

5.7 CONDOMINIUM PROJECTS – NEW CONSTRUCTION

5.7.1 Intent

The intent of this section is to establish guidelines dealing specifically with design, construction and operation of proposed new condominium projects. These provisions shall be supplemental and in addition to the general requirements for large scale developments contained under [Section 5.1](#) of this Code, and also the requirements of the Utah Code Annotated, 1953, as amended.

5.7.2 Permitted Uses

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Uses permitted within a condominium project shall be limited to those uses specifically permitted within the zone that underlies the area of the project.

5.7.3 Location and Design Requirements

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Where the proposed condominium project consists of a use or structure that is authorized as a use-by-right within the zone, said use or structure shall comply to all applicable requirements of the underlying zone.

Where the proposed condominium project is to be developed under the provisions relating to a planned unit development, planned shopping center, or similar Planned Development, all uses or structures shall comply with the plans for such project as approved by the County.

5.7.4 Approval Procedure

The procedure leading to approval of a condominium project – new construction shall be the same as set forth in [Section 5.14](#).

Where such condominium project is being developed as a planned unit development, planned shopping center, or similar planned development, the procedures for approval of said planned development and the approval of said development as a condominium project may be combined.

5.7.5 Required Documents

The following documents shall be prepared and submitted by the developer for each condominium project:

- A. Articles of Incorporation
- B. Corporation By-laws
- C. Declaration of Covenants, Conditions, Restrictions and Management Policies/Declaration of Condominium
- D. Management Agreement
- E. Open Space Easement, where deemed necessary
- F. Title Report

G. Record of Survey Map/Final Subdivision Plat (when applicable)

Where, in the opinion of the County Commission, a particular document as required under this Section is inapplicable for the particular condominium project proposed, the County may waive the requirement for submitting said document.

5.7.6 Special Provisions

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It shall be unlawful to record any record of survey map or declaration of a condominium project in the Office of the County Recorder, unless the same shall bear thereon final approval of the Planning Commission and County Commission as required by the terms of this Code, and any record of survey map or declaration so recorded without such approval shall be null and void. Any owner, or agent of any owner, of land or units located within a purported condominium project, who transfers or sells any land, structure or condominium unit in such a purported condominium project, before obtaining the final approval by the Planning Commission and County Commission on the record of survey map and declaration, and recording the same in the Office of the County Recorder, shall be guilty of a misdemeanor for each lot, parcel of land, structure or condominium unit so transferred or sold.