy by mobile homes, to be under single ownership or management, and meeting all other local and state requirements for Mobile Home Parks.

MOBILE HOME SUBDIVISION: A subdivision designed and intended for the residential use where the lots are to be individually owned or leased, and occupied by mobile homes exclusively.

MODULAR HOME: A permanent dwelling structure built in prefabricated units, which are assembled and erected on the site, or at another location and brought as a unit to the site; modular home is classified as an unfinished structure until it is placed on a permanent foundation and complies with all governing building codes.

OFF-SITE FACILITIES: Improvements not on individual lots but generally within the boundaries of the subdivision which they serve.

OFFICIAL MAP: The official map or maps adopted by Escalante City pursuant to the city zoning and planning enabling legislation.

ON-SITE FACILITIES: Construction or placement of the dwelling and it's appurtenant improvements on a lot.

OPEN SPACE: The area reserved for parks, court, playgrounds, golf courses, and other similar open area to meet density requirements.

PARCEL OF LAND: Contiguous land owned by and recorded as the property of the person. Land under one (1) ownership but physically divided by a public highway, road or street is considered contiguous under this definition.

PARKING LOT: An open area other that a street, used for the parking of more than four (4) automobiles and available for public use, for compensation, or accommodations for clients or customers.

PLOT PLAN: The plat of a lot, drawn to scale showing it's actual measurements, the size and location of any existing buildings to be erected, the location of the lot in relation to abutting streets, and such other information as may be required by Escalante City Planning and Zoning Commission.

PRELIMINARY MAP: Means a map made for the purpose of showing the design of a proposed subdivision and the existing conditions in and around it. Such map need not be drawn upon an accurate survey of the property. The preliminary map is essentially a study plan, which when approved, will serve as a basis for the preparation of the final map.

PROTECTIVE STRIP: A strip of land between the boundary of a subdivision and street within a subdivision, for the purpose of controlling access to the street by property owners abutting the subdivision.

RECREATIONAL COACH: A vehicle, such as a travel trailer, tent camper, camp car or other vehicle with or without motor power, designated and/or constructed to travel on the public thoroughfares in accordance with the provisions of the Utah Vehicle Code, and designed for use as human habitation for a temporary and recreational nature.

RECREATIONAL COACH PARK: Any park or tract of land or a separate designated section within a Mobile Home Park where lots are lots are rented out or held out for rent to one (1) or more owners or users of recreational coaches for a temporary time not to exceed one-hundred and twenty (120) days. Such parks may also be designated as "overnight" park.

SINGLE PARCEL SPLIT: A single parcel split allows a land owner to divide a single tact of land into not more than 2 tracts without going through the subdivision ordinance. There is a five year waiting period before the lot can be split again.

STREETS: A street is a thoroughfare which has been approved by the City, which the City has acquired by prescriptive right or which the City owns, or has approved on an approved final plat, or a thoroughfare of at least fifty (50) feet in width which has been abandoned or made public by right of use land and which affords access to abutting property, including highways, roads, lanes, avenues and boulevards.

MAJOR STREET: A street existing of proposed, which serves or is intended to serve as a major traffic way and is designated on the master street plan as a controlled access highway, major street, parkway or other equivalent term to identify those streets comprising the basic structure of the street plan.

STREET COLLECTOR: A street, existing or proposed, which is the main means of access to the major street system.

MINOR STREET: A street, existing or proposed, which is supplementary to a collector street and of limited continuity which serves or is intended to serve the local needs of the neighborhood.

MARGINAL ACCESS STREET: A minor street which is parallel to and adjacent to a limited access major street and which provides access to abutting properties and protection from through traffic.

PRIVATE STREET: A thoroughfare within a subdivision which has been reserved by dedication onto the subdivider or lot owners to be used as private access to served the lots planned within the subdivision and comply with the adopted street cross section standards of Escalante City and maintained by the subdivider or other private agency.

SUBDIVIDER: Any person, developer, firm, corporation, partnership or association who causes land to be divided into a subdivision for himself or others.

SUBDIVISION AUTHORIZED REPRESENTATIVE: Any person who has been designated by the subdivider in writing, which designation has been filed with the planning commission, as the authorized person to represent the subdivider.

SUBDIVISION: The division of any tract, lot or parcel of land into ~~two (2)~~ four (4) or more lots, plots, sites or other divisions of land for the purpose, whether immediate or future, of sale, lease, or of building development, provided that the term "subdivision" shall not apply to those divisions exempted or excepted in this Ordinance. The word "subdivide" and any other derivative thereof shall have reference to the word "subdivision" as herein defined.

SUBDIVISION-MINOR: The division of any tract, lot or parcel of land not exceeding more than three (3) lots.

SURVEY-BOUNDARY: is used to determine the exact location of property boundaries and corners of a piece of land. A boundary survey may be used to settle legal disputes or local easements or for personal records.

SURVEY-LAND: is a drawing that shows exactly where the boundaries of a property are. A survey will also lay out the dimensions and location of any buildings or other site improvements on the property.

VICINITY PLAN: A map or drawing to scale showing the physical relationship of the proposed development to existing or proposed streets, buildings and utilities; other relevant information such as special terrain or surface drainage; and existing zoning classification of all land within three hundred (300) feet of the property proposed for development.

SECTION 3: **AMENDMENT** "10.54.040 Procedure" of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.54.040 Procedure

Before dividing any tract of land into ~~three~~ four (4) or more building lots, a subdivider shall:

A. Meet with the city engineer and review the proposed subdivision.
B. File eight (8) copies of the preliminary plat with the city clerk and pay the fling fee.
C. Meet with the planning commission at a regularly scheduled meeting to discuss the proposed subdivision.
D. Not more than one year after receiving approval of the preliminary plat, submit the original and one reproducible copy of the final plat to the planning commission for action. The planning commission may extend the one-year time limit for just cause.
E. Upon receiving approval of the final plat, the subdivider shall pay all recording fees, and the city attorney, city recorder or city engineer shall present the final plat, bearing all required signatures to the Garfield County Recorder for the recoding.

SECTION 4: **AMENDMENT** "10.54.100 Preliminary Plat" of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.54.100 Preliminary Plat

The preliminary plat shall comply with the following requirements:

A. Description: In a little block located in the lower right hand corner of the sheet shall appear the following:
    1. The proposed name of the subdivision.
    2. The location of the subdivision, including the section, township and range;
    3. The names and addresses of the owners, and the subdividers if different than the owners;
    4. Date of preparation and north point;
    5. Scale of the drawing, which shall be of sufficient size to adequately described, in legible form, all required conditions of this title.
B. Existing Conditions: The plat shall show:
    1. The location of the newest established survey monument;
    2. The boundary of the proposed subdivision and the acreage included;
    3. All property in the tract under the control of the subdividers, even though only

a portion is being subdivided. Where the plan submitted only covers a portion of the subdividers tract, a sketch of the prospective street system of the un-platted parts of the subdividers land shall be submitted. The street system of the part submitted shall be considered in the light of the existing master street plans or other planning commission studies.

4. The location, width and names of all existing streets within two hundred (200) feet of subdivision and all prior platted streets or other public ways, utilities right-of-way, parks, ditches and other public open spaces, permanent buildings, structures, houses, or permanent easements and section and city limit lines within and/or adjacent to the tract;
5. The location of all wells (proposed, active and abandoned), and of all reservoirs within the tract and to a distance of at least one hundred (100) feet beyond the tract boundaries;
6. Existing sewer, water mains, culverts and other underground facilities within the tract and to a distance of at least one hundred (100) feet beyond the tract boundaries, indicating pipe size, grades, manholes and exact location;
7. Existing ditches, canals, natural drainage channels and open waterways and proposed realignment;
8. Boundary lines of adjacent tracts of un-subdivided land showing ownership;
9. Contour at vertical intervals not greater than five (5) feet.

