

COUNTY PLANNING AND ZONING ENABLING ACT

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17-27-1. County commissioners--Power to zone.

The boards of county commissioners of the respective counties within the state are authorized and empowered to provide for the physical development of the unincorporated territory within the county and for the zoning of all or any part of such unincorporated territory in the manner hereinafter provided.

17-27-2. County planning commission--Appointment--Terms.

The board of county commissioners of any county within the state is hereby authorized and empowered to appoint an unpaid commission of seven members, to be known as the county planning commission; provided, that in the counties of the state having a population of fifteen thousand or less, desiring to establish a commission as herein provided, the board of county commissioners may constitute the commission. One member of the board of county commissioners shall be designated by the board of county commissioners as an ex-officio member of such commission. Each of the other six members of the commission shall be a resident of the county and the owner of real property situated therein, and at least four of them shall hold no other public office or position. The term of appointed members of the commission shall be three years and until their respective successors

have been appointed; provided, that the terms of the members of the first commission so appointed shall be such that the terms of two members shall expire each year. In case of a commission existing at the time of passage of this act, the board of county commissioners shall fill vacancies occurring on the commission in such a way as to best bring about staggered terms as provided above. The members of the commission shall serve as such without compensation, except that the board of county commissioners shall provide for reimbursement of the members of the commission for actual expenses incurred, upon presentation of proper receipts and vouchers. The board of county commissioners shall provide for the filling of vacancies in the membership of the commission and for the removal of a member for non-performance of duty or misconduct.

17-27-3. Chairman--Rules--Expenses limited--Technical advice.

The county planning commission shall elect from its members, a chairman, whose term shall be for one year and the commission may create and fill such other offices as it may determine. The commission shall adopt such rules and regulations governing its procedure as it may consider necessary or advisable, and shall keep a record of its proceedings, which record shall be open to inspection by the public at all reasonable times. The commission shall have the power and authority to employ experts and a staff and to pay such expenses as may be deemed reasonable and necessary for carrying out the powers herein conferred and the duties herein prescribed, upon presentation of proper receipts and vouchers, but not in excess of such sums as may be appropriated by the board of county commissioners of the county and/or be placed at the disposal of the commission through gift or otherwise. The county planning commission is directed to make use of the expert advice and information which may be furnished by appropriate federal, state, county, and municipal officials, departments and agencies, and in particular by the state planning commission of the state of Utah, without additional cost to the county or municipality. All state officials, departments and agencies having information, maps and data pertinent to county planning or zoning are hereby authorized and directed to make the same available for the use of the county planning commission as well as to furnish such other technical assistance and advice as they may have available for such purpose without additional cost to the county or municipality.

17-27-4. Commission to adopt master plan for development--Contents.

It shall be the function of a county planning commission to make and adopt a master plan for the physical development of the unincorporated territory of the county. Any such plan may include the planning of incorporated areas to the extent to which, in the commission's judgment, they are related to the planning of the unincorporated territory or of the county as a whole; provided, however, that the plan shall not be deemed an official plan or part of the official plan of any municipality unless adopted by the municipal planning commission thereof. The master plan of a county, with the accompanying maps, plats, charts, and descriptive and explanatory matter, shall show the county planning commission's recommendations for the development of the territory covered by the plan, and may include, among other things, the general location, character, and extent of streets or roads, viaducts, bridges, parkways, playgrounds, forests, reservations, parks, airports, and other public ways, grounds, places and spaces; the general location and extent of public utilities and terminals, whether publicly or privately owned, for water, light, power, sanitation, transportation, communication, heat and other purposes; the acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, or change of use of any of the foregoing public ways, grounds, places, spaces, properties, utilities, or terminals; the general character, location, and extent of community centers, town sites, or housing developments; the general location and extent of forest, and open development areas for the purposes of conservation, and water supply, sanitary and drainage facilities, or the protection of urban development.

17-27-5. General purposes in making master plan.

