



ENT 42444:2010 PG 1 of 3  
 RODNEY D. CAMPBELL  
 UTAH COUNTY RECORDER  
 2010 May 24 4:49 pm FEE 0.00 BY SS  
 RECORDED FOR UTAH COUNTY COMMISSIONERS

ORDINANCE NO. 2010- 8

**AN ORDINANCE AMENDING THE UTAH COUNTY LAND USE ORDINANCE,  
 SECTION 3-29, TEMPORARY USES AND STRUCTURES, SUBSECTION B-3,  
 TEMPORARY CONSTRUCTION YARDS**

**WHEREAS**, the Utah County Planning Commission initiated a review of amending the Utah County Land Use Ordinance, "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:**

Utah County Land Use Ordinance, Section 3-29, Temporary Uses and Structures, Subsection B-3, Temporary Construction Yards; is hereby amended to read as follows:

**B. USES**

The following are temporary uses and are subject to the following specific regulations and time limits, in addition to the regulations of any zone in which the use is located.

**3. Temporary Construction Yards**

Upon receipt of a complete application, the Zoning Administrator, in any zone, shall authorize a temporary use permit for a temporary construction yard, if the Zoning Administrator finds that all of the following conditions and requirements are met:

a. For private construction projects, the temporary construction yard is

incidental to a construction project that is located on the same parcel as the proposed temporary construction yard, and the proposed temporary construction yard is limited to one or more of the following: a temporary construction yard office, and temporary buildings and yards for storing vehicles, materials and equipment, for the construction project.

- b. For public construction projects in conjunction with county, state or federal transportation or public facilities projects, the temporary construction yard is incidental to a construction project that is located on the same parcel as the construction project, located on an adjacent parcel to the construction project, or located on a parcel whose closest boundary lies within one-half mile of the closest boundary of the parcel on which the construction project is located, and the proposed temporary construction yard is limited to one or more of the following: those uses listed in paragraph "a" above, concrete mixing plants, asphalt mixing plants, and rock crushers, for the construction project.
- c. The permit shall be valid for a period of not more than one (1) year, but is renewable for up to two additional periods of one year each as long as the construction project maintains a valid Utah County building permit.
- d. All structures, vehicles, materials, construction equipment, mixing plants, crushers, and related items and equipment shall be removed and the yard restored upon the earlier to occur of the completion of the project or expiration of the permit.
- e. A bond in the amount of \$20,000 shall be posted for temporary construction yards that contain a concrete mixing plant or an asphalt mixing plant, and a bond in the amount of \$40,000 shall be posted for a temporary construction yard that contains both a concrete mixing plant and an asphalt mixing plant, to ensure their removal.
- f. A temporary construction yard containing a rock crusher, a concrete mixing plant or an asphalt mixing plant, shall not be located closer than 500 feet from any dwelling.  
Exception: A temporary use permit is not required for single-family residential or agricultural construction unless requested by owner.

## **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 27th day of April, 2010

**UTAH COUNTY COMMISSION**

*Steve White*  
STEVE WHITE, CHAIR

*Gary J. Anderson*  
GARY J. ANDERSON, COMMISSIONER

*Larry A. Ellertson*  
LARRY A. ELLERTSON, COMMISSIONER

**VOTE**

*Aye*

*Exc*

*Aye*



**ATTEST:**  
**BRYAN E. THOMPSON**  
County Clerk/Auditor

By: *Bryan E. Thompson*, Deputy

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

By: *Jeffrey R. Buhman* Deputy

Date of Publication: Once only, as soon as possible