C. Proposed Plan: The subdivision plan shall show;

1. The layout of streets, showing location, widths and other dimensions of proposed streets, crosswalks, alleys and easements;
2. The layout, numbers and typical dimensions;
3. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside from use for property owners in the subdivision;
4. Building set back lines required by the planning commission;
5. ~~Easements~~ Location of water, sewers and drainage, utility lines and other purposes;
6. Easements of drainage, utility lines and other purposes;
7. Typical street cross-sections and grade streets where required by the planning commission;
8. A grading and drainage plan by which the subdivider proposes to handle storm water drainage for the subdivision along with one hundred (100) year flood high water mark;
9. Approximate radius or all centerline curves on streets;
10. Location and size of all culinary water, sewer lines and any required irrigation. Location of fire hydrants, electrical layouts, street light location and types, along with septic system designs and locations.
11. Where necessary, copies of any agreements with any adjoining property owners relevant to the proposed subdivision shall be presented to the planning commission.
12. If there is no activity with-in one (1) year of the approval of the Preliminary Plat, the Preliminary Plat will become void and a new application will then have to be resubmitted following the subdivision rules in effect at the time of

the new application.

SECTION 5: **AMENDMENT** "10.54.140 Required Improvements" of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.54.140 Required Improvements

A. The plans for a sanitary sewer system shall be approved in writing by the city engineer.
    1. ~~Where the creation of a Special Service District (for sewer) is possible or likely, the subdivided lots may be required to participate in such Service District.Subdivisions may be required to install dry sewer and pump over stations. This section shall be reviewed every five (5) years or more often as needed.~~
B. Storm Drainage:
    1. A storm water drainage system, or plan, approved by the city engineer shall be provided and shall be separate and independent from the sanitary sewer system. ~~, if a central collection system issued.~~ The final plats for the drainage system shall be prepared under the direction of a licensed civil engineer and approved in writing by the city engineer prior to construction.
    2. ~~No ditch or canal shall be approved as suitable for the use of storm drainage without the written permission of the appropriate ditch or canal company, or the water users thereof.~~ No street or public way shall be used as storm drainage unless approved for such use by the city engineer.
C. Electrical, Television, Internet, and Telephone Cables: All electrical, television, Internet, and telephone cables shall be installed underground except as otherwise directed by the city council.
D. Street Improvements:
    1. At least ten (10) days prior to commencement of construction, the city engineer shall require the subdivider to furnish a complete set of construction plans and profiles of all streets, existing and proposed. within the subdivision. Plans are to be prepared under the direction of a licensed professional engineer and shall be accompanied by a copy of the final plat. Within twenty (20) days of receipt, the city engineer shall notify the subdivider of approval or disapproval, and in case of disapproval, the reason thereof. Such plans and profiles shall include:
        a. The designation of limits of work to be done;
        b. Location of the bench mark and its true elevation according to city data and all profiles to be referred to that data;
        c. Construction plans, which shall include details of curb and gutter and street cross sections, location and elevations of manholes, catch basins

and storm sewers, elevations and locations of fire hydrants and any other elevations or details necessary to simplify construction;

d. Complete data for field layout and office checking;

e. On curb returns, at least two (2) additional control points for elevation besides those at points of curvature. Control points shall be staked in the field to ensure proper drainage at intersections.

2. Grades of streets shall not be in excess of eight (8) percent on major collector streets, nor in excess of fifteen (15) percent on other streets.
3. Cul-de-sac streets shall not exceed eight hundred (800) feet in length.
4. All streets within the subdivision shall be improved with chip seal or gravel, and may be required to be bonded by integral concrete curbs and gutters to an overall width in accordance with the standards, rules and regulations adopted by the city.
5. Pavement shall be constructed in accordance with the requirements of the standard specifications adopted by the city.
6. Sidewalks shall be concrete of the standard city specifications.
7. Whenever storm water inlets and catch basins are to be used, they shall be provided within the roadway improvements at points specified by the city engineer.
8. All curb corners shall have a radius of not less than fifteen (15) feet, except::
    a. At intersections involving collector or major streets the radius shall not be less than twenty-five (25) feet;
    b. In industrial areas, the radius shall not be less than twenty (20) feet.
9. The arrangement of streets in new subdivisions shall make provisions for continuation of streets in adjoining areas, and shall provide access to un-subdivided adjoining areas in so far as such construction or access shall be deemed necessary by the planning commission.
10. Minor streets shall approach major or collector streets at an angle as near ninety (90) degrees as possible.
11. The subdivider may be required to install curbs, gutters and sidewalks on existing and proposed urban streets within the subdivision.
12. Street name signs, conforming to the design and specifications and the number required by the standards of the city, shall be provided by the subdivider at all street intersections. Inspection shall be made by the city engineer to ensure uniformity.
13. Traffic control signs, including stop or yield right-of-way signs, shall be installed by the subdivider to ensure a smooth flow of traffic through the subdivision.
14. A minimum center line radius of fifty (50) feet shall be maintained on all winding mountainous streets and a minimum of three hundred (300) feet shall be required for all through traffic streets.
15. Private streets, alleys, or ways shall not be approved except when the planning commission, after investigation, recommends and the city council, after hearing, find that public dedication is impractical. All alleys and private streets shall be improved as required by the planning commission.

16. Fire hydrants shall be installed in all subdivisions in accordance with the regulations of the International Fire Code.

17. Open ditches or canals shall not be allowed ~~within or adjacent to a subdivision except along rear or side lot lines. The subdivider shall work with the irrigation or ditch companies as to:Methods of covering, realigning or eliminating ditches or canals within or adjacent to the subdivision;The size of pipe and culverts needed;The responsibility for the periodic inspection, cleaning and maintenance of such ditches, pipes and culverts. In cases where canals or ditches cross public roads or proposed public roads, specifications and grades for pipe, or culverts must be approved by the city engineer.All open ditches, canals, waterways, non-access streets, open reservoirs or bodies of water, and other features judged by the planning commission to be potentially hazardous and which lie on, over, or contiguous to the subdivision, shall be fenced or closed from access in a manner satisfactory to and approved by the planning commission.~~

E. Water:

1. All lots within the subdivisions shall use Escalante culinary water. The subdivider shall provide water lines and a service lateral to each lot in the subdivision. ~~The subdivider shall provide the city with sufficient water rights to allow the city to make an exchange application with the State Engineer and increase the flow in the city's culinary water system to provide for the increased demand caused by the subdivision OR the subdivider shall pay an impact fee in lieu thereof which is determined by the Escalante City Council.~~
2. All water system plans shall be approved, in writing, by the city engineer and water superintendent prior to construction.

F. Fences and Guards: In locations where a subdivision is adjacent to public or private grazing land, a fence of material and quality satisfactory to the city board shall be erected around the outer limits of the subdivision. The city may also require the installation of cattle guards on any street entering the proposed subdivision from public or private lands.

SECTION 6: **AMENDMENT** "10.54.160 Generally" of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.54.160 Generally

Standards for design, construction, specifications, and inspection of street improvements, curbs, gutters, sidewalks, fire hydrants, storm drains, flood control facilities, water distributions and sewage disposal facilities shall be ~~prepared~~ approved by the city engineer and ~~approved by~~ the city council.

SECTION 7: **AMENDMENT** "10.54.260 Requirements" of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.54.260 Requirements

A Minor Subdivision Plat shall be submitted with the following information and shall be filed with City Clerk. The Minor Subdivision Plat shall be recorded with the Garfield County Recorder's office.