In the preparation of a county master plan, a county planning commission shall make careful and comprehensive surveys and studies of the existing conditions and probable future growth of the territory within its jurisdiction. The county master plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will, in accordance with present and future needs and resources, best promote the health, safety, morals, order, convenience, prosperity, or the general welfare of the inhabitants, as well as efficiency and economy in the process of development, including, amongst other things, such distribution of population and of the uses of land for urbanization, trade, industry, habitation, recreation, agriculture, arboretum, and other purposes, as will tend to create conditions favorable to health, safety, transportation, prosperity, civic activities, and recreational, educational and cultural opportunities; will tend to reduce the wastes of physical, financial, or human resources which result from either excessive congestion or excessive scattering of population; and will tend toward an efficient and economical utilization, conservation and production of the supply of food and water, and of drainage, sanitary, and other facilities and resources.

17-27-6. Method of adopting master plan.

A county planning commission may adopt the county master plan as a whole by a single resolution, or, as the work of making the whole master plan progresses, may from time to time adopt a part or parts thereof, any such part to correspond generally with one or more of the functional subdivisions of the subject-matter which may be included in the plan. The commission may from time to time amend, extend, or add to the plan, or carry any part of it into greater detail. The adoption of the plan or any part, amendment, extension, or addition shall be by resolution carried by the affirmative votes of not less than a majority of the entire membership of the commission and after a full hearing shall have been had thereon after notice of such hearing shall have been had thereon after notice of such hearing shall have been given once each week for four successive weeks in a newspaper having general circulation in, and most likely to give notice to the residents of the locality which would be affected thereby. The resolution shall refer expressly to the plans and descriptive matter intended by the commission to form the whole or part of the plan, and the action taken shall be recorded on the plan or plans and descriptive matter by the identifying signature of the chairman of the commission. The master plan shall be available for public inspection in the office of the planning commission at all reasonable times, but its purpose and effect shall be solely to aid the planning commission in the performance of its duties.

17-27-7. Adoption of official map--Amendments to--Public hearings.

The board of county commissioners of any county is hereby empowered, after receiving the advice of the county planning commission to adopt and establish an official map of the county showing the highways, freeways, parks, parkways and sites for public buildings or works, including subsurface facilities, in the acquisition, financing, or construction of which the county has participated or may be called upon to participate. Such map, in addition to showing existing public streets, may show the location of the lines of streets on plats of subdivisions which shall have been approved by the planning commission, and the lines of proposed new streets or street extensions, widenings, narrowings, or vacations which have been accurately surveyed and definitely located. After the adoption and establishment of such map, as often as such board may deem it for the public interest, such board may change or add to such map or any part thereof. Such map is established to conserve and

promote the public health, safety, convenience, or welfare. Before acting thereon in the first instance, and before adopting any amendments thereto, such board, after notice of time and place has been given by one publication for each of three successive weeks in a newspaper of general circulation in the county, and after written notice to the official bodies and departments enumerated hereinunder, shall hold a public hearing thereon at which representatives of the county planning commission, the county departments, the municipalities in the county, property owners, and others interested therein shall be heard. Before holding any such public hearing, the board of county commissioners shall submit such proposed change or addition to the county planning commission for its consideration and advice, and shall fix a reasonable time, not, however, less than twenty days, when such county planning commission may report thereon. Upon receipt of such advisory report from the county planning commission, or upon the failure of such commission to report within the time limit so fixed, the board of county commissioners may thereupon act upon the proposed change or addition, but any action adverse to the report of the planning commission shall require the affirmative recorded vote of the majority of all the members of such board. When approved in whole or in part by the board of county commissioners of any county, such county official map or part thereof, including any such change or addition, shall be deemed to be binding upon the legislative body of the county and the several county departments thereof, and no expenditure of public funds by such county for construction work or the acquisition of land for any purpose enumerated in section 17-27-4 shall be made except in accordance with such official map. Upon adoption of the ordinance creating the official map, the board of county commissioners shall direct that said ordinance be recorded in the office of the county recorder.

