

ORDINANCE NO. 2009-25

**AN ORDINANCE AMENDING THE UTAH COUNTY LAND USE ORDINANCE,
SECTION 3-12, MOTOR VEHICLE ACCESS, SECTIONS 6-2-E-7 AND 6-5-E-8,
STREET SYSTEMS, LENGTH OF CUL-DE-SAC, IN PLANNED UNIT
DEVELOPMENT AND RECREATIONAL RESORT DEVELOPMENTS**

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:

Section 3-12, Motor Vehicle Access, is hereby amended to read as follows:

3-12 MOTOR VEHICLE ACCESS

All lots and parcels of land having frontage on an official county road, city street, or state road or highway, and recorded large scale development lots having their frontage on a private road, shall be accessed by a driveway with all of the following:

1. A minimum driving surface width of 10 feet for the full length of the driveway from the official road access to the dwelling;
2. A grade that does not exceed 12 percent at any point along the length of the driveway;

3. The driveway serves as vehicular access to only the approved land use on the specified parcel or lot and may not be shared by any other parcel, except for other approved nonresidential uses on an adjacent parcel or lot in the same ownership as the dwelling;
4. Any additional driveways must also meet the criteria stated in items 1-4 above and be separated from any other driveway by a minimum of 40 feet;
5. All gated entries and driveway accesses shall also comply with the adopted fire code and any other applicable adopted codes; and
6. Each individual driveway shall be approved and issued an access permit by the Utah County Public Works Department or Utah Department of Transportation (UDOT).

Part II:

Section 6-2-E-7-g, Planned Unit Development, Street System [Maximum length of cul-de-sac], is hereby amended to read as follows:

- g. The maximum length of any dead-end road or cul-de-sac shall be seven hundred and fifty (750) feet, measured from the nearest edge of right-of-way from the connecting through road to the center of the cul-de-sac or turn-around, except that an additional 750 feet may be approved by the Utah County Fire Marshal when the design of such extension is in compliance with currently adopted fire codes.

Part III:

Section 6-5-E-8-c(vii), Recreational Resorts, Street Systems [Maximum length of cul-de-sac], is hereby amended to read as follows:

- vii. The maximum length of any dead-end road or cul-de-sac shall be seven hundred and fifty (750) feet, measured from the nearest edge of right-of-way from the connecting through road to the center of the cul-de-sac or turn-around, except that an additional 750 feet may be approved by the Utah County Fire Marshal when the design of such extension is in compliance with currently adopted fire codes.

Part IV:

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 V:

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 VI:

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 4th day of August, 2009.

UTAH COUNTY COMMISSION

VOTE



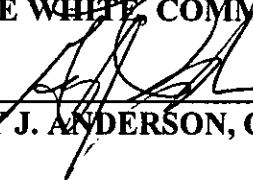
LARRY A. ELLERTSON, CHAIR

Aye



STEVE WHITE, COMMISSIONER

Aye



GARY J. ANDERSON, COMMISSIONER

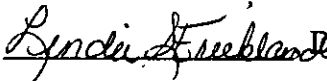
Aye

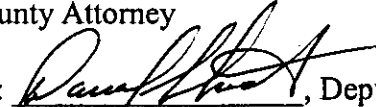
ATTEST:

BRYAN E. THOMPSON
County Clerk/Auditor

APPROVED AS TO FORM:

JEFFREY R. BUHMAN
County Attorney

By:  Deputy

By:  Deputy

Date of Publication: Once only, as soon as possible



4770 S. 5600 W.
 P.O. BOX 764005
 WEST VALLEY CITY, UTAH 84170
 FED.TAX I.D.# 87-0217663

CUSTOMER'S COPY

PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
UTAH COUNTY AUDITOR, ATTN: Karen Fairbanks 100 E CENTER ST #2400 PROVO UT 84606	9001334912	8/30/2009

ACCOUNT NAME	
UTAH COUNTY AUDITOR,	
TELEPHONE	AD ORDER # / INVOICE NUMBER
8018518002	0000490040 /
SCHEDULE	
Start 08/28/2009	End 08/28/2009
CUST REF NO	
2009-1132 <i>ATT</i>	
CAPTION	
ORDINANCE NO. 2009-25 WAS ADOPTED BY THE	
SIZE	
25 Lines	1.00 COLUMN
TIMES	RATE
1	
MISC CHARGES	AD CHARGES
TOTAL COST	
26.25	

ORDINANCE NO. 2009-25 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON AUGUST 4, 2009, AMENDING THE UTAH COUNTY LAND USE ORDINANCE, SECTION 3-12, MOTOR VEHICLE ACCESS, SECTIONS 6-2-E-7 AND 6-5-E-8, STREET SYSTEMS, LENGTH OF CUL-DE-SAC, IN PLANNED UNIT DEVELOPMENT AND RECREATIONAL RESORT 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.

490040 UPAJLP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY CORPORATION LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF ORDINANCE NO. 2009-25 WAS ADOPTED BY THE UTAH COUNTY AUDITOR, UTAH COUNTY WAS PUBLISHED BY THE NEWSPAPER AGENCY CORPORATION, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH.

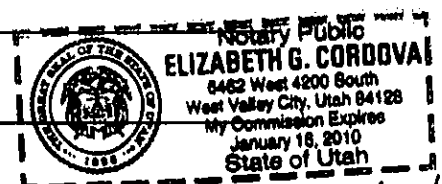
Start 08/28/2009 End 08/28/2009

PUBLISHED ON

SIGNATURE

[Handwritten Signature]

8/30/2009



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