A. Copies: Three (3) copies of the subdivision plat shall be submitted to the Planning Commission.
B. Description: In a block in the lower right hand corner of the plat shall appear the following;
    1. Location of the subdivision, including section, township and range;
    2. Names & addresses of owners, and subdividers, if different than owners;
    3. Date of preparation and north arrow;
    4. Scale of drawing which shall be of sufficient size as to adequately describe parcel being subdivided.
C. Existing Conditions: The plat shall contain the following items unless on appeal to the Planning Commission, such items are specifically excluded. Exclusions must be in writing and must be approved by the Planning Commission.
    1. Location of established survey monuments;
    2. Boundary and acreage of subdivision;
    3. All property in the tract or parcel proposed for subdividing shall be shown, even if only a portion is being divided;
    4. Location of existing streets, public ways, utilities, right of ways, parks, ditches and other public open spaces within 200 ft. of proposed subdivision;
    5. Location of all wells and reservoirs on or within 100 ft. of proposed subdivision;
    6. Location of existing sewer, water mains, culverts as well as other utilities above or below ground on or within 100 ft. of proposed subdivision;
    7. Location of all fire hydrants and street lights within 200 ft. of proposed subdivision;
    8. Location of ditches, canals, natural drainage channels or other water ways on or within 100 ft. of proposed subdivision;
    9. Contour at vertical intervals not greater than 5 ft. may be required.
D. Proposed Plan: The following items shall be shown on the plat unless specifically excluded by the Planning Commission on written appeal:
    1. Layout, number and dimensions of lots;
    2. Building setbacks as required by the current City Zoning Ordinance;
    3. Any location ~~easements~~ for new water, sewer, utilities, irrigation and drainage lines, and the location and size of those lines;

4. Any proposed fire hydrants or street lights;
5. A grading and drainage plan that adequately handles storm water drainage on the parcel, without harming adjacent properties;
6. Signature blocks are required for the Planning Commission and the City Council with the appropriation and dates, and shall be located in the lower left hand corner of the plat.

E. Additional Information:

1. Copies of any agreements with adjoining property owners relevant to the parcel being subdivided;
2. Letters of approval from Southwest Utah Public Health approving any new septic systems where appropriate;
3. The Planning Commission may require additional information that it deems relevant and reasonable to accomplish the assigned task of review and comment on subdivision proposals.

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL _____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Chad Lyman	_____	_____	_____	_____
Councilmember Dan'l Lindsay	_____	_____	_____	_____
Councilmember Marlene Stowe	_____	_____	_____	_____
Councilmember Guy Graham	_____	_____	_____	_____
Councilmember Lenza Wilson	_____	_____	_____	_____

Presiding Officer

_____
Melani Torgersen, Mayor, Escalante City

Attest

_____
Stephanie Steed, CMC, City Recorder
Escalante City

ESCALANTE CITY
ORDINANCE 2022-04

AN ORDINANCE AMENDING ESCALANTE CITY CODE NO.10.02..050 ADDING RVER DEFINITION. AND PROVIDING REPEALER WITHIN THE CITY OF ESCALANTE, STATE OF UTAH.

WHEREAS, the City Council, as the governing body of the City of Escalante, State of Utah, specifically finds that it is in the best interest of the safety and welfare of the citizens of the City of Escalante to amend the following Ordinance; and

WHEREAS, The City Council and Mayor wish to amend such an Ordinance.

NOW THEREFORE, be it ordained by the Council of the Escalante City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** "10.02.050 Definitions - Zoning" of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.02.050 Definitions - Zoning

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this Ordinance. Words used in the present tense include the future. The singular number shall include the plural, and the plural the singular. The word "building" shall include "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 word plot, or parcel. Words used in this Ordinance but not defined herein shall have the meaning as defined in any other ordinance adopted by the local jurisdiction.

ACCESSORY USE or **BUILDING**: A use or building on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or building.

AGRICULTURE: The tilling of the soil, the raising of crops, horticulture and gardening, commercial greenhouses, breeding, grazing and keeping or raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business, such as fruit packaging plants, fur farms, animal hospitals, or similar uses.

AGRICULTURAL INDUSTRY or **BUSINESS**: An industry or business involving agricultural products in manufacturing, packaging, treatment, sales, intensive feeding, or storage, including but not limited to animal feed yards, fur farms, food packaging or processing plants, commercial poultry or egg production, and similar uses as determined by the Planning Commission.

AIRPORT: An area of land designed and set aside for the landing and the taking off of aircraft plus aircraft storage and service.

ANIMALS: Animals shall include the following: horses, cows, sheep, goats and fowl, excluding pigs.

ARCHITECTURAL PROJECTION: Any building or structural projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building or structure, but not including signs.

AUTOMATIC CAR WASH: A facility for automatic or self-service washing and cleaning of automobiles and small trucks not exceeding one and one-half (1.5) tons.

AUTOMOBILE SERVICE STATION: A place where gasoline, or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, and where services performed may include tube and tire repair, battery charging, storage of merchandise, lubricating or automobiles, replacement of spark plugs, lights, fans, and other small parts, but not including major auto repair.

AVERAGE PERCENT OF SLOPE: An expression of rise or fall in elevation along a line perpendicular to the contours of the land, connecting the highest point of land to the lowest point of land within an area or within a lot. A vertical rise of one hundred (100) feet between two points one hundred (100) feet apart, measured on a horizontal plane is a one hundred (100) percent slope.

BASEMENT HOUSE: A residential structure without a full story structure above grade.

BEGINNING CONSTRUCTION: The excavation of the site and/or breaking ground.

BED & BREAKFAST ESTABLISHMENTS: A lodging facility, with no more than six guest rooms, located within an existing single family residence which caters to the vacationing or traveling public.

BLOCK: The land surrounded by streets or other rights-of-way, other than an alley, or land which is designed as a block on any recorded subdivision plat.

BOARDING HOUSE: A dwelling where, for compensation, meals are provided for at least three (3) but not more than fifteen (15) persons.

BODY AND FENDER SHOP: A facility for major automobile, truck, mobile home, recreational coach or recreation vehicle repairs to body, frame, or fenders, and including rebuilding.

BREEZE-WAY: A porch or roofed passageway open on the sides, for connecting two buildings, as a house and a garage.

BUILDABLE AREA: The portion of a lot remaining after required yards have been provided, except that land with an average grade exceeding fifteen (15) percent shall not be considered buildable area unless it is approved by conditional use permit for construction, after study by a geologist, soils engineer, or sanitarian as required by the Planning Commission.

BUILDING: Any structure used or intended to be used for the shelter, of enclosure or persons, animals, or property.

BUILDING, ACCESSORY: A building which is subordinate to, and the use of which is incidental to, that of the main building, or use on the same lot.

BUILDING, HEIGHT OF: The vertical distance from the average finished grade surface to the highest point of the building roof or coping.

BUILDING INSPECTOR: The official designated as the building inspector for the City of Escalante by the Escalante City Council. The Escalante City Building Inspector may also be the Escalante City Zoning Administrator, if so designated.

CAMPGROUND: A public area designated by a public agency for camping, or a private area licensed by the City of Escalante for camping.

CAMP HOST: Camp Host(S) (or campground host(S)) is an RVer who lives on-site and provides services to the campground's guests to ensure they have an enjoyable stay

CAMPING: A temporary establishment of living facilities such as tents or recreational coaches as regulated by this ordinance.

CARPORT: A private garage not completely enclosed by walls or doors. For the purpose of this Ordinance, a carport shall be subject to all the regulations prescribed for a private garage.

CELLAR: A room or rooms wholly under the surface of the ground, or having more than fifty (50) percent of its floor to ceiling height under the average level of the adjoining ground.

CHILD NURSERY: A duly licensed establishment for the care and/or the instruction of six (6) or more children, for compensation, other than for members of the family residing on the premises, but not including a public school.

