

ORDINANCE NO. 2009-33

AN ORDINANCE AMENDING THE UTAH COUNTY LAND USE ORDINANCE, SECTION 2-2-B-53, DEFINITION OF HUNTING PRESERVE; ADD NEW SECTIONS 2-2-B-59.5, DEFINITION OF LIVESTOCK AND 2-2-B86.5, DEFINITION OF SEASONAL SALES AND SERVICES; AMEND SECTION 2-2-B-93, DEFINITION OF STEALTH TELECOMMUNICATIONS TRANSMISSION FACILITY; AND AMEND SECTION 3-32, PRODUCE STANDS AND FARMERS' MARKETS

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 2-2-B, Definitions, Subsection numbered 53, "Hunting Preserve" and Subsection 93, "Stealth Telecommunications Transmission Facility" are hereby amended to read as follows:

53. Hunting Preserve

An area especially managed or intended for the hunting of game birds, as contrasted with a "Shooting Range".

93. Stealth Telecommunications Transmission Facility

A low visual impact transmission facility including the antenna, and electrical equipment used in a wireless telephone system. To be considered low visual impact, the antenna may be co-located on an existing transmission tower, utility pole, or other existing building or structure. The antenna shall not extend greater than ten (10) feet above the highest point of the co-location building or structure. To utilize a Stealth Telecommunications and Transmission Facility, cellular telephone, radio, television or other microwave transmission facilities must be a permitted land use within the zone where it is to be located.

Part II:

Section 2-2-B, Definitions, Subsection 59.5, "livestock" and Subsection 86.5, "Seasonal Sales and Services" are hereby added to read as follows:

59.5 Livestock

"Livestock" means cattle, sheep, goats, swine, horses, mules, poultry, domesticated elk as defined by state code, or any other domestic animal or domestic furbearer raised or kept for profit.

86.5 Seasonal Sales and Services

Produce and other food products sold during the growing season, processed food items, craft items, and seasonal recreational concessionaire services adjacent to a hiking, equestrian or bicycle trail, river, lake, public park or other public recreation area or facility. Seasonal Sales and Services does not include any land use that is identified in the Utah County Land Use Ordinance as a permitted or a permitted conditional use within any zoning district.

Part III:

Section 3-32, Produce Stands and Farmers' Markets, is hereby amended to read as follows:

3-32: PRODUCE STANDS AND FARMERS' MARKETS

A. INTENT

The intent and purpose of this section is to allow the operation of incidental produce stands and farmers' markets which supply the local market with needed food and farm products without causing a deleterious effect upon the agricultural industry fostered in the zone.

B. CONDITIONS

Upon receipt of a complete application, the Zoning Administrator shall grant a permit for a produce stand or farmers' market if the Zoning Administrator finds that all of the following conditions and requirements are met:

1. Only plants, animals or parts thereof which are products of the subject lot or farm unit shall be offered for sale at a produce stand; farmers' markets may sell plants, animals or parts thereof from any lot or farm unit

- produced within the boundaries of Utah County.
- 2. In accord with land use ordinance, chapter 3, at least five (5) off-street parking spaces shall be provided for a produce stand; five(5) off-street parking spaces per 1000 square feet of retail floor area shall be provided for a farmers' market, but never less than five (5) off-street parking spaces.
- 3. Only one sign, a maximum of thirty-two (32) square feet in area, which advertises only products of the produce stand or farmers' market shall be permitted and shall not extend into the road right-of-way.

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 22nd day of September, 2009.


UTAH COUNTY COMMISSION



 LARRY A. ELLERTSON, CHAIR



 STEVE WHITE, COMMISSIONER



 GARY J. ANDERSON, COMMISSIONER

VOTE

Aye

Aye

Aye



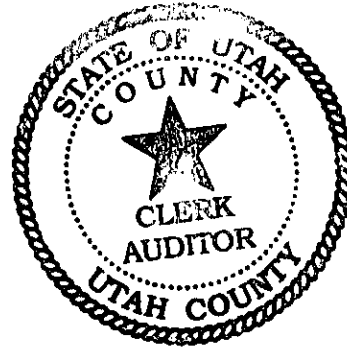
ATTEST:
BRYAN E. THOMPSON
County Clerk/Auditor

