

ORDINANCE NO. 2009-21

ENT 75768:2009 PG 1 of 3
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2009 Jul 13 8:53 am FEE 0.00 BY SW
RECORDED FOR COMMUNITY DEVELOPMENT

**AN ORDINANCE AMENDING THE UTAH COUNTY LAND USE ORDINANCE,
SUBSECTION 3-11, FRONTAGE ON AN APPROVED PUBLIC STREET REQUIRED,
SUBSECTION A, TO INCLUDE AN EXCEPTION NO. 8**

WHEREAS, the Utah County Planning Commission initiated a review of amending the UCLUO to more appropriately address the goals and policies of Utah County, including those contained in the Utah County General Plan; and

WHEREAS, the Planning Commission addressed the proposed amendments to the UCLUO, during their regularly scheduled agenda meeting of the Planning Commission, and scheduled and held a public hearing regarding the proposed amendments; and

WHEREAS, the Planning Commission recommended that the UCLUO be amended, in accordance with the amendments as set forth herein; and

WHEREAS, the Board of County Commissioners has received and carefully reviewed the recommendation from the Utah County Planning Commission regarding the proposed amendment to the UCLUO, including information found in the file and any public comments contained therein; and

WHEREAS, the Board of County Commissioners finds that the proposed amendment to the UCLUO will further the goals and policies of Utah County, including those contained in the General Plan; and

WHEREAS, the Board of County Commissioners finds that the proposed amendment to the UCLUO is in the best interest of the health, safety, and general welfare of the citizens of Utah County.

THE COUNTY LEGISLATIVE BODY OF UTAH COUNTY ORDAINS AS FOLLOWS:

Part I:

Subsection 3-11, Frontage On An Approved Public Street Required, Exceptions, Subsection A, of the Utah County Land Use Ordinance is hereby amended to add an Exception No. 8, read as follows:

8. In the CE-1 and M&G-1 Zones, a nonconforming lot of record that lies within 500 feet of an official county road or municipal street that is separated from official road frontage by land in State or Federal ownership, may gain vehicular access to the lot by a written permanent perpetual easement or private road easement, in the official form utilized by the governmental entity and approved by the Zoning Administrator, granted to the owner

of the subject lot and appurtenant to the subject lot, if said vehicular access driveway conforms to Utah County standards, currently adopted codes and other adopted applicable ordinances. Unless prohibited by the applicable governmental entity providing the access, the granting document shall be recorded in the Office of the Utah County Recorder. The owner of the subject lot 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 the permanent perpetual easement, or the governmental issued private road easement, is terminated, for any reason, the Occupancy Permit issued by Utah County will immediately and automatically be revoked and become null and void, and the subject lot will not be used for human occupancy, either temporarily or permanently, until such time as the permanent perpetual easement, or the governmental issued private road easement, is reinstated and approved by the Zoning Administrator. The access driveway must be designed and constructed to a grade no greater than 12 percent, unless a more restrictive requirement applies, using engineering standards for a minimum of "H-20" loading in accordance with A Policy of Geometric Design of Highways and Transportation officials (AASHTO) or its equivalent counterpart in subsequent editions. A road maintenance agreement must be entered into between the owner of the subject lot and Utah County guaranteeing that the owner of the subject lot will maintain the access driveway in a condition to allow vehicular access during all periods of occupancy.

Part II:

The Utah County Land Use Ordinance, as amended herein, is hereby adopted in book form and a copy of said Utah County Land Use Ordinance is hereby ordered to be filed in the office of the Utah County Clerk/Auditor.

Part III:

If any of the sections, sentences, clause 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 IV:

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

PASSED and ordered published this 23rd day of June, 2009.