CHURCH: A building, together with its accessory buildings and uses, maintained and controlled by a duly-recognized religious organization where persons regularly assemble for worship.

CLINIC, DENTAL or **MEDICAL**: A building in which a group of dentists, physicians, and allied professional assistants are associated for the conduct of their professions. The clinic may include a dental and or a medical laboratory and an apothecary, but it shall not include in-patient care or operating rooms for major surgery.

CLUB, SOCIAL: Any organization, group, or association supported by its members where the sole purpose is to render a service of said members and their guests.

CONDITIONAL USE: A use of land for which a conditional use permit is required, pursuant to this Ordinance.

CONDOMINIUM: An ownership structure established in accordance with the Utah Condominium Act.

CORRAL: A space, other than a building used for the confinement of animals or fowl.

COURT: An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings, and which is bounded on two (2) or more sides by such building or buildings.

COVERAGE, BUILDING: The percent of the total site area covered by buildings.

CROSSWALK or **WALKWAY**: A right-of-way to facilitate pedestrian access through a subdivision block; designed for use by pedestrians and not for use by motor vehicles; may be located within or without a street right-of-way at grade, or separated from vehicular traffic.

DISTRICT: A portion of the territory of the City of Escalante Established as a zoning district by this ordinance, within which certain uniform regulations and requirements or various combinations thereof apply under the provision of this Ordinance; also includes "zone", and "zoning district."

DRIVEWAY: A private roadway, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which the driveway is located.

DWELLING: Any building or portion thereof designed or used as the permanent residence or sleeping place of one or more persons, but not including a tent, recreational coach, hotel, hospital, or nursing home.

DWELLING, SINGLE-FAMILY: A building arranged or designed to be occupied by one (1) family, the structure having only one (1) dwelling unit. Two structures connected by a Breezeway IS NOT a single dwelling.

DWELLING, TWO-FAMILY: A building arranged or designed to be occupied by two (2) families, the structure having only two (2) dwelling units.

DWELLING, THREE FAMILY: A building arranged or designed to be occupied by three (3) families, the structure having only three (3) dwelling units.

DWELLING, FOUR-FAMILY: A building arranged or designed to be occupied by four (4) families, the structure having only four (4) dwelling units.

DWELLING, MULTI-FAMILY: A building arranged or designed to be occupied by more than four (4) families, the structure having more than four (4) dwelling units.

DWELLING GROUP: A group of two (2) or more detached buildings used as dwellings, located on a lot or parcel of land.

DWELLING UNIT: One or more rooms in a dwelling, apartment hotel, or apartment motel, designed for or occupied by one (1) family for living or sleeping purposes and having one (1) but not more than one (1) kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units.

EASEMENT: That portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner(s) of said property(ies). The easement may be for use under, on, or above said lot or lots.

ESSENTIAL FACILITIES: Utilities or sanitary and public safety facilities provided by a public utility or other governmental agency for overhead or surface or underground services, excluding any building, electrical sub-station or transmission line of seventy (70) KV or greater capacity, except by conditional use permit.

FAMILY: An individual, or two (2) or more persons related by blood, marriage, or adoption, or a group of not more than four (4) persons (excluding servants) who are not related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities.

FENCE: A physical barrier to delineate, contain, or designate an area designed for a specific use i.e. and enclosure for a dwelling unit, an area of storage, etc.

FLOOD HAZARD: A hazard to land or improvements due to inundation or overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses.

FLOOR AREA: Area included within surrounding walls of a building or portion thereof, exclusive of vents, shafts, and courts.

FRONTAGE, BLOCK: All property fronting on one (1) side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

FRONTAGE, LOT: The lineal measurement of the front lot line.

GARAGE, PRIVATE: A detached accessory building, or a portion of a main building, used or intended to be used for the storage of motor vehicles, recreational coaches, boats, or other recreational vehicles.

GARAGE, REPAIR: A structure or portion thereof, other than a private garage, used for the repair of self-propelled vehicles, trailers, or boats, including general repair, rebuilding or reconditioning of engines, motor vehicles, recreational coaches, and minor collision service, but not including major body, frame or fender repairs or overall automobile or truck painting, except by conditional use permit. A repair garage may also include incidentals storage, care, washing, or sale of automobiles.

GEOLOGICAL HAZARD: A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to the movement, failure, or shifting of the earth.

GRADE:

A. For buildings adjoining one (1) street only, the elevation of the sidewalk at the center of the wall adjoining the street.
B. For buildings adjoining more than one (1) street, the average of the elevations of the sidewalk at the centers of all walls adjoining the streets.
C. For buildings having no wall adjoining the street, the average level of the natural surface of the ground adjacent to the centers of all exterior walls of the building.
D. Any wall parallel or nearly parallel to and not more than five (5) feet from a street line is to be considered as adjoining the street.

GOVERNING BODY: The elected legislative body of the City of Escalante.

HOLIDAY HOME: An existing single family residence which is periodically provided to the vacationing public in its entirety for compensation. The length of stay shall be limited to a maximum of fifteen (15) consecutive days.

HOME OCCUPATION: Any use conducted entirely within a dwelling or accessory building and carried on by persons residing in the dwelling, occupying no more than twenty-five (25) percent of the dwelling which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof.The person residing in the dwelling must own and operate the home occupation.

HOSPITAL: Institution for the diagnosis, treatment, and care of human illness or infirmity, but not including sanitariums and clinics.

HOTEL: A building designated for or occupied as the more or less temporary abiding place of sixteen (16) or more individuals who are for compensation, lodged, with or without meals.

HOUSEHOLD PETS: Animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats, and canaries, but not including a sufficient number of dogs as to constitute a kennel as defined in this Ordinance. Household pets shall not include the keeping of dangerous animals.

JUNK: Old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris or other was to salvage materials dismantled, junked, or wrecked automobiles or parts thereof, and old or scrap ferrous or non-ferrous metal materials.

JUNKYARD: The use of any lot, portion of a lot, or tract of land for the storage, keeping or abandonment of junk, including scrap metals or other scrap material, or for the dismantling, demolition or abandonment of automobiles, or other vehicles, or machinery or parts thereof; provided that this definition shall be deemed not to include such uses which are clearly accessory and incidental to any agricultural use permitted in the district.

KENNEL: Any premises where three (6) or more dogs older than two (2) months are kept for commercial boarding, breeding, or sale.

LOCAL ATTORNEY: The attorney employed by or officially representing the City of Escalante.

LOCAL BUILDING INSPECTOR: The City of Escalante Building Inspector employed by or officially representing the City of Escalante.

LIVESTOCK: "Livestock" means a domestic animal or fur-bearer raised or kept for profit, including: cattle, sheep, goats, swine, horses, mules, poultry and domesticated elk.

LOCAL ENGINEER: The engineer employed by or officially representing the City of Escalante.

LOCAL HEALTH OFFICER: The health officer or department employed by or officially representing the City of Escalante.

LOCAL JURISDICTION: The City of Escalante.

LOCAL PLANNER: The planner employed by or officially representing the City of Escalante.

LOT: A parcel or unit of land described by metes and bounds and held or intended to be held in separate lease or ownership, or a place or unit of land shown as a lot or parcel on a recorded subdivision map, or shown on a plat used in the lease or sale or offer of lease or sale of land resulting from the division of a larger tract into three (3) or more smaller units.

LOT, CORNER: A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.

LOT DEPTH: The horizontal distance between the front and the rear lot lines measured in the main direction of the side lot lines.

LOT, INTERIOR: A lot with no defined public street access.

LOT LINES: The property lines bounding the lot.

LOT LINE, FRONT: For an interior lot, the lot line adjoining the street; for a corner lot or through lot, the lot line adjoining either street, as elected by the lot owner.

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 then (10) feet in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where these definitions are not applicable, the City of Escalante Building Inspector shall designate the rear lot line.