17-27-7.10. Issuance of permits for buildings within mapped-street locations.

For the purpose of preserving the integrity of the official map of the county, the board of county commissioners may provide by general ordinance that no permit shall be issued for any building or structure or part thereof on any land located between the mapped lines of any street as shown on the official map. Any such ordinance shall provide that the board of adjustment, if the county has such a board, or if not, that the board of adjustment created for the purpose in such ordinance, shall, upon an appeal filed with it by the owner of any such land, authorize the grant of a permit for a building or structure or part thereof within any mapped-street location, if, after a hearing, it finds that the official map has been recorded for more than one year and a demand has been made upon the board of county commissioners to buy, or if the offering price is felt by the board of county commissioners to be unreasonable, they have failed to commence an action to condemn such land, or if a judgment of condemnation has been entered and the county commissioners have failed to pay the price therein provided. If an appeal is filed before one year shall have elapsed from the date of the filing of the official map, the board of adjustment may, if it finds upon the evidence submitted at a hearing held upon the appeal that, balancing of interest of the county in preserving the integrity of the official map and the interest of the owner in the use and benefits of the property, the granting of a building permit may be issued, but upon the ultimate condemnation of the property value of improvements made under such permit shall not be considered in determining the value of the property so condemned. Nothing in this section contained shall be interpreted as requiring landowners to contribute without just remuneration their land or any portion thereof for street or other public purposes.

17-27-8. Public construction to be approved by planning commission--County commission may overrule.

Whenever any board of county commissioners shall have adopted an official map of the county or any part thereof, then and thenceforth no public road, park or other

public way, ground, or space, no public building or structure, or no public utility, whether publicly or privately owned, which is not shown or described on the official map as part of the approved development within the county, shall be constructed or authorized in the unincorporated territory of the county until and unless the proposed location and extent thereof shall have been submitted to and approved by such county planning commission; provided, however, that in case of disapproval, the said planning commission shall communicate its reasons to the board of county commissioners of the county in which the public way, ground, space, building, structure, or utility is proposed to be located; and such board shall have the power to overrule such disapproval by a vote of not less than a majority of its entire membership, and upon such overruling said board or other official in charge of proposed construction or authorization may proceed therewith; provided further, however, that if the public way, ground, space, building, structure, or utility be one, the authorization or financing of which does not, under the law governing the same, fall within the province of the board of county commissioners or other county official or board, then the submission to the county planning commission shall be made by the body or official having such jurisdiction, and the said planning commission's disapproval may be overruled by said body by a vote of not less than a majority of its entire membership or by said official. The acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, change of use, acquisition of land for, or sale or lease of any road, park, or other public way, ground, place, property, or structure shall be subject to similar submission and approval, and the failure to approve may be similarly overruled. The failure of the commission to act within thirty days from and after the date of official submission to it shall be deemed approval, unless a longer period be granted by the submitting board, body, or official.

17-27-9. Planning commission--Zoning--Right to regulate.

The county planning commission of any county may, and upon order of the board of county commissioners in any county having a county planning commission, shall make a zoning plan or plans for zoning all or any part of the unincorporated territory within such county, including both the full text of the zoning resolution or resolutions and the maps, and representing the recommendations of the commission for the regulation by districts or zones of the location, heights, bulk, and size of buildings and other structures, percentage of lot which may be occupied, the size of lots, courts, and other open spaces, the density and distribution of population, the location and use of buildings and structures for trade, industry, residence, recreation, public activities or other purposes, and the uses of land for trade, industry, recreation or other purposes.

17-27-10. Planning commission to certify zoning plan to county commissioners--Public hearings.