UTAH COUNTY COMMISSION

VOTE

Larry A. Ellertson
LARRY A. ELLERTSON, CHAIR

Aye

Steve White
STEVE WHITE, COMMISSIONER

Aye

Gary J. Anderson
GARY J. ANDERSON, COMMISSIONER

Aye

ATTEST:
BRYAN E. THOMPSON
County Clerk/Auditor

APPROVED AS TO FORM:
JEFFREY R. BUHMAN
County Attorney

By: *Linda Strickland*, Deputy

By: *Jeffrey R. Buhman*, Deputy

Date of Publication: Once only, as soon as possible



PROOF OF PUBLICATION

CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER
UTAH COUNTY AUDITOR, ATTN: Karen Fairbanks 100 E CENTER ST #2400 PROVO UT 84606	9001334912

ORDINANCE NO. 2009-19 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON JUNE 2, 2009, AMENDING THE OFFICIAL UTAH COUNTY ZONE MAP, A PART OF THE "UTAH COUNTY LAND USE ORDINANCE" TO CHANGE THE ZONING OF CERTAIN PROPERTY FROM THE MEG-1 MINING AND GRAZING ZONE TO THE RA-5 RESIDENTIAL AGRICULTURAL ZONE.

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

ORDINANCE NO. 2009-20 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON JUNE 23, 2009, AMENDING THE UTAH COUNTY LAND USE ORDINANCE, CHAPTER 5, LARGE SCALE DEVELOPMENTS, AND MORE PARTICULARLY AMENDING SECTION 6-4, MOUNTAIN HOME DEVELOPMENTS.

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

ORDINANCE NO. 2009-21 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON JUNE 23, 2009, AMENDING THE UTAH COUNTY LAND USE ORDINANCE, SUBSECTION 3, 11' FRONTAGE ON AN APPROVED PUBLIC STREET REQUIRED, SUBSECTION A, TO INCLUDE AN EXCEPTION NO. 8.

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

ORDINANCE NO. 2009-22 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON JUNE 30, 2009, AMENDING THE OFFICIAL UTAH COUNTY ZONE MAP, A PART OF THE "UTAH COUNTY LAND USE ORDINANCE" TO CHANGE THE ZONING OF CERTAIN PROPERTY, (TAX SERIAL NUMBER 21,091,0001) LOCATED IN SECTION 35, TOWNSHIP 7 SOUTH, RANGE 2 EAST, FROM THE PF, PUBLIC FACILITIES ZONE TO THE RA-5, RESIDENTIAL AGRICULTURAL ZONE.

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

ORDINANCE NO. 2009-23 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON JUNE 30, 2009, AMENDING THE OFFICIAL UTAH COUNTY ZONE MAP, A PART OF THE "UTAH COUNTY LAND USE ORDINANCE" TO CHANGE THE ZONING OF CERTAIN PROPERTY, (TAX SERIAL NUMBER 21,089,0001) AND TAX SERIAL NUMBER 21,089,0001) LOCATED IN SECTION 34, TOWNSHIP 7 SOUTH, RANGE 2 EAST, FROM THE RA-5, RESIDENTIAL AGRICULTURAL ZONE TO THE PF, PUBLIC FACILITIES ZONE.

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

ACCOUNT NAME	
UTAH COUNTY AUDITOR,	
TELEPHONE	AD ORDER # / INVOICE NUMBER
8018518802	0000479088 /
SCHEDULE	
Start 07/27/2009	End 07/27/2009
CUST REF NO	
2009-1132	
CAPTION	
ORDINANCE NO. 2009-19 WAS ADOPTED BY THE	
SIZE	
129 Lines	1.00 COLUMN
TIMES	RATE
1	
MISC CHARGES	AD CHARGES
	ATTN
TOTAL COST	
135.45	

AFFIDAVIT OF PUBLICATION

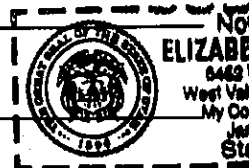
AS NEWSPAPER AGENCY CORPORATION LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT FOR ORDINANCE NO. 2009-19 WAS ADOPTED BY THE UTAH COUNTY WAS PUBLISHED BY THE NEWSPAPER AGENCY CORPORATION, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE IN THE STATE OF UTAH.

Start 07/27/2009 End 07/27/2009

PUBLISHED ON

SIGNATURE

7/28/2009



Elizabeth

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"
PLEASE PAY FROM BILLING STATEMENT