LOT LINE, SIDE: Any lot boundary line not a front or rear lot line. A side lot line separating a lot from another lot or lots in an interior side lot line, a side lot line separating a lot from a street is a street side lot line.

LOT, RIGHT-OF-WAY: A strip of land connecting a lot to a street for use as private access to that lot.

MAINTENANCE: The condition of being maintained and/or supported. The act or fact or keeping up or in repair. The upkeep or preservation of conditions of property including cost of ordinary repair necessary and proper from time to time for that purpose.

MOBILE HOME: A detached, single-family dwelling unit designed for long-term occupancy, and to be transported on its own wheels or on a flatbed or other trailers or detachable facilities, and plumbing and electrical connections provided for attachment to appropriate externals systems, and ready for occupancy except for connections to utilities and other minor work. Pre-sectionalized, modular, or prefabricated houses not placed on a permanent foundation shall be regarded as mobile homes.

MOBILE HOME LOT: A lot within a mobile home subdivision, designed and to be used for the accommodation of one (1) mobile home.

MOBILE HOME PARK: A space designed and approved by the City of Escalante for occupancy by mobile homes, to be under a single ownership or management, and meeting all requirements of the City of Escalante Zoning Ordinance.

MOBILE HOME SUBDIVISION: A subdivision designed and intended for residential use where the lots are to be individually owned or lease, and occupied by mobile homes exclusively.

MODULAR HOME: A permanent dwelling structure built in pre-fabrication units, which are assembled and erected on the site, or at another location and brought as a unit to the site; said modular home is classified as a mobile home until it is placed on a permanent foundation and complies with all governing building codes.

MOTEL/INN: A building or group of buildings for the drive-in accommodation of transient guests, comprising individual sleeping or living units, and designed and located to serve the motoring public.

NONCONFORMING BUILDING or **STRUCTURE**: A building or a structure which does not conform to the regulations of height, coverage, or yards of the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its erection.

NONCONFORMING USE: The use of a building or structure or land which does not conform to use regulations for the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its establishment.

NURSING HOME: An institution, other than a hospital, for the care of human illness or infirmity in which care, rather than diagnosis or treatment, constitutes the principal function. The term "nursing home" shall also include "rest home" and convalescent home."

OFFICIAL MAP: A map which has been adopted as the official map of the City of Escalante, showing existing public streets, streets on plats of subdivisions which have been approved by the City of Escalante Planning Commission, and /or other street extensions, widenings, narrowings, or variations which have been accurately surveyed and definitely located.

OFF-STREET PARKING SPACE: The space required to park one (1) passenger vehicle, which space shall meet the requirements of this ordinance.

OPEN SPACE: The area reserved in parks, courts, playgrounds, golf courses, and other similar open areas to meet the density requirements of Planned Development.

OPEN SPACE, USABLE: The area of a lot which is completely free and unobstructed from any structure constructed on, over or below grade. Walkways, uncovered patio areas, light poles, other ornamental fixtures, trees, shrubs, other vegetation and equipment utilizing renewable energy resources may be allowed in open space areas.

PARKING LOT: An open area, other than a street, used for the parking of more than four (4) automobiles and available for public use, whether free, for compensation, or accommodations for clients or customers.

PERMANENT STRUCTURE: Permanently affixed, which means anchored to, and supported by, a permanent foundation or installed in accordance with the manufactured housing installation standard code referred to in the State of Utah Uniform Building Standards Act Section 58-56-4.

PLANNED DISTRICT: A zoning district, the boundaries of which are to be shown on the Zoning Map, but the regulations for which shall be determined by a general development plan to be adopted by the governing body as part of the City of Escalante Zoning Ordinance, after public hearing, a required for other zoning districts.

PLOT PLAN: A plat of a lot, drawn to scale, showing its actual measurements, the size and location of any existing buildings or buildings to be erected, the location of the lot in relation to abutting streets, and such other information as may be required by the City of Escalante Planning Commission.

PUBLIC: Municipal owned.

RECREATIONAL COACH: A vehicle, such as a travel trailer, tent camper, camp car or other vehicle with or without motive power, designed and/or constructed to travel on the public thoroughfare in accordance with the provisions of the Utah Vehicle Code, and designed for use as human habitation for a temporary and recreational nature.

RECREATIONAL COACH PARK: Any area or tract of land or a separate designated section within a mobile home park where lots are rented or held out for rent to one (1) or more owners or users of recreational coaches for a temporary time not to exceed one hundred twenty (120) days. Such park may also be designated as "Overnight Park".

RECREATIONAL COACH SPACE: A plat of ground within a recreational coach park designated and intended for the accommodation of one (1) recreational coach.

REMODEL: To model again, to reconstruct; make over. To make over in structure or style; reconstruct.

RENTAL STORAGE: A group of individual or multiple units designed for the sole purpose of storing personal or commercial goods.

RIGHT-OF-WAY (LOT): A strip of land not less than sixteen (16) feet in width connecting a lot to a street for use as private access to that lot.

RVER: One who occupies or operates a recreational vehicle.

SAFETY ISLAND: An area provided for the safety of pedestrians from vehicular traffic, as between lanes on a busy street or highway.

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 structure or framework or any natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes.

SIGN, ANIMATED: A sign which involves motion or location of any part, created by artificial means, or which displays flashing, revolving or intermittent lights.

SIGN AREA: The area in square feet of the smallest rectangle enclosing the total exterior surface of a sign having but one (1) exposed exterior surface. Should the sign have more than one (1) surface, the sign area shall be the aggregate of all surfaces measured as above which can be seen from anyone (1) time.

SIGN, FREE-STANDING: A sign which is supported by one (1) or more upright columns, poles, or braces, in or upon the ground.

SIGN, IDENTIFICATION AND INFORMATION: A sign displayed to indicate the name or nature of a building, or of a use.

SIGN, ILLUMINATED: A sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs.

SIGN, MARQUEE: Any sign attached to or made an integral part of the marquee.

SIGN, PROJECTING WALL: A sign which is affixed to an exterior wall or building or structure and which projects more than eighteen, (18) inches from the building or structure wall, and which does not extend above the parapet, eaves, or building facade of the building upon which it is placed.

SITE PLAN: A plan required by, and providing the information required by, Section 1.8 herein.

STABLE, PUBLIC: Any stable where horses are boarded and/or kept for hire.

STORY, HALF: A partial story under a gable, hip, or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls do not extend more than four (4) feet above the floor of such story, and the ceiling area of which does not exceed two-thirds (2/3) of the floor area of the same half story.

STRUCTURALLY ALTERING: Fundamental and significant change of the building's framework or system that results in a different building.

STRUCTURE: Anything constructed, the use of which requires fixed location on the ground, or attachment to something having a fixed location upon the ground; includes "building."

TENT: A temporary structure erected for a period of no more than fourteen (14) days allowed only in commercial zones, as part of a recreational business having sufficient restrooms and sanitary facilities.

VICINITY PLAN: A map or drawing, to scale showing the physical relationships of the proposed development to existing or proposed streets, buildings and utilities; other relevant information such as special terrain or surface drainage, and existing zoning classifications of all land within three hundred (300) feet of the property proposed for development.

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 Ordinance.

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL _____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Chad Lyman	_____	_____	_____	_____
Councilmember Dan'l Lindsay	_____	_____	_____	_____
Councilmember Marlene Stowe	_____	_____	_____	_____
Councilmember Guy Graham	_____	_____	_____	_____
Councilmember Lenza Wilson	_____	_____	_____	_____

Presiding Officer

_____
Melani Torgersen, Mayor, Escalante City

Attest

_____
Stephanie Steed, CMC, City Recorder
Escalante City

ESCALANTE CITY
ORDINANCE 2022-05

AN ORDINANCE AMENDING ESCALANTE CITY CODE NO.10.30.020 (C) TIME LIMIT, ADDING AN EXTENDED STAY PERMIT AND PROVIDING REPEALER WITHIN THE CITY OF ESCALANTE, STATE OF UTAH.