The county planning commission shall certify a copy of the plan or plans for zoning all or any part of the unincorporated territory within the county, or any adopted part or amendment thereof, or addition thereto, to the board of county commissioners of the county. After receiving the certification of said zoning plan or plans from the commission and before the adoption of any zoning resolution or resolutions, the board of county commissioners shall hold a public hearing thereon, of the time and place of which at least thirty days' notice shall be given by four publications in a newspaper of general circulation in the county. Such notice shall state the place at which the text or map so certified by the county planning commission may be examined. No substantial change in or departure from the text or map so certified by the county planning commission shall be made unless such change or departure be first submitted to the certifying county planning commission

for its approval, disapproval, or suggestions, and if disapproved shall receive the favorable vote of not less than a majority of the entire membership of the board of county commissioners. The county planning commission shall have thirty days from and after such submission within which to send its report to the county commissioners.

17-27-11. Zoning Districts--Regulations.

From and after the time when the county planning commission of any county, in accordance with the procedure hereinabove specified, makes, adopts and certifies to the board of county commissioners a plan or plans for zoning the unincorporated territory within any county, or any part thereof, including both the full text of a zoning resolution and the maps, and after public hearing thereon, then the board of commissioners, may by resolution regulate in any portion or portions of such county which lie outside of cities and towns, the location, height, bulk and size of buildings and other structures, the percentage of lot which may be occupied, the size of yards, courts and other open spaces, the uses of buildings and structures for trade, industry, residence, recreation, public activities or other purposes, and the uses of land for trade, industry, residence, recreation or other purposes. In order to accomplish such regulation, the board of county commissioners may divide the territory of the county which lies outside of cities and towns into districts and zones of such number, shape or area as it may determine, and within such districts may regulate the erection, construction, reconstruction, alteration and uses of buildings and structures, and the uses of land, and may require and provide for the issuance of building permits as a condition precedent to the right to erect, construct, reconstruct or alter any building or structure within any zone covered by such zoning resolution provided, however, no permit shall be necessary where the erection, construction, reconstruction or alteration of any building or structure is minor in character and will not substantially alter the location, height, bulk or size of the building or other structure or the percentage of lot to be occupied. The county planning commission may make and certify a single plan for the entire unincorporated portion of the county, or separate and successive plans for those parts which it deems to be urbanized or suitable for urban development and those parts which, by reason of distance from existing urban communities or for other causes, it deems suitable for non-urban development; and any resolution adopted by the board of county commissioners may cover and include the unincorporated territory covered and included in any such single plan or in any of such separate and successive plans. No resolution covering more or less than the territory covered by any such certified plan shall, however, be adopted or put into effect until and unless it be first submitted to the county planning commission which had certified the plan to the board of county commissioners and be approved by said commission or, if disapproved, receive the favorable vote of not less than a majority of the entire membership of such board. All such regulations shall be uniform for each class or kind of building or structure throughout any zone, but the regulations in any one zone may differ from those in other zones. Zoning, unless county-wide, shall be limited to districts established by the board of county commissioners, either on petition as hereinafter provided or by direct action as hereinbefore provided.

17-27-12. Enforcement of regulations--Buildings.

The board of county commissioners may provide for the enforcement of the zoning regulations by means of the withholding of building permits, and, for such purpose may establish and fill a position of county building inspector and may fix the compensation attached to said position, or may authorize an administrative official of the county to assume the functions of such position in addition to his customary functions. From and after the establishment of such position and the filling of the

same, it shall be unlawful to erect, construct, reconstruct, alter, or change the use of any building or other structure within the unincorporated territory covered by such zoning regulations without obtaining a building permit from such county building inspector, and such building inspector shall not issue any permit unless the plans of and for the proposed erection, construction, reconstruction, alteration, or use fully conform to all zoning regulations then in effect.

17-27-13. Purpose of Regulations.

Such regulations shall be designed and enacted for the purpose of promoting the health, safety, morals, convenience, order, prosperity or welfare of the present and future inhabitants of the state of Utah, including, amongst other things, the lessening of congestion in the streets or roads or reducing the waste of excessive amounts of roads, securing safety from fire and other dangers, providing adequate light and air, classification of land uses and distribution of land development and utilization, protection of the tax base, securing economy in governmental expenditures, fostering the state's agricultural and other industries, and the protection of both urban and nonurban development.

