

Proposed Text Amendment Language

Proposed ordinance showing additions and deletions

Edits are shown below as follows.

Added Language

~~Deleted Language~~

Staff Proposed Language

4.44 Frontage On An Approved Public Street Required, Exceptions

A. For adequate access by emergency Vehicles and local occupants, the Frontage of each Lot or Parcel used as a site for a Dwelling, manned industrial plant or other facility or Structure occupied by humans, shall abut on an official state Road, county class "B" Road, or city street which has been paved under the direction of the unit of government having jurisdiction, and from which Frontage such facility gains vehicular and pedestrian access exclusively and entirely across the subject Lot or Parcel. The following are exceptions to the above requirement:

8. A parcel that lacks official road frontage solely because it is separated from such frontage by State or Federal land or by a railroad right-of-way, and that otherwise satisfies all applicable requirements for a dwelling, may establish vehicular access to the lot or parcel, provided that all of the following conditions are met:

- c. A written ~~permanent perpetual~~ or State or Federal equivalent easement ~~or a private Road crossing agreement, written permanent perpetual easement,~~ or the railroad's equivalent for a railroad right-of-way, or a private road crossing agreement granted to the owner of the subject Lot or Parcel and appurtenant to the subject Lot or Parcel, in the form utilized by the governmental entity or railroad, as permitted by the grantor. The sum of the easement's initial term plus any available renewal term or terms must be fifty (50) or more years to qualify for this exception. If the easement renewal is denied or the grantor does not extend the easement upon expiration, the easement shall terminate at expiration, and any permits conditioned on access under this easement shall automatically terminate and be of no force or effect as of the expiration date. This easement runs with the land and binds successors and assigns of the subject Lot or Parcel.
- h. The owner of the subject Lot or Parcel shall sign and record in the Office of the Utah County Recorder a restrictive covenant and acknowledgment, in a form acceptable to the Zoning Administrator, which provides that, if 1) the written ~~permanent perpetual~~ or State or Federal equivalent for land in State or Federal ownership, ~~or the private Road crossing agreement, written permanent perpetual easement,~~ or the railroad's equivalent for a railroad right-of-way, or a private road crossing agreement is terminated, for any reason, or 2) the access Road is not maintained to meet the applicable requirements of this section, the Occupancy Permit issued by Utah County will immediately and

automatically be revoked and become null and void, and the subject Lot or Parcel will not be used for human occupancy, either temporarily or permanently, until such time as the written ~~permanent perpetual~~ easement or State or Federal equivalent for land in State or Federal ownership is reinstated ~~or a new private Road crossing agreement,~~ ~~written permanent perpetual easement~~, or the railroad's equivalent for a railroad right-of-way, or a private road crossing agreement as specified above and approved by the Zoning Administrator, and the access Road is determined to meet all applicable access Road standards by the Zoning Administrator or applicable agency.