WHEREAS, ,the City Council, as the governing body of the City of Escalante, State of Utah, specifically finds that it is in the best interest of the safety and welfare of the citizens of the City of Escalante to amend the following Ordinance; and

WHEREAS, The City Council and Mayor wish to amend such an Ordinance.

NOW THEREFORE, be it ordained by the Council of the Escalante City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** "10.30.020 Location And Use" of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.30.020 Location And Use

A. No recreational coach as herein defined shall be located, placed, used, or occupied for residential purposes in any district except within approved and licensed recreational coach parks and except as otherwise provided herein.
B. Recreational coach parks shall be generally located:
    1. Adjacent to or in close proximity to a major traffic artery or highway.
    2. Near adequate shopping facilities.
    3. Within or adjacent to a mobile home park.
C. No individual space in a recreational coach park shall be used by one individual coach for more than ~~one hundred twenty (120)~~ one hundred eighty (180) consecutive days, nor shall such space be rented or leased to any one (1) individual for a period longer than ~~one hundred twenty (120)~~ one hundred eighty (180) days without obtaining an extended stay permit. An extended stay permit shall be good for one (1) year after approval or on a case to case basis per ordinance 10.18.100.
D. Recreational coaches may be stored, but not used for permanent living quarters.
E. Recreational coaches may be stored, displayed, sold, and serviced, but not used for living quarters, in a sales lot in a Commercial or Manufacturing district when such use is a permitted or a conditional use.
F. Recreation coaches may be accommodated in an approved and licensed mobile home park, provided that:
    1. The recreational coach park portion of the development is separated by barriers, screens, or some other measure from the area of mobile homes.

2. The recreational coach use area shall have direct access to a collector or arterial street.
3. Separate ingress and egress shall be provided for recreational coaches when required by the Planning Commission.

G. Recreational coach parks shall be connected to the municipal facilities of Escalante City.

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL _____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Chad Lyman	_____	_____	_____	_____
Councilmember Dan'l Lindsay	_____	_____	_____	_____
Councilmember Marlene Stowe	_____	_____	_____	_____
Councilmember Guy Graham	_____	_____	_____	_____
Councilmember Lenza Wilson	_____	_____	_____	_____

Presiding Officer

_____
Melani Torgersen, Mayor, Escalante City

Attest

_____
Stephanie Steed, CMC, City Recorder
Escalante City

ESCALANTE CITY
ORDINANCE 2022-06

AN ORDINANCE AMENDING ESCALANTE CITY CODE NO.10.02.170 FEES, ADDING A FINE AND PROVIDING REPEALER WITHIN THE CITY OF ESCALANTE, STATE OF UTAH.

WHEREAS, the City Council, as the governing body of the City of Escalante, State of Utah, specifically finds that it is in the best interest of the safety and welfare of the citizens of the City of Escalante to amend the following Ordinance; and

WHEREAS, The City Council and Mayor wish to amend such an Ordinance.

NOW THEREFORE, be it ordained by the Council of the Escalante City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** "10.02.170 Fees" of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.02.170 Fees

- A fifty dollar ~~forty~~ ($50.00~~40~~) fee will be charged to applicants for building, occupancy, conditional use permits and Planned Development approvals.
- A forty dollar ($40.00) fee will be charged for Escalante City Board of Adjustment hearings.
- A ten dollar ($10.00) fee will be charged for all business license applications in addition to the business license fee, which is forty-five ($45).
- Any persons, firm or corporations (as principal, agent, employee or otherwise) not obtaining a Municipal Project Approval Form may be fined up to one thousand dollars ($1,000.00) and red-tagged by the Garfield County Inspector. Fines will be determined by the size of the project and set by the Planning and Zoning or City Council on a case by case basis.

These fees shall be established in amounts reasonably needed to defray costs to the public and reviewed annually.

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Chad Lyman	_____	_____	_____	_____
Councilmember Dan'l Lindsay	_____	_____	_____	_____
Councilmember Marlene Stowe	_____	_____	_____	_____
Councilmember Guy Graham	_____	_____	_____	_____
Councilmember Lenza Wilson	_____	_____	_____	_____

Presiding Officer

_____

Melani Torgersen, Mayor, Escalante City

Attest

_____

Stephanie Steed, CMC, City Recorder
Escalante City

ESCALANTE CITY
ORDINANCE 2022-07

EXPANSION AREA MAP OF ESCALANTE CITY, UTAH

WHEREAS, Pursuant to Utah law 10-2-401.5, no municipality may annex an unincorporated area located within a specified county unless the municipality has adopted an expansion area map for the future growth of the community.

WHEREAS, the City of Escalante desires to adopt an expansion area map for the future growth of the community for the next 20 years.

NOW THEREFORE, be it ordained by the Council of the Escalante City, in the State of Utah, as follows:

SECTION 1: **ADOPTION** "MAP" of the Annexation Policy Plan is hereby added as follows:

BEFORE ADOPTION MAP

(Non-existent)

AFTER ADOPTION

MAP (Added)

https://s3-us-west-2.amazonaws.com/municipalcodeonline.com-new/escalante/ADC/files/ordinance/1649776887_Future%20Annexation%20Map.pdf

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Chad Lyman	_____	_____	_____	_____
Councilmember Dan'l Lindsay	_____	_____	_____	_____
Councilmember Marlene Stowe	_____	_____	_____	_____
Councilmember Guy Graham	_____	_____	_____	_____
Councilmember Lenza Wilson	_____	_____	_____	_____