17-27-14. Amending districts and regulations--Manner.

The board of county commissioners may from time to time amend the number, shape, boundaries or area of any district or districts, or any regulation of or within such district or districts, or any other provisions of the zoning resolution, but any such amendment shall not be made or become effective unless the same shall have been proposed by or be first submitted for the approval, disapproval or suggestions of the county planning commission; and if disapproved by such commission within thirty days after such submission, such amendment, to become effective, shall receive the favorable vote of not less than a majority of the entire membership of the board of county commissioners. Before finally adopting any such amendment, the board of county commissioners shall hold a public hearing thereon, at least thirty days' notice of the time and place of which shall be given by at least one publication in a newspaper of general circulation in the county.

17-27-15. Board of adjustment--Regulations--Meetings.

The board of county commissioners of any county which enacts zoning regulations under the authority of this act, shall provide for a board of adjustment of three to five members and for the manner of the appointment of such members. Not more than half of the members of such board may at any time be members of the planning commission. The board of county commissioners shall fix per diem compensation and terms for the members of such board of adjustment, which terms shall be of such length and so arranged that the term of at least one member will expire each year. Any member of the board of adjustment may be removed for cause by the board of county commissioners upon written charges and after a public hearing. Vacancies shall be filled for the unexpired term in the same manner as in the case of original appointments. The board of county commissioners may appoint associate members of such board, and in the event that any regular member be temporarily unable to act owing to absence from the county, illness, interest in a case before the board or any other cause, his place may be taken during such temporary disability by an associate member designated for the purpose.

The board of county commissioners shall provide and specify in its zoning or other resolutions general rules to govern the organization, procedure, and jurisdiction

of said board of adjustment, which rules shall not be inconsistent with the provisions of this act, and the board of adjustment may adopt supplemental rules of procedure not inconsistent with this act or such general rules.

Any zoning resolution of the board of county commissioners may provide that the board of adjustment may in appropriate cases and subject to appropriate principles, standards, rules, conditions and safeguards set forth in the zoning resolution, make special exceptions to the terms of the zoning regulations in harmony with their general purpose and intent. The commissioners may also authorize the board of adjustment to interpret the zoning maps and pass upon disputed questions of lot lines or district boundary lines or similar questions, as they may arise in the administration of the zoning regulations.

Meetings of the board of adjustment shall be held at the call of the chairman and at such other times as the board in its rules of procedure may specify. The chairman or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board of adjustment shall be open to the public. The board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record.

17-27-16. Appeals--Powers of board.

Appeals to the board of adjustment may be taken by any person aggrieved by his inability to obtain a building permit, or by the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of the provisions of the zoning resolution. Appeals to the board of adjustment may be taken by any officer, department, board or bureau of the county affected by the grant or refusal of a building permit or by other decision of an administrative officer or agency based on or made in the course of the administration or enforcement of the provisions of the zoning resolution. The time within which such appeal must be made, and the form or other procedure relating thereto, shall be as specified in the general rules provided in writing by the board of county commissioners to govern the procedure of such board of adjustment or in the supplemental rules of procedure adopted by such board provided further, that said rules and regulations shall be available to the public at the office of the county commissioners at all time.

Upon appeals the board of adjustment shall have the following powers:

(1) To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made by administrative official or agency based on or made in the enforcement of the zoning resolution.

(2) To hear and decide, in accordance with the provisions of any such resolution, requests for special exceptions or for interpretation of the map or for decisions upon other special questions upon which such board is authorized by any such resolution to pass.

