



ENT 50413:2011 PG 1 of 3
 JEFFERY SMITH
 UTAH COUNTY RECORDER
 2011 Jul 14 2:40 pm FEE 0.00 BY SS
 RECORDED FOR UTAH COUNTY COMMISSIONERS

ORDINANCE NO. 2011- 26

AN ORDINANCE AMENDING SECTION 3-30-D, SIGNS, SIGNS IN THE RA-5, M&G-1, A-40 AND CE-1 ZONES

WHEREAS, the Utah County Planning Commission initiated a review of the Utah County Land Use Ordinance (UCLUO), dealing with directional signs allowed in the RA-5, M&G-1, A-40 and CE-1 Zones; and

WHEREAS, the Planning Commission addressed the proposed amendment to the Utah County Land Use Ordinance during the regularly scheduled meeting of the Planning Commission, scheduled and 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 amendment to the 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 amendment to the Utah County Land Use Ordinance; and

WHEREAS, the Board of County Commissioners finds that the proposed amendment to the 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 3-30-D, of the Utah County Land Use Ordinance is hereby amended to read as follows:

3-30: SIGNS:

D. SIGNS IN THE RA-5, M&G-1, A-40 AND CE-1 ZONES

Directional signs that provide only directional information to locate a business at the site address indicated on the approved Utah County business license or the property of an approved agricultural use when such business or agricultural use is located within unincorporated Utah County , and which meets all of the following criteria:

1. Maximum of two signs per business or two signs per agricultural use;
2. Each sign shall not exceed nine (9) square feet of sign face per sign;
3. Each sign shall only contain the name and address of the business or agriculture use and directional information to locate the business or agricultural use;
4. A directional sign shall be located not more than one (1) mile from the business site or agricultural use;
5. If two (2) directional signs per business license or agricultural use are utilized they shall not be at the same location and shall be separated by a minimum distance of 1,320 feet; and
6. If two or more directional signs are placed at the same location due to two or more licensed businesses or agricultural uses, each directional sign shall be separated from another directional sign by a minimum of one (1) foot in any direction.
7. The applicant for a directional sign shall submit to the Community Development Department a site plan showing the location of the directional sign or signs, the content that will be placed on each sign, and written approval from the property owner on whose land the sign or signs will be located if the land is not owned by the applicant.
8. A Zoning Compliance Permit shall be issued by the Community Development Department only after it is determined that the directional sign or signs have met all of the above criteria.

Part II:

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/Auditor.

Part III:

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 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 5th day of July, 2011.

UTAH COUNTY COMMISSION

VOTE

[Signature]
GARY J. ANDERSON, CHAIR

aye

[Signature]
DOUG WITNEY, COMMISSIONER

aye

[Signature]
LARRY A. ELLERTSON, COMMISSIONER

aye

ATTEST:
BRYAN E. THOMPSON
County Clerk/Auditor

APPROVED AS TO FORM:
JEFFREY R. BUHMAN
County Attorney

By: [Signature]
Deputy



Approved

Disapproved

By: [Signature]
Deputy

Date of Publication: Once only, as soon as possible

June 21, 2011

UTAH COUNTY PLANNING COMMISSION STAFF REPORT

- I. APPLICATION: - Public Hearing
- A. APPLICANT - Utah County Planning Commission
- B. REQUEST - Proposed Land Use Ordinance Text Amendments to Section 3-30-D, Signs, Signs In The RA-5, M&G-1, A-40 and CE-1 Zones.
- C. LOCATION - Unincorporated Utah County, all zones

II. STAFF ANALYSIS:

It has become necessary to clarify and require more specific direction to the locating and erection of directional signs in the unincorporated area. Deletions are indicated in the shaded areas, and additional wording is shown in ***Bold Italics***:

3-30: SIGNS:

D. SIGNS IN THE RA-5, M&G-1, A-40 AND CE-1 ZONES

Directional signs (a sign that provides ***only directional*** information to locate a business at the location ***site address*** indicated on the approved ***Utah County*** business license or the site ***property*** of an approved agricultural use ***when such business or agricultural use is located within unincorporated Utah County***), and which meets all of the following criteria:

1. Maximum of two signs per business or ***two signs per*** agricultural use;
2. ***Each sign*** location that does ***shall*** not exceed nine (9) square feet of sign face per sign;
3. ***Each sign*** which shall only contain the name and address of the business or agriculture use and directional information to locate the business or agricultural use site;
4. ***A directional sign shall be located not more than one (1) mile from the business site or agricultural use;***
5. ***If two (2) directional signs per business license or agricultural use are utilized they shall not be at the same location and shall be separated by a minimum distance of 1,320 feet; and***
6. ***If two or more directional signs are placed at the same location due to two or more licensed businesses or agricultural uses, each directional sign shall be separated from another directional sign by a minimum of one (1) foot in any direction.***

7. *The applicant for a directional sign shall submit to the Community Development Department a site plan showing the location of the directional sign or signs, the content that will be placed on each sign, and written approval from the property owner on whose land the sign or signs will be located if the land is not owned by the applicant.*
8. *A Zoning Compliance Permit shall be issued by the Community Development Department only after it is determined that the directional sign or signs have met all of the above criteria.*

III. STAFF RECOMMENDATION:

That the Utah County Planning Commission recommend to the Utah County Commission approval of the above land use ordinance amendment to Section 3-30-D, Signs, Signs In The RA-5, M&G-1, A-40 And CE-1 Zones based on the following finding and conditions:

Finding:

1. That directional signs serve a purpose for the public, and the business owner and agriculturalist in a rural area.

Conditions

1. That each directional sign is used strictly for directional information only.
2. That multiple signs are not connected to become one large advertisement that exceeds the maximum sign area.
3. That directional signs are only for businesses licensed under a Utah County Business License or for approved agricultural uses in the unincorporated area of Utah County.
4. That directional signs meet all criteria as required by this ordinance.

UTAH COUNTY PLANNING COMMISSION

Minutes
June 21, 2011

UNAPPROVED

Present: Jan Anderson, Chair
Mike Stansfield, Vice-Chair
Helina Carter-Thomas
Odell Miner
John Glen Stevens

Excused: Janice Reeb
Kenny Parcell, Alternate

Jeff Mendenhall, Director Community Development
Dave Shawcroft, Deputy County Attorney
Christina Sutton, Secretary

Others Present: Bryce Armstrong, Peggy Kelsey, Brandon Larsen, John Ewing, Utah County Community Development; David Thorpe, Mick Leippe, Charles Wixom

The meeting was called to order at 5:35 p.m. by Jan Anderson, Chair of the Utah County Planning Commission, at 100 East Center Street in Room 1400 of the Utah County Administration Building, Provo, Utah.

Commissioner Anderson welcomed those present; Mike Stansfield led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

Motion: John Glen Stevens

Second: Odell Miner

Motion to **approve** the minutes of the May 17, 2011, meeting of the Utah County Planning Commission. The motion passed by the following vote: "Aye", Jan Anderson, Mike Stansfield, Helina Carter-Thomas, Odell Miner, John Glen Stevens; "Nay", none.

THORPE SUBDIVISION, PLAT "A" - proposed two lot subdivision in the RA-5 Zone, Section 36, T8S R1E, 5600 West and 8500 South, West Mountain area

Brandon Larsen stated that this would be a two-lot subdivision in the RA-5 Zone. All improvements have been completed; recording of the proposed plat would resolve an existing unapproved land division and create an additional dwelling site.

Jan Anderson asked for clarification on access.

**Planning Commission
June 21, 2011**

Odell Miner inquired about greenbelt and rollback taxes.

Brandon Larsen replied that only a small amount of land will need to be dedicated to the county for road right-of-way.

Motion: Mike Stansfield

Second: Helina Carter-Thomas

Motion to open the public hearing for all agenda items. The motion passed by the following vote: "Aye", Jan Anderson, Mike Stansfield, Helina Carter-Thomas, Odell Miner, John Glen Stevens; "Nay", none.

Charles Wixom clarified that the land is still in greenbelt agricultural uses.

Motion: Helina Carter-Thomas

Second: Odell Miner

Motion that the Utah County Planning Commission recommend **approval** of the Thorpe Subdivision, Plat "A" to the Utah County Commission based on staff findings and subject to the following conditions:

1. Greenbelt rollback taxes are paid prior to recording the plat on land to be dedicated to the county for the road right-of-way, in addition to any required by the County Commission;
2. A Deed of Partial Reconveyance, a Substitution of Trustee and two (2) Declaration and Dedication of Water forms, elements of the applicant's Thorpe Subdivision, Plat "A" proposal, must be recorded at the same time as the Thorpe Subdivision, Plat "A".