Presiding Officer

_____
Melani Torgersen, Mayor, Escalante City

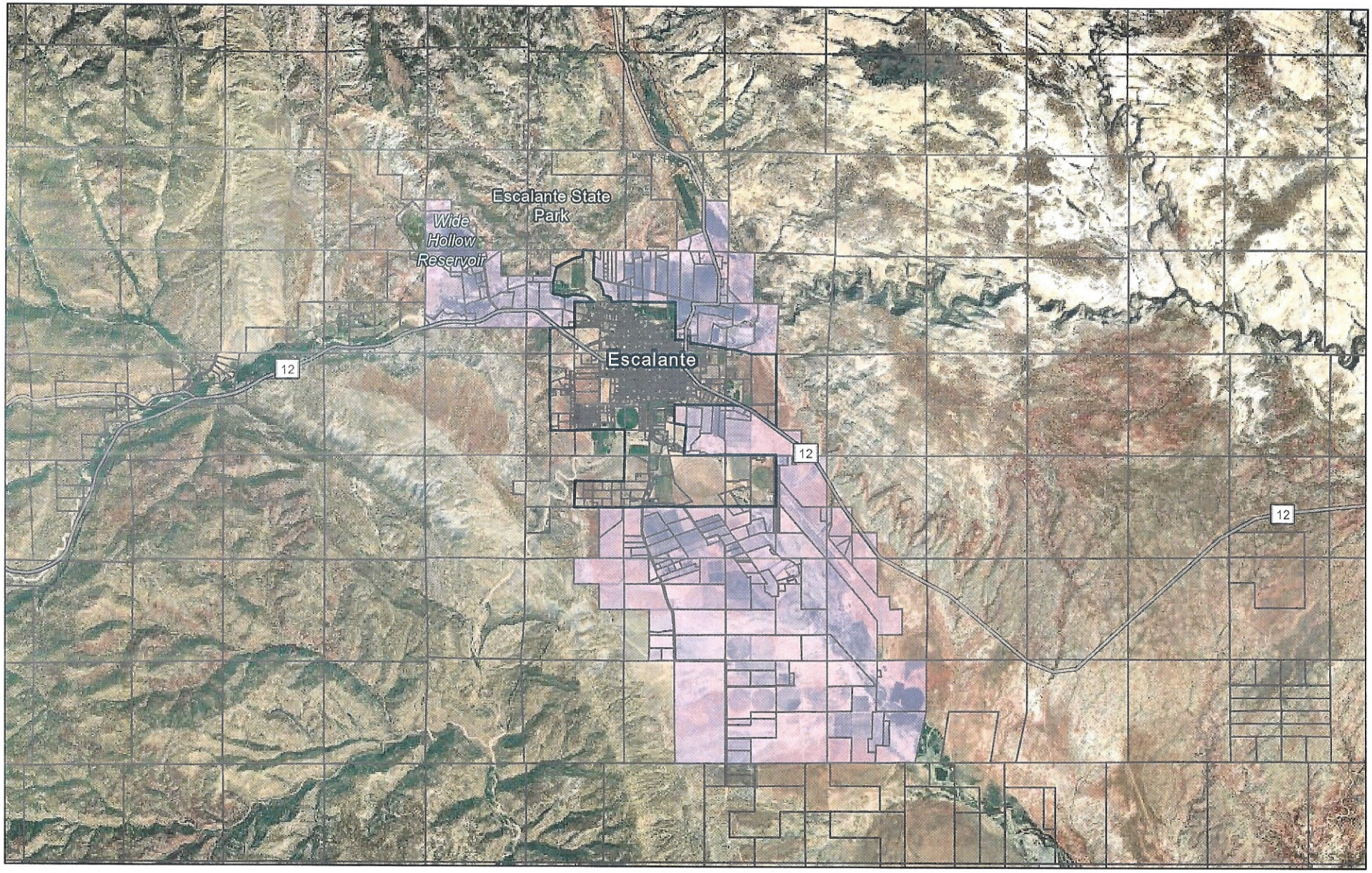
Attest

_____
Stephanie Steed, CMC, City Recorder
Escalante City

EXHIBIT A

The file attached hereto as Exhibit "A" is hereby added and incorporated herein by this reference

Escalante Annexation Draft



3/29/2022

1:108,185

0 0.75 1.5 3 mi

0 1 2 4 km

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri,

ESCALANTE CITY

56 NORTH 100 WEST ▪ P.O. BOX 189 ▪ ESCALANTE, UT 84726
Phone: (435) 826-4644 ▪ FAX: (435) 826-4642

MUNICIPAL PROJECT APPROVAL FORM

PAID

- ☑ $40 FILING FEE TO BE PAID AT TIME OF SUBMITTING THIS FORM
- ☐ $1,500 NEW WATER CONNECTION FEE
- ☑ $4,700 WATER IMPACT FEE IN CITY LIMITS
- ☐ $5,700 WATER IMPACT FEE OUTSIDE OF CITY LIMITS
- ☐ $500 NEW SEWER CONNECTION FEE
- ☐ $1,000 SEWER IMPACT FEE

ALL FEES ARE DUE UPON APPROVAL
(An additional $1,500 deposit with a minimum of $1,000 will be assessed for going through an asphalt chip sealed street.)

APPLICANT(S) Allan + Lilly Stewart PHONE [redacted]
PROPERTY OWNER(S) Allan + Lilly Stewart
PROJECT LOCATION [redacted]
MAILING ADDRESS [redacted] Escalante ut 84726
PROPOSED PROJECT Foundation + Modular Home New water meter

(Describe all changes to present use of land and building). Only specific requests will be approved. Upon approval Contact Garfield County for Building Permit 1-800-636-8826 Ext. 111.

SITE PLAN (Attach a sketch showing property lines, location of City services and building, and approximate measurements)
ARCHITECTURAL DESIGN (Attach a design with the floor plan and elevation which need not be to scale)
ZONING DISTRICT RR-1

I hereby certify that the information provided on this application is complete and correct. I will comply with all relevant Ordinances of Escalante City in executing this project. All Project must be started within a year of approval, or this application will be void and any and all fees are NON-REFUNDABLE.

Signature of Applicant(s) Allan Stewart / Lilly Stewart Date 3-5-2022

CITY USE ONLY BELOW

- ☐ Project does not require culinary water.
- ☐ Property owner has sufficient culinary water on-site for this project.
- ☐ New culinary water service is available and approved for this project.

City Council, Water_____ Date_____

City Council, Streets_____ Date_____

- ☐ Project does not require a sewer connection.
- ☐ Property owner has sufficient sewer capacity on site for this project.
- ☐ New sewer service is available and approved for this project.
- ☐ A septic permit from Southwest Utah Health Department is required.

City Council, Sewer_____ Date_____

- ☐ Adequate water and access for firefighting is provided at this site.
- ☐ Firefighting capacity does not exist at this point:

Applicant(s) Signature_____ Date_____

Fire Department Chief_____ Date_____

- ☐ Project includes no changes to land use or building dimension or use.
- ☐ Conditional Use Permit required.
- ☐ Project has been reviewed by the Planning Commission and approved.

Planning Commission, Chair_____ Date_____

Project Approved By Escalante City

Mayor_____ Date_____

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PROJECT CHECKLIST

Please check Yes or No

COMPATIBILITY

Is the project commercial?
☐ Yes
☒ No

Is the project residential?
☒ Yes
☐ No

Does the project comply with height restrictions?
☒ Yes
☐ No

What is the height of the project? under 35'

Does the project comply with limits on lot coverage?
☒ Yes
☐ No

FIRE

Will the local water pressure remain above the minimum required for fire flow?
☒ Yes
☐ No

If the project is in an area served by a single road, then will the road be adequate to allow evacuation during an emergency with traffic added by the project?
☒ Yes
☐ No

Is there a Fire Hydrant within 500 feet?
☒ Yes
☐ No

NOISE

Has this project been designated to prevent an undue amount of noise at nearby homes, schools, and other sensitive sites?
☒ Yes
☐ No

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PROJECT CHECKLIST

Please check Yes or No

PUBLIC WATER AND SEWER

Does this project require a sewer connection?
☐ Yes
☒ No

Does this project require a water connection?
☒ Yes
☐ No

ELECTRICAL

Does this project require electrical power?
☒ Yes
☐ No

PROPERTY OWNERSHIP

Do the plans show that the project will not intrude onto property owned by others or easement?
☒ Yes
☐ No

Do the plans show that the project will have proper drainage?
☒ Yes
☐ No

Will there be porta potties on site?
☐ Yes
☒ No

Will there be a dumpster on site?
☐ Yes
☒ No

PROPERTY VALUE

Is the project free of uses likely to have an adverse effect on the value of nearby homes?
☒ Yes
☐ No

What is the approximate value of the project? $ 271,000

Signature of Applicant(s) Allan Steward Kelly Stewart Date 3-5-2022

Fence

Property line

Fence 4'

Fence

Feet
99.

Feet/inch
19.4

26.8 inch
Feet

Feet
66.

Height
under
35 Feet

Feet
15

Property line

Property line

35
Feet

Power
Box

water
meter

Property line

Stewart's property.