By: *Lynda A. Heubland*, Deputy

APPROVED AS TO FORM:
JEFFREY R. BUHMAN
County Attorney

By: *Jeffrey R. Buhman*, Deputy

Date of Publication: Once only, as soon as possible



PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
UTAH COUNTY AUDITOR, ATTN: ACCOUNTS PAYABLE 100 E CENTER ST #3600 PROVO UT 84606	9001334912	10/12/2009

ACCOUNT NAME	
UTAH COUNTY AUDITOR,	
TELEPHONE	AD ORDER # / INVOICE NUMBER
8018518002	0000505706 /
SCHEDULE	
Start 10/11/2009	End 10/11/2009
CUST REF NO	
2009-1132	
CAPTION	
ORDINANCE NO 2009-30 WAS ADOPTED BY THE	
SIZE	
66 Lines	2 00 COLUMN
TIMES	RATE
2	
MISC CHARGES	AD CHARGES
TOTAL COST	
198 00	

ORDINANCE NO 2009 30 WAS ADOPTED BY THE BOARD COUNTY COMMISSIONERS OF UTAH COUNTY UTAH ON SEPTEMBER 15 2009 AMENDING THE UTAH COUNTY OF RANGE MAP TO ADD PROPERTY TO AREA NO 13

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

ORDINANCE NO 2009-32 WAS ADOPTED BY THE BOARD COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH ON SEPTEMBER 22, 2009 AMENDING THE UTAH COUNTY LAND USE ORDINANCE, SECTIONS 2 B 1, 5 7 B 5 AND 5 13 B CARE AND KEEPING OF LIVESTOCK AND FOWL IN THE R-M&G-1 AND A-40 ZONES.

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

ORDINANCE NO 2009 33 WAS ADOPTED BY THE BOARD COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH ON SEPTEMBER 22, 2009 AMENDING THE UTAH COUNTY LAND USE ORDINANCE, SECTION 2 2-B 53 DEFINITION OF HUNTING PRESERVE, ADD NEW SECTIONS 2 2 B 59.5, DEFINITION OF LIVESTOCK AND 2 2 B 84.5, DEFINITION OF SEASONAL SALES AND SERVICES, AMEND SECTION 2 2 B 93, DEFINITION OF STEALTH TELECOMMUNICATIONS TRANSMISSION FACILITY, AMEND SECTION 3 32 PRODUCE STANDS AND FARMERS' MARKETS.

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

ORDINANCE NO 2009 34 WAS ADOPTED BY THE BOARD COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH ON SEPTEMBER 22, 2009, AMENDING THE UTAH COUNTY LAND USE ORDINANCE, CHAPTER 6, LARGE SCALE DEVELOPMENTS, AND MORE PARTICULARLY AMENDING SECTION 6-5 RECREATION RESORTS.

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

ORDINANCE NO 2009-36 WAS ADOPTED BY THE BOARD COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH ON SEPTEMBER 22, 2009 AMENDING THE UTAH COUNTY GOVERNMENT FEE SCHEDULE ADOPTED IN BOOK FORM BY SECTION 1-6 OF THE UTAH COUNTY CODE, AMENDING THE COMMUNITY DEVELOPMENT SECTION.

A COMPLETE COPY OF THE ORDINANCE IS AVAILABLE AT THE COUNTY CLERK/AUDITOR'S OFFICE. COMMISSIONER LARRY ELLERTSON, COMMISSIONER STEVE WHITE, AND COMMISSIONER GARY J. ANDERSON VOTED IN FAVOR OF THE ORDINANCE. 505706 UPA11

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY CORPORATION I HEREBY CERTIFY THAT THE ATTACHED ADVERTISEMENT OF ORDINANCE NO 2009-30 WAS ADOPTED BY THE _____ FOR _____ UTAH COUNTY AUDITOR, _____ WAS PUBLISHED BY THE NEWSPAPER AGENCY CORPORATION AGENT FOR THE SALT LAKE TRIBUNE AND DAILY 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

PUBLISHED ON Start 10/11/2009 End 10/11/2009

SIGNATURE _____
 DATE 10/12/2009

Notary Public
ELIZABETH G CORDOVA
 8482 West 4200 South
 West Valley City Utah 84128
 My Commission Expires
 July 16 2010
 State of Utah

Elizabeth G Cordova

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