

ORDINANCE NO. 2008 - 31

**AN ORDINANCE ENACTING SECTION 5-15 "PF-PUBLIC FACILITIES ZONE" AND
DELETING SECTIONS 5-2-C-6, 5-3-C-4, 5-4-C-4, 5-5-C-3, 5-6-C-2, 5-7-C-10
AND 5-13-C-3 OF THE UTAH COUNTY LAND USE ORDINANCE**

The County Legislative Body of Utah County ordains as follows:

Part I.

Section 5-15 of the Utah County Land Use Ordinance is hereby enacted to read as follows:

5-15: PF-PUBLIC FACILITIES ZONE

A. DECLARATION OF LEGISLATIVE INTENT

The PF-Public Facilities Zone is found in unincorporated areas which are conducive to the location of public facilities.

It is hereby declared that the specific purposes and intent of the County Commission in establishing the PF-Public Facilities Zone are:

1. To take advantage of the powers and more fully implement the basic purposes for planning and zoning set forth in Utah Code Annotated, 1953 as amended.
2. To provide locations where public facilities can be located to meet the needs of the residents of Utah County.

The specific regulations necessary for the accomplishment of the purposes outlined above are hereinafter set forth.

B. PERMITTED USES

The following shall be permitted in the PF-Public Facilities Zone upon compliance with the standards and requirements as set forth in this ordinance:

1. The pasturing of domestic livestock.
2. The production of fruit and crops in the field.

3. Agricultural structures for the storage and keeping of farm products, farm machinery, and protection of domestic livestock.
4. Fences, walls, and landscaping, subject to the provisions of Chapter 3 of this land use ordinance.
5. Signs, subject to the provisions of Chapter 3 of this land use ordinance.
6. Cellular telephone, radio, television, or other microwave transmission facilities which have a license from the Federal Communication Commission or it's successor agency.
7. Oil, gas, and water wells, and appurtenant pipelines, pumps and pump houses.
8. Windmills.
9. Buildings and appurtenant grounds and facilities, when such are owned and occupied by a governmental agency and used for one or more of the following:
 - a. Fire and police stations, plus buildings housing ambulance and similar emergency service vehicles and equipment.
 - b. Buildings and yards for the storage and upkeep of vehicles and equipment required for the maintenance and operation of roads, utility systems and other functions of a governmental entity.
 - c. Office buildings housing the administrative and governmental activities of the agency; group assembly rooms; and post offices.
10. Accessory structures when appurtenant to buildings and uses permitted in the zone.

C. PERMITTED CONDITIONAL USES

In the PF-Public Facilities Zone the following shall not be permitted by the Zoning Administrator unless approval as a conditional use has been authorized in accordance with the land use ordinance by the designated reviewing agency:

1. A water treatment plant or sewage treatment plant owned by and operated by a governmental entity, which the Board of Adjustment has approved as a conditional use according to the provisions of Chapter 7 of this land use ordinance.
2. Garbage, waste and refuse transfer, recycling and sorting facilities, and any ancillary trucking, shredding, crushing, grinding, and compacting facilities located on the same site, all of which must be owned by and operated by a governmental entity and must be entirely enclosed within a structure, which the Board of Adjustment has approved

as a conditional use according to the provisions of Chapter 7 of this land use ordinance.

D. AREA REQUIREMENTS

The minimum area of contiguous land which is located within the PF-Public Facilities Zone shall be ten (10) acres.

For permitted structures and uses within the PF-Public Facilities Zone, there shall be no minimum area requirement, except as may be required under other provisions of this land use ordinance.

E. WIDTH REQUIREMENTS

The minimum width of a zoning lot within the PF-Public Facilities Zone land use shall be as follows:

For permitted structures and uses, there shall be no minimum width requirement, except as may be required under other provisions of this land use ordinance.

F. LOCATION REQUIREMENTS

The minimum location requirements of the PF-Public Facilities Zone shall be as follows:

1. All buildings, structures, compost areas or other operational areas, shall be set back from the right-of-way line of a county road (as designated by the Utah County General Plan, 2006, and the Department of Public Works, Utah County Development Standards), city street or state road a minimum distance of one hundred (100) feet.
2. All buildings, structures, compost areas or other operational areas, shall be set back from any side or rear property line a minimum distance of fifty (50) feet.