(3) Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the enactment of the regulation, or by reason of exceptional topographic conditions or other extra-ordinary and exceptional situation or condition of such piece of property, the strict application of any regulation enacted under this act would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of such property, to authorize, upon an appeal relating to said property, a variance from such strict

application so as to relieve such difficulties or hardship, provided such relief may be granted without substantially impairing the intent and purpose of the zone plan and zoning resolutions.

The concurring vote of four members of the board in the case of a five-member board, and of three members in the case of a three-member board, shall be necessary to reverse any order, requirement, decision or determination of any such administrative official or agency or to decide in favor of the appellant.

17-27-18. Nonconforming uses--Property acquired by county.

The lawful use of a building or structure, or the lawful use of any land, as existing and lawful at the time of the adoption of a zoning resolution, or in the case of an amendment of a resolution, then at the time of such amendment, may, except as hereinafter provided, be continued although such use does not conform with the provisions of such resolution or amendment and such use may be extended through the same building, provided no structural alteration of such building is proposed or made for the purpose of such extension. The board of county commissioners may provide in any zoning resolution for the restoration, reconstruction, extension or substitution of nonconforming uses upon such terms and conditions as may be set forth in the zoning resolution. The board of county commissioners may in any zoning resolution provide for the termination of nonconforming uses, either by specifying the period or periods in which nonconforming uses shall be required to cease, or by providing a formula or formulae whereby the compulsory termination of a non-conforming use may be so fixed as to allow for the recovery or amortization of the investment in the nonconformance.

If any county acquire title to any property by reason of tax delinquency and such properties be not redeemed as provided by law, the future use of such property shall be in conformity with the then provisions of the zoning resolution of the county, or with any amendment of such resolution, equally applicable to other like properties within the district in which the property acquired by the county is located.

17-27-19. Promulgation of temporary regulations.

The board of county commissioners of any county after appointment of a county planning commission and pending the completion by such commission of a zoning plan, may, where in the opinion of the board conditions require such action, promulgate by resolution without a public hearing regulations of a temporary nature, to be effective for a limited period only and in any event not to exceed six months, prohibiting or regulating in any part or all of the unincorporated territory of the county or district the erection, construction, reconstruction or alteration of any building or structure used or to be used for any business, industrial or commercial purpose.

17-27-20. Plans to be submitted to state planning commission.

Before finally adopting and certifying any plan, either master or zoning, the planning commission, regional county or district, making such plan, shall submit such plan to the state planning commission for advice and recommendations. The state planning commission shall, within thirty days after such submission, present its advices and criticisms in respect to such plan. Such advices and criticisms shall be advisory only and the commission submitting such plan shall not be bound thereby.

If such advices and criticisms have not been presented within such period of thirty days, the approval of such plan by the state planning commission shall be presumed.

17-27-21. Land plats--Approval--Sale before approval--Penalty--Injunction.

All plans of streets or highways for public use, and all plans and plats of land laid out in subdivision or building lots, and the streets, highways, alleys or other portions of the same intended to be dedicated to public use, or the use of purchasers or owners of lots fronting thereon or adjacent thereto, located within the county limits, except those located within any city or town within the said counties, shall be submitted to the county planning commission, if one has been created, and approved by such commission before they shall be recorded. It shall not be lawful to record any such plan or plat in the office of the county recorder unless the same shall bear thereon by endorsement or otherwise the approval of such commission. The approval of such plan or plat by such commission shall not be deemed an acceptance of the proposed dedication by the public. Such acceptance, if any, shall be given by action of the board of county commissioners. The owners and purchasers of such lots shall be conclusively presumed to have notice of public plans, maps, and reports of such commission affecting such property within its jurisdiction.

From and after the time when a county planning commission has been appointed no land located within a subdivision as defined in this act shall be sold until and unless a subdivision plat shall have been approved by the planning commission and recorded in the office of the county recorder, except that in subdivisions of less than ten lots, land may be sold by metes and bounds, without necessity of recording a plat if all of the following conditions are met: (a) The subdivision layout shall have been first approved in writing by the county planning commission, (b) the subdivision is not traversed by the mapped lines of a proposed street as shown on the official map or maps of the county, and does not require the dedication of any land for street or other public purposes, and (c) if the subdivision is located in a zoned area, each lot in the subdivision meets the frontage, width and area requirements of the zoning ordinance or has been granted a variance from such requirements by the board of adjustment.

