

4.2.16 WS Water Shed Zone

A. Declaration of Legislative Intent

The WS Water Shed Zone (formerly CE-1 Zone) covers the canyons, mountains, and other lands above 7,000 feet in elevation, and of environmental concern in the County. Because of limitations imposed by topography, climate, soil conditions and other natural features, use of the land within this zone has been limited primarily to livestock grazing and related uses, wildlife habitat, certain outdoor recreation activities and facilities, and limited mineral extraction.

The land within this zone has functioned historically as part of the watershed for a majority of the irrigation, culinary, and industrial water supply for the Price River Valley and East Carbon City area. It is also recognized that the landscape is constantly changing due to natural occurrences such as fire, flood, insect infestations and landslides. Human activities such as logging, grazing, hunting, camping and other uses affect the landscape, and are accepted as normal in this zone. Experience has shown this watershed area to be fragile; its confirmed function as a water source is of critical importance to the County.

As certain areas are determined to be not critical to the watershed, they may be placed into other zoning districts. It is hereby declared that the specific purposes and intent of the County Commission in establishing the WS Water Shed Zone are:

1. To take advantage of and more fully implement the basic purposes for planning as set forth in Utah Code 17-27-101, County Land Use Development and Management Act, and [Section 1.2](#) of this Code.
2. To protect and conserve the private property rights, the water supply, vegetation, soils, wildlife and other natural resources within the watershed.
3. To avoid the creation of hazard from floods, fire and other dangers.
4. To preserve the aesthetic appearance of the landscape.
5. To prevent the degradation and waste of natural and financial resources.
6. To secure economy in government expenditures.

In order to accomplish the above purposes, uses that can be conducted in a manner consistent with the objective of the zone are permitted, provided that adequate guarantees for protection of the watershed are incorporated. Uses that tend to produce a hazardous condition or otherwise degrade or militate against the preservation of the quality of the watershed in this zone are not permitted.

B. Permitted Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the standards and requirements as set forth in this Code:

1. Grazing of livestock.
2. Caretaker camps as per [Section 3.3.26](#).
3. Private camps.
4. Manmade lakes, reservoirs, ponds and dams under ten (10) acre-feet in capacity, subject to

approval of the State Engineer and any other authorities having jurisdiction.

5. Production of fruit and crops in the field. Also, buildings, silos and other structures for the storage and keeping of agricultural products and machinery.
6. Care and keeping of domestic livestock in confined spaces, provided that all barns, stables, corrals, pens, coops and other facilities used to contain said livestock shall be located not less than one hundred (100) feet from any drainage channel.
7. Water diversions, water distribution systems, facilities and structures for water.
8. Timber harvesting, with appurtenant roadways and facilities, in compliance with County Ordinance.

C. Permitted Conditional Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Code, and after approval has been given by the designated reviewing agency. Approval by other agencies or levels of government, along with an environmental assessment or impact study, as directed by the County or Planning Commission, may be required.

1. Manmade lakes, reservoirs, ponds and dams over ten (10) acre-feet in capacity, subject to the review and approval of the County Commission, following a recommendation from the Planning Commission.
2. Water treatment plants and water distribution reservoirs and sewage treatment plants when approved by the County Commission, following a recommendation from the Planning Commission.
3. Major utility transmission or railroad projects when approved by the County Commission in accordance with the applicable provisions of [Section 5.5](#).
4. Single-family dwellings, conventional and factory built, provided that each such dwelling shall require approval of a site plan in accordance with [Section 3.3.31](#) of this Code.
5. Care and keeping of domestic livestock in confined spaces, provided that all barns, stables, corrals, pens, coops, and other facilities used to contain said livestock shall be located not less than one hundred (100) feet from any perennial stream, and seventy-five (75) feet from the nearest dwelling.
6. Communication towers, subject to the review and approval of the County Commission, following a recommendation from the Planning Commission, subject to the requirements set forth in [Section 3.3.31](#).
7. Minor utility transmission projects and cell towers.
8. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.
9. Pet cemeteries for interment of family pets or domestic livestock.

D. Area and Width Requirements

The minimum area and width of a zoning lot within the zone shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwelling	Forty (40) acres	300 feet
	Or	
	When located on a Non-conforming lot of record	as recorded

E. Access Requirements

Per [Table 4.1](#).

F. Location Requirements

No buildings or structures shall be located closer than sixty (60) feet from the center line of a designated County road or private travel way, or thirty (30) feet from the right-of-way of said road or travel way, whichever is greater, nor shall any structure be located closer than thirty (30) feet from any property line.

G. Size and Width of Dwelling

Each dwelling shall have a main floor living area of not less than six hundred (600) square feet, and a total width and length dimension of not less than twenty (20) feet.

H. Utility Requirement

Per [Table 4.5](#).

I. Site Plan Approval

1. Site Plan Required

No dwelling or other structure intended for human occupancy shall be constructed without the prior approval of a site plan in accordance with the provisions of [Section 3.3.31](#).

2. Site plans shall comply with the following:

- a. The lot and structure shall be in compliance with all requirements of this zone relating to area, width, access, location, size of dwelling, and utilities.
- b. No dwelling or on-site sewage drain field shall be located closer than three hundred (300) feet from a perennial or intermittent stream channel, or within one thousand five hundred (1,500) feet of a known spring when located at an elevation higher than said spring, or within one hundred (100) feet when located at an elevation lower than said spring.
- c. Each building site shall have a buildable area of not less than twenty thousand (20,000) square feet, which site shall contain slopes of less than thirty (30) percent.
- d. All roads and travel easements shall, to the maximum extent possible, be located so as to minimize negative impacts to the natural environment.
- e. No dwelling shall be constructed on slopes having a natural gradient of thirty (30) percent or greater.