G. HEIGHT REQUIREMENTS

The height requirement within the PF-Public Facilities Zone shall be as follows:

1. The maximum permissible height of any structure shall be forty (40) feet as determined by the currently adopted building construction codes of Utah County or by any future edition of these codes that may be adopted.
Exception 1: An antenna of a "stealth telecommunications transmission facility" which is attached to an existing pole of an electrical (or other utility) line (or placed on a replacement pole therein) may exceed the initial elevation of such pole by no more than ten (10) feet.
Exception 2: For large scale utility line structures, there shall be no maximum height.

Exception 3: Otherwise, a height in excess of forty (40) feet, if for unoccupied structures, may be approved by the Board of Adjustment as a conditional use granted according to the terms of Chapter 7 of this land use ordinance.

Note: The provisions of the APO Airport Overlay Zone, setback standards, or other provisions of the ordinance may result in a lesser height than that stated above.

H. SUPPLEMENTARY REGULATIONS

Uses within this zone shall also comply with the applicable requirements set forth in Chapter 3, entitled Supplementary Requirements and Procedures Applicable Within Zones and all other provisions of this land use ordinance, and other applicable law.

Part II:

Sections 5-2-C-6, 5-3-C-4, 5-4-C-4, 5-5-C-3, 5-6-C-2, 5-7-C-10 and 5-13-C-3, of the Utah County Land Use Ordinance, are hereby deleted.

Part III:

Insert pages reflecting the above amendments, including a title page which bears the enactment date of this ordinance, are hereby ordered to be filed in the copy of the Utah County Land Use Ordinance which is on file with the Utah County Clerk/Auditor.

Part IV:

If any of the sections, sentences, clauses or provisions of this ordinance shall for any reason be adjudged inapplicable or invalid by a court of competent jurisdiction, such shall not affect or invalidate the remaining portion contained herein.

Part V:

This ordinance shall become effective fifteen (15) days after its passage, and upon at least one (1) publication in a newspaper published in and having general circulation in Utah County.

PASSED and ordered published this 9 day of Dec, 2008.

UTAH COUNTY COMMISSION

VOTE


GARY J. ANDERSON, CHAIR

Aye


LARRY A. ELLERTSON, COMMISSIONER


Aye

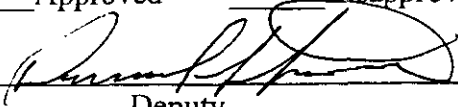

STEVE WHITE, COMMISSIONER

Aye

ATTEST:
BRYAN E. THOMPSON
County Clerk/Auditor

APPROVED AS TO FORM:
JEFFREY R. BUHMAN
Utah County Attorney

By: 
Deputy

☒ Approved ☐ Disapproved
By: 
Deputy

Date of Publication: Once only, as soon as possible

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PROOF Of PUBLICATION

from

The Daily Herald

STATE OF UTAH } SS.
Utah County

NOTICE

ORDINANCE NO. 2008-31 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON DECEMBER 9, 2008, ENACTING SECTION 5-15 "PF-PUBLIC FACILITIES ZONE" AND DELETING SECTIONS 5-2-C-6, 5-3-C-4, 5-4-C-4, 5-5-C-3, 5-6-C-2, 5-7-C-10 AND 5-13-C-3 OF THE UTAH COUNTY LAND USE ORDINANCE.

A COMPLETE COPY OF THE ORDINANCE IS AVAILABLE AT THE COUNTY CLERK/AUDITOR'S OFFICE, COMMISSIONER GARY J. ANDERSON, COMMISSIONER LARRY A. ELERTSON, AND COMMISSIONER STEVE WHITE VOTED IN FAVOR OF THE ORDINANCE.

Legal Notice 337095 Published in The Daily Herald January 10, 2009.

I, Morgan Bassett, being first duly sworn depose and say that I am the Legal Billing Clerk of the Daily Herald, a newspaper of general circulation, published seven times each week at Provo, Utah, County of Utah; that the notice attached hereto, 337095-ORDINANCE NO. 2008-31, and which is a copy, was published in said newspaper, the first publication having been made on the 10th day of January, 2009, and the last on the 10th day of January, 2009; that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and the same was published in the newspaper proper and not in the supplement.

Morgan Bassett

Subscribed and sworn before me this 12th day of January, 2009.

Debbie L. Chandler Notary Public

Residence: Spanish Fork, Utah
My commission expires 5/18/2009

JAN 21 REC'D