Whoever, being the owner or agent of the owner of any land located within a subdivision in a county where a county planning commission has been created, transfers or sells any land in such subdivision before a plan or plat of such subdivision has been approved by such planning commission and, except as set forth in the preceding paragraph, recorded in the office of the county recorder, shall be guilty of a misdemeanor for each lot or parcel so transferred or sold; and the description of such lot or parcel 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. The county may enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction or may recover the said penalty by civil action in any court of competent jurisdiction.

17-27-22. Maximum regulation to govern.

Wherever the regulations made under authority of this act require a greater width or size of yards, court, or other open spaces, or require a lower height of buildings or smaller number of stories, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required in or under any other statute, the provisions of the regulations made under authority of this act shall govern. Wherever the provisions of any other statute require a greater

width or size of yards, courts, or other open spaces, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required by the regulations made under authority of this act, the provisions of such statute shall govern.

17-27-23. Violation--Misdemeanor--Proceedings to prevent.

It shall be unlawful to erect, construct, reconstruct, alter, maintain or use any land in violation of any regulation in, or any provision of, any zoning resolution, or any amendment thereof, enacted or adopted by any board of county commissioners under the authority of the act. Any person, firm or corporation violating any regulation in, or of any provision of, any zoning resolution, or any amendment of this act, shall be guilty of a misdemeanor. In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, maintained or used, or any land is or is proposed to be used, in violation of this act or of any regulation or provision of any resolution, or amendment thereof, enacted or adopted by any board of county commissioners under the authority granted by this act, such board, the district attorney of the county, or any owner of real estate within the district in which such building, structure or land is situated may, in addition to other remedies provided by law, institute injunction, mandamus, abatement or any other appropriate action or actions, proceeding or proceedings to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use.

17-27-24. Recording of zoning regulations and maps.

Upon the adoption of any zoning ordinance or regulation, map or maps, the board of county commissioners shall file a certified copy of each in the office of the county clerk and recorder, which copies shall be accessible to the public. The county clerk and recorder shall index such ordinances and regulation as nearly as possible in the same manner as he indexes instruments pertaining to the title of the land.

17-27-25. Enforcement--Grants of money.

The board of county commissioners is empowered to enforce the zoning regulations and restrictions which are adopted, and to accept grants of money and service for these purposes, and other purposes, in accordance with the act, from either private or public sources, state or federal.

17-27-26. Conformity with plan--Exceptions.

None of the provisions of this act shall apply to any existing building, structure, plant or other equipment, except as provided in section 17-27-18. After the adoption of a plan as hereinbefore provided, all extensions, betterments or additions to buildings, structures, plant or other equipment of any public utility shall only be made in conformity with such plan, unless, after public hearing first had, the public service commission of the state of Utah or its successor commission, if any, orders that such extensions, betterments or additions to buildings, structures, plant or other equipment are reasonable and that such extensions, betterments or additions be made even though they conflict with the adopted plan.

17-27-27. "Unincorporated" and "subdivision" defined.

For the purposes of this act, "unincorporated" means situated outside of cities and towns, so that when used in connection with "territory," "areas," or the like, it covers, includes and relates to territory or areas which are not within the boundary of any city or town. "Subdivision" means the division of a tract, or lot or parcel of land into three or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future of sale or of building development; provided, that this definition shall not include a bona fide division or partition of agricultural land for agricultural purposes or of commercial, manufacturing or industrial land for commercial, manufacturing or industrial purposes. Nor shall this definition apply to the sale or conveyance of any parcel of land which may be shown as one of the lots of a subdivision of which a plat has theretofore been recorded in the office of the county recorder.