The motion passed by the following vote: "Aye", Jan Anderson, Mike Stansfield, Helina Carter-Thomas, Odell Miner, John Glen Stevens; "Nay", none.

**UTAH COUNTY PLANNING COMMISSION - proposed Land Use Ordinance Text
Amendments to Section 3-30-D, Signs, Signs in the RA-5, M&G-1, A-40 and CE-1 Zones**

Jeff Mendenhall remarked that these changes were to tighten up the ordinance for permanent directional signs in unincorporated areas.

Jan Anderson asked for clarification on existing directional signs.

Mike Stansfield wondered if the dimensions of the directional signs were an issue.

There was no public comment.

**Planning Commission
June 21, 2011**

Motion: John Glen Stevens

Second: Mike Stansfield

Motion that the Utah County Planning Commission recommend to the Utah County Commission **approval** of the Land Use Ordinance Text Amendment to Section 3-30-D, Signs, Signs in the RA-5, M&G-1, A-40, and CE-1 Zones based on staff findings and with the following conditions:

1. That each directional sign is used strictly for directional information only.
2. That multiple signs are not connected to become one large advertisement that exceeds the maximum sign area.
3. That directional signs are only for businesses licensed under a Utah County Business License or for approved agricultural uses in the unincorporated area of Utah County.
4. The directional signs meet all criteria as required by this ordinance.

The motion passed by the following vote: "Aye", Jan Anderson, Mike Stansfield, Helina Carter-Thomas, Odell Miner, John Glen Stevens; "Nay", none.

UTAH COUNTY PLANNING COMMISSION - proposed Land Use Ordinance Text Amendments to Section 3-44-B-2, Division of Land, Plat Required, Exemption from Plat Requirements, Division of Agricultural Land Exemption

Jeff Mendenhall stated that these changes are an attempt to help in the determination of a true agriculture land division for exclusive agriculture use, while at the same time providing a more definite contrast for a prospective buyer who is looking for a parcel that qualifies for a residential dwelling. If the land division is agriculture only, the lot size will double in area. The exception allows some latitude for those who are subdividing for residential use but have excess acreage from what is needed for the residential lots.

Odell Miner and Helina Carter-Thomas felt this was good planning.

There was no public comment.

Motion: Odell Miner

Second: Helina Carter-Thomas

Motion that the Utah County Planning Commission recommend **approval** to the Utah County Commission for the Land Use Ordinance Amendment to Section 3-44-B-2, Division of Land, Plat Required, Exemption From Plat Requirements, Division of Agricultural Land Exemption, based on staff findings. The motion passed by the following vote: "Aye", Jan Anderson, Mike Stansfield, Helina Carter-Thomas, Odell Miner, John Glen Stevens; "Nay", none.

OTHER PLANNING COMMISSION DISCUSSION

Planning Commission

June 21, 2011

Jeff Mendenhall noted that Board members had received a report on past items that had been recommend to the County Commission.

Jan Anderson asked about the status of the Cole Cannon project.

Helina Carter-Thomas brought up concerns about the road from the OMAG/Ames construction gravel pit in the West Mountain area and damage from the large heavy trucks.

Mike Stansfield asked how different types of gravel pits were permitted.

Peggy Kelsey mentioned that Public Works has been working with this gravel pit to address road repair concerns.

Discussion:

The Board discussed deterioration of the roads, gravel truck use, increased traffic, how could roads be maintained in the future, and gravel pits in general.

Motion: Odell Miner

Second: Mike Stansfield

Motion to close the public hearing. The motion passed by the following vote: "Aye", Jan Anderson, Mike Stansfield, Helina Carter-Thomas, Odell Miner, John Glen Stevens; "Nay", none.

ADJOURN

Motion: Mike Stansfield

Second: Helina Carter-Thomas

Motion to adjourn. The motion passed by the following vote: "Aye", Jan Anderson, Mike Stansfield, Helina Carter-Thomas, Odell Miner, John Glen Stevens; "Nay", none. The meeting adjourned at 6:08 p.m.

Minutes respectfully submitted by:

APPROVED BY:

Christina Sutton, Secretary

JAN ANDERSON, CHAIR