



ENT 22665-2024 PG 1 of 4
ANDREA ALLEN
UTAH COUNTY RECORDER
2024 Apr 9 09:50 AM FEE 0.00 BY CS
RECORDED FOR UTAH COUNTY COMMUNITY DEVE

ORDINANCE NO. 2024 - 229

AN ORDINANCE AMENDING SECTIONS 2.08 AND 12.24-F OF THE UTAH COUNTY LAND USE ORDINANCE RELATED TO THE REDUCTION OF SIDE AND REAR SETBACK REQUIREMENTS IN THE CRITICAL ENVIRONMENT (CE-2) ZONE

WHEREAS, an applicant has initiated a review of Sections 2.08 and 12.24-F of the Utah County Land Use Ordinance (UCLUO), related to the reduction of side and rear setback requirements in the CE-2 Zone; and

WHEREAS, the Planning Commission addressed the proposed amendment to the Utah County Land Use Ordinance (UCLUO), during a regularly scheduled meeting of the Planning Commission on February 13th, 2024, held a public hearing regarding the proposed amendment, and made a recommendation to the Board of County Commissioners regarding the proposed amendment; and

WHEREAS, the Board of County Commissioners has received and carefully reviewed the recommendation from the Planning Commission regarding the proposed amendment, and the minutes from the Utah County Planning Commission meeting and public hearing regarding the proposed Utah County Land Use Ordinance; and

WHEREAS, the Board of County Commissioners has received and carefully reviewed the input, documents, and testimony from the public regarding the proposed Utah County Land Use Ordinance; and

WHEREAS, the Board of County Commissioners finds the amendment to the Utah County Land Use Ordinance conforms to the Utah County General Plan, is consistent with the other provisions of the Utah County Land Use Ordinance; and

WHEREAS, the Board of County Commissioners finds the proposed Utah County Land Use Ordinance is in the best interest of the health, safety, and welfare of the citizens of Utah County, considering all factors;

NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF UTAH COUNTY ORDAINS AS FOLLOWS:

Part I:

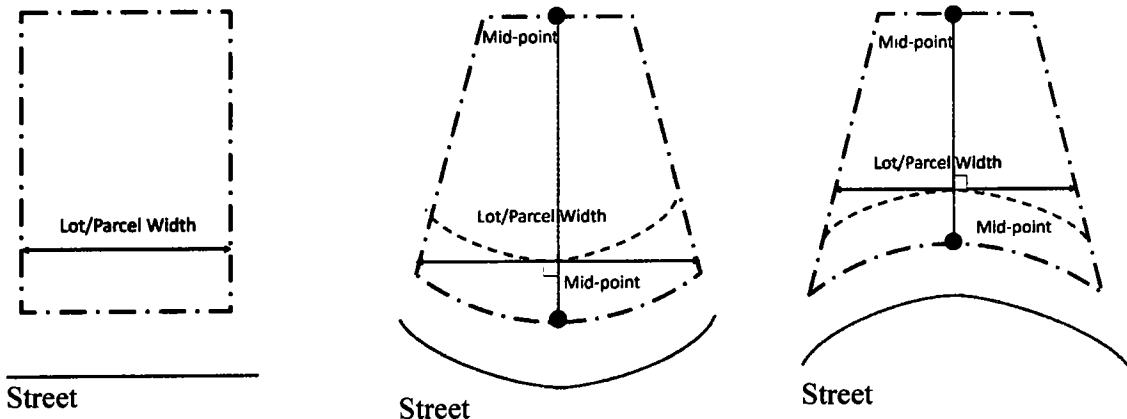
Section 2.08 of the Utah County Land Use Ordinance is hereby amended , including any appropriate re-numbering and re-formatting of applicable subsections, to add the following definitions:

2.08 Definitions

"Setback" The width of unobstructed yard space between a specific reference point (such as a property line, road right-of-way line, building, or watercourse) and the closest point on the nearest building or structure.

- A. **Front Setback:** The setback from the property line or reference point that abuts a road; or where the lot abuts two (2) or more roads or does not about any road, the front setback shall be the distance to the nearest property line or reference point from the wall of the building that has the primary entrance.
- B. **Rear Setback:** The setback on the opposite side of the lot from the front setback. It is measured on a line running parallel to the line used to measure the front setback and constitutes the shortest such parallel between the rear of the building and the nearest property line or reference point.
- C. the shortest distance from the edge of the structure to the nearest property line or reference point.
- D. A non-typical setback means a setback which has been added to a plat for an explicit reason related to topography, hazard, easement or other limitation or feature. A non-typical setback does not include a general setback required in the specific zone.

"Lot / Parcel Width" The length of a line parallel to the front property line or, in a lot with a curved front line, perpendicular to a line running between the mid-point of the front line and the mid-point of the rear line, measured at the front setback line.



Part II:

Section 12.24-F of the Utah County Land Use Ordinance is hereby amended, including the appropriate re-numbering and re-formatting of any applicable subsections, to read as depicted for the applicable subsections:

12.24 CE-2 Critical Environmental Zone

- F. **Location Requirements:** the minimum location requirements within the CE-2 Zone shall be as follows:
2. **Side and Rear Setback:** All buildings and structures, other than landscaping features and fences which meet the standards of UCLUO 4, UCLUO 6, and UCLUO 8, shall have a side and rear setback of at least fifteen (15) feet, unless an alternate setback is required or allowed by UCLUO 4, UCLUO 6, and UCLUO 8, or as provided for below:
 - a. Each lot or parcel with a width less than fifty (50) feet and less than ten thousand (10,000) square feet in area may have a minimum setback of five (5) feet, subject to meeting all adopted building and fire safety codes, including all applicable requirements of Title 6 of the Utah County Code.
 - b. Each lot or parcel with a width between fifty (50) feet and one hundred (100) feet (potential language for each lot or parcel size) may have a minimum setback of ten (10) feet.
 - c. A residential accessory structure, including a detached accessory dwelling unit, with a floor area of 1,500 square feet or less may have a minimum setback of ten (10) feet.
 3. In recorded mountain home development, planned dwelling group, recreational resort, or seasonal home development plats, buildings shall be located according to the terms of approved plats for non-typical setbacks as determined by the zoning administrator. Setbacks listed which are listed on a plat which are typical in nature may utilize the current setback requirement of this zone.

Part III:

A copy of the Utah County Land Use Ordinance, as amended herein, is hereby ordered to be filed in the office of the Utah County Clerk.

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 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 13th day of March 2024.

UTAH COUNTY COMMISSION

VOTE



BRANDON B. GORDON, CHAIR

YEA



AMELIA POWERS GARDNER, COMMISSIONER

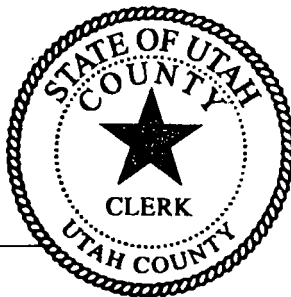
YEA



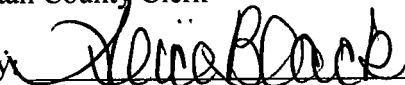
THOMAS V. SAKIEVICH, COMMISSIONER

YEA

ATTEST:
AARON R. DAVIDSON
Utah County Clerk



APPROVED AS TO FORM:

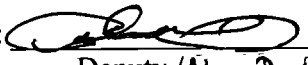
By: 

Deputy/Alice Black

Utah County Attorney

Approved

Disapproved

By: 

Deputy / Adam Beck

Date of Publication: Once only, as soon as possible.