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ANDREA ALLEN
UTAH COUNTY RECORDER
2024 Jun 14 09:45 AM FEE 0.00 BY KR
RECORDED FOR UTAH COUNTY COMMUNITY DEVE

ORDINANCE NO. 2024 - 414

AN ORDINANCE AMENDING SECTIONS 2.08 AND 14.12-D-5 OF THE UTAH COUNTY LAND USE ORDINANCES RELATIVE TO ROAD STANDARDS IN PLANNED SUBDIVISIONS, INCLUDING REQUIREMENTS ASSOCIATED WITH THE ALLOWANCE OF STUB ROADS

WHEREAS, the Utah County Planning Commission has initiated a review of Sections 2.08 and 14.12-D-5 of the Utah County Land Use Ordinance (UCLUO), related to the requirements associated road standards in planned subdivisions, including the allowance of stub roads; and

WHEREAS, the Planning Commission addressed the proposed amendment to the Utah County Land Use Ordinance during a regularly scheduled meeting of the Planning Commission on April 16th, 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 and/or amend the following definitions:

2.08 Definitions – Land Use

"Roads and Travelways"

- A. Connection Road: a proposed section of road which connects a stub road to a public street.
- B. Private Road: A road in private or public agency ownership over which access is or can be denied to the public; a non-public thoroughfare; a driveway or fire access road.
- C. Public Street: A city street, county road, or state road, as defined below, which is open for general use and access by the public:
 - 1. City Street: A street on the official road system of an incorporated city or town.
 - 2. County Road: A road on the county system as designated on the Official County Road Map of Utah County adopted by the County Commission.
 - 3. State Road: A road on the state system identified by the pertinent color and symbols (such as U-147 or US-50) on the Official County Road Map of Utah County, but excluding interstate roads (specifically 1-15), which do not allow access to abutting property).
- D. Public Thoroughfare: Any city street, county, state or interstate road; or other road upon which the public has a right to travel.
- E. Road: A travel way passable to four wheeled, front or rear wheel drive automobiles.
- F. Street, Major: A public street designated in the general plan as a collector, arterial, or other principal thoroughfare, as distinguished from a minor street.
- G. Street, Minor (Local Street): Any public street which provides access to property, which street is not shown in the general plan as a major street.
- H. Stub Road: A road which is terminated at the boundary line of the subdivision, but which will be required to be extended at a later date to provide access to abutting land or connecting public road.

"Natural Slope" means a slope which is not man made and is the predominate slope of land in a natural condition, disregarding minor surface humps or hollows.

Part II:

Section 14.12-D-5 of the Utah County Land Use Ordinance are hereby amended, including the appropriate re-numbering and re-formatting of any applicable subsections, to read as depicted for the applicable subsections:

UCLUO Section 14.12.D.5**5. Street System:**

- a. All new streets shall be constructed to conform to the road standards for public streets as adopted by Utah County.
- b. Existing streets which border the subdivision shall be improved to the standards for public roads as adopted by Utah County.
- c. Roads shall be paved to the full standard width even if the applicant has record title to only a portion of the road easement or right-of-way.
 - (1) The County Engineer may approve a modified standard which will provide a more efficient means of managing the street system given the existing road condition.
 - (2) The County may accept payment in the amount of the estimated road improvements if the County will perform or is scheduled to perform road maintenance for the dedicated road within one (1) year or as determined by the County Engineer.
- d. The applicant shall be required to dedicate ownership of the portion of the required right-of-way which the applicant owns to the County or other applicable governmental entity.
- e. In the event that the land within the proposed development is traversed by a proposed street that is shown on the transportation element map of the county general plan, a note shall be placed on the plat that explains that the development is traversed by a proposed street shown on the transportation element map of the Utah County General Plan and the siting of new structures should be in consideration of that proposed street.
- f. Grade:
 - (1) Vehicular roads shall have a grade of no more than eight (8) percent.
 - (2) A grade of ten (10) percent may be approved by the County Engineer when all of the following criteria are met:
 - i) the grade is necessary to eliminate extra cuts, fills, or circuitous routes;
 - ii) no section of road which exceeds 8 percent grade is longer than one thousand (1000) feet in length
 - iii) police, fire, ambulance, snow removal, and other essential services can be provided at a substantially equal level of quality; and
 - iv) no section of road exceeding a grade of 8 percent is located within two hundred (200) feet of an intersection, or is on a curve having a radius of one hundred fifty (150) feet or less for the curve of the inside street line.
 - v) all applicable fire access requirements have been met.

- g. Streets shall bear permanent signs as per adopted Public Works standards and as approved by the County Engineer.
- h. Subdivisions may abut an existing dead-end paved official state road, county class "B" road, or city street which has been paved under the direction of the unit of government having jurisdiction.
- i. The road system within the subdivision shall consist of through roads, with two access points to the existing official county, state, or municipal road. Cul-de-sacs or bulb roads are not permitted.
- j. Stub Roads: A subdivision may include a stub road if all the following conditions are met:
 - (1) the area to be located within the subdivision boundary has an average natural slope of 10%, or greater;
 - (2) the stub road shall include a connection to an existing paved county class "B" road, paved state road, or paved city street;
 - (3) the stub road shall be paved and shall meet all applicable county road standards from the existing paved road connection to the end of the subdivision boundary;
 - (4) the applicant shall submit engineered road plans for the connection road which show the proposed alignment and future connection point to an existing paved county class "B" road, paved state road, or paved city street;
 - (5) the applicant shall provide a recorded easement or deeded right-of-way granted to the County for the connection road which has been reviewed and accepted by the County;
 - (6) the total length of the proposed stub road and the connection road shall not exceed 7,000 feet.
- k. Any development that abuts on public land which has an existing access to the public land shall maintain the access by providing a public access road through the development to the public land.
- l. Access to individual lots from a state highway shall:
 - (1) provide a letter from UDOT granting each access onto the state highway;
 - (2) show the access location on the plat;
 - (3) have access plans reviewed and approved by the County Engineer.

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 29th day of May 2024.

UTAH COUNTY COMMISSION

VOTE



BRANDON B. GORDON, CHAIR

YEA



AMELIA POWERS GARDNER, COMMISSIONER

YEA

THOMAS V. SAKIEVICH, VICE CHAIR

YEA

ATTEST:
AARON R. DAVIDSON
Utah County Clerk

APPROVED AS TO FORM:

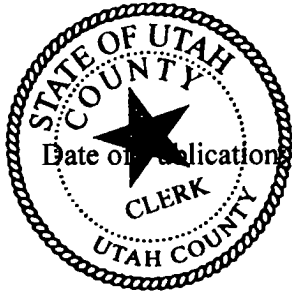
Utah County Attorney

By: 
Deputy/Jolynn Clegg

Approved

Disapproved

By: 
Deputy/Dale Eyre



Date of publication: Once only, as soon as possible