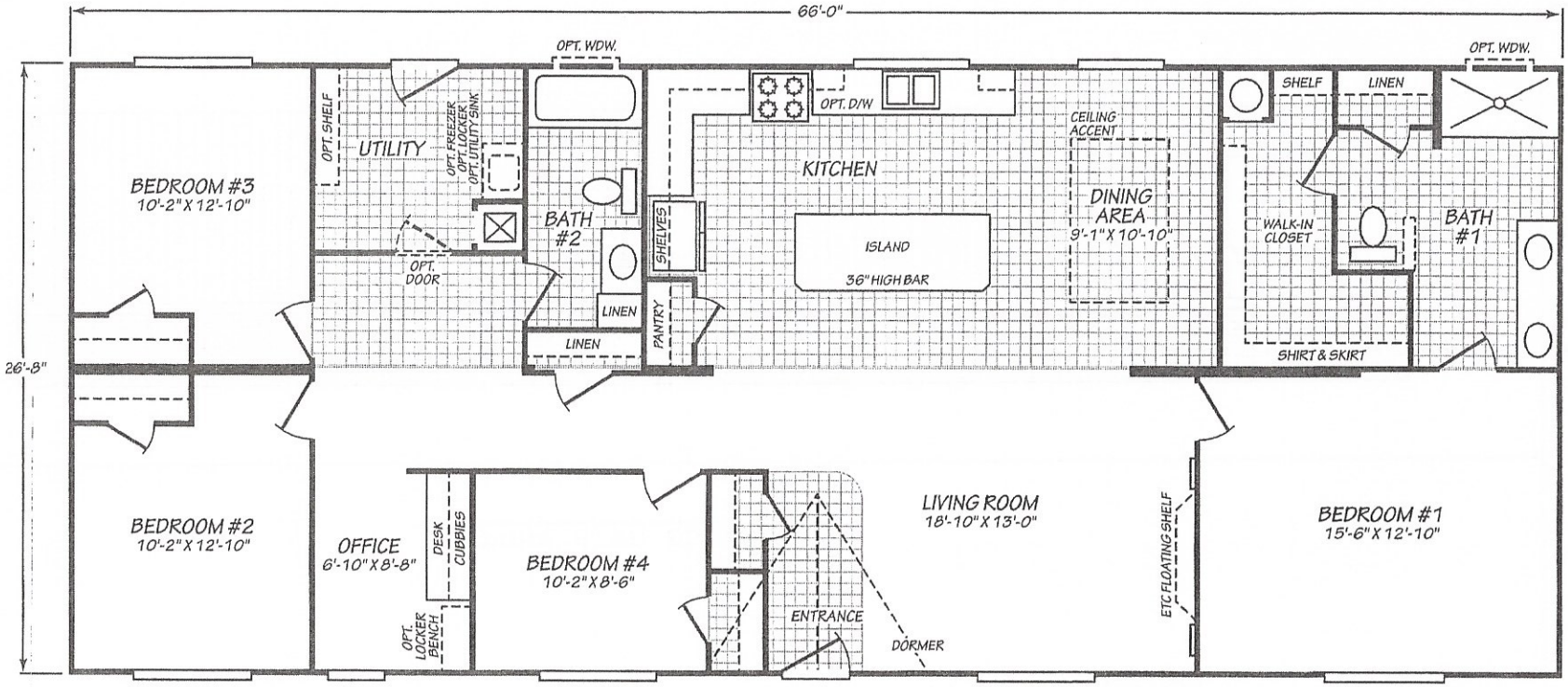
[redacted]

Road

Fleetwood HOMES

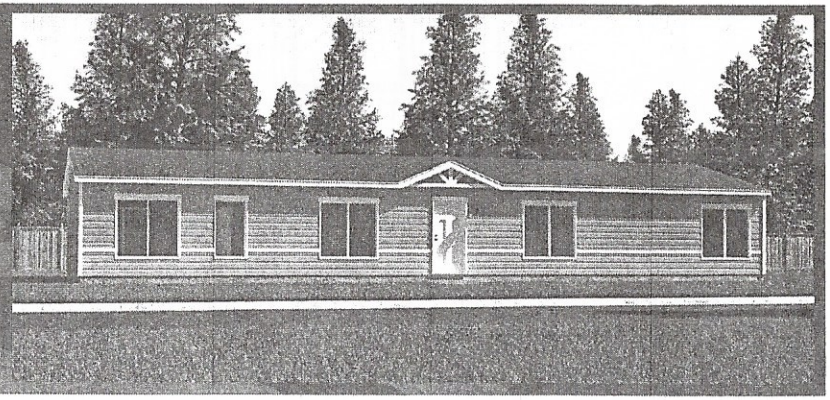
www.fleetwoodhomes.com

WAVERLY CREST PRESTIGE



MODEL 28664E

4 Bedroom • 2 Bath • 1,760 Square Feet

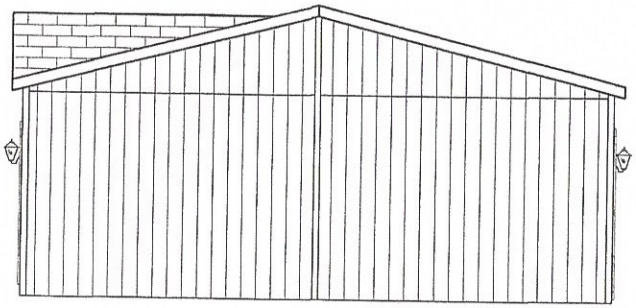


MHI MANUFACTURER OF THE YEAR 7 Time Recipient SINCE 2010

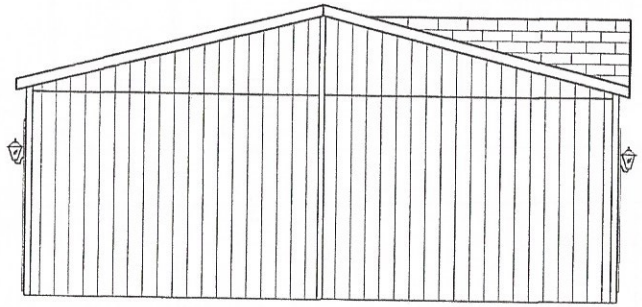
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Important: Because we continually update and modify our products, it is important for you to know that our brochures and literature are for illustrative purposes only. **ILLUSTRATIONS MAY SHOW OPTIONAL FEATURES.** All information contained herein may vary from the actual home we build. Dimensions are nominal length and width measurements are from exterior wall to exterior wall. We reserve the right to make changes at any time, without notice or obligation, in prices, colors, materials, specifications, features and models. Please check with your retailer for specific information about the home you select.

WI/230/SEP21
PFS APPROVAL 9/16/21



FRONT SIDE ELEVATION



REAR SIDE ELEVATION

Cavco INDUSTRIES, INC.®

NAMPA
230

PRODUCT NAME
WAVERLY CREST
PRESTIGE

MODEL NO.
28664E

DRAWING TITLE
EXTERIOR
ELEVATIONS

DRAWN BY: AIVAR K.

DATE: 10/29/21

SHT: EE.2

REV: A

23WI28664E

Details for SJW Ventures-Elite Housing, LLC

License Information

Name:	SJW Ventures-Elite Housing, LLC
City, State, Zip, Country:	Springville UT 84663 United States
Profession:	Factory Built Housing
License Type:	Factory Built Housing Dealer
License Number:	11895126-9930
Obtained By:	Application
License Status:	Active
Original Issue Date:	08/13/2020
Expiration Date:	09/30/2022
Agency and Disciplinary Action*:	NO DISCIPLINARY ACTIONS OR NO DISCIPLINARY ACTIONS WITHIN THE TIME FRAME ESTABLISHED IN UTAH CODE 63G-4-106 AND 107
Docket Number:	N/A

Doing Business As:

ELITE HOUSING

This information is accurate as far as is contained in the Division's official records. It does not reflect whether an entity required to maintain a current registration with the Division of Corporations is current in that registration. You can verify such status at https://secure.utah.gov/bes/bes. Additionally, this verification does not show a complete license history or interruptions of licensure. Original issue dates listed as 01/01/1910 and 01/01/1911 were unknown at the time the Division implemented its first electronic licensing database.

*NOTE: The disciplinary documents linked to this website include final orders issued by DOPL, with the exception of citations. Click here for citations.