



**AN ORDINANCE AMENDING SECTION 3-12, MOTOR VEHICLE ACCESS, AND SECTION 3-17, SETBACKS FROM STREETS, OF THE UTAH COUNTY LAND USE ORDINANCE**

**WHEREAS**, the Utah County Planning Commission initiated a review of the Utah County Land Use Ordinance (UCLUO), dealing with amendments to motor vehicle access and setbacks from streets; and

**WHEREAS**, the Planning Commission addressed the proposed amendments 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 amendments, and made a recommendation to the Board of County Commissioners regarding the proposed amendments; and

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

**WHEREAS**, the Board of County Commissioners finds that the proposed amendments to the Utah County Land Use Ordinance are 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 3-12, of the Utah County Land Use Ordinance is hereby amended to read as follows:

3-12: MOTOR VEHICLE ACCESS

All zoning lots and parcels of land having frontage on an official county road, city street, or state road or highway, and recorded large scale development lots having their frontage on a private road, shall have motor vehicle access to the dwelling, commercial establishment, manned industrial plant or other facility occupied by humans, by a driveway that meets all of the following requirements:

1. A minimum driving surface width of 10 feet for the full length of the driveway from the official road access to the dwelling or occupied structure;

2. A grade that does not exceed 12 percent at any point along the length of the driveway unless the driveway is of such length that it qualifies as a fire access road which shall then meet the requirements for a fire access road as found in the currently adopted fire codes along its entire length from start of official frontage to the dwelling or occupied structure;
3. The driveway serves as vehicular access to only the approved land use on the specified parcel or lot, except for other approved uses not occupied by humans on an adjacent parcel or lot in the same ownership as the dwelling or occupied structure;
4. A second driveway on the same zoning lot or parcel as the dwelling or occupied structure must also meet the criteria stated in items 1- 3 above and have a minimum separation between driveways on the same zoning lot or parcel as the dwelling or occupied structure of 40 feet;
5. When approved by the Utah County Public Works Department (for access from a County road) or Utah Department of Transportation (for access from a State road), a shared driveway may be approved for not more than two abutting zoning lots or parcels when the driveway is a minimum of twenty (20) feet in width with the common property boundary located in the center of the driveway so that there is a minimum of ten (10) feet of driveway on each side of the common property line from the County or State road frontage to the dwelling, commercial establishment, manned industrial plant or other facility occupied by humans;
6. All gated entries and driveway accesses shall comply with the adopted fire code and any other applicable adopted codes; and
7. Prior to construction of a driveway, gated entry, fire access road or any other motor vehicle access, plans shall be submitted and an approved access permit shall be issued from the Utah County Public Works Department or the Utah Department of Transportation.

## **Part II:**

Section 3-17, of the Utah County Land Use Ordinance is hereby amended to read as follows:

### 3-17: SETBACKS FROM STREETS

The required distance from which buildings and structures shall be setback from public and private streets shall be:

- A. One hundred (100) feet from the center line of any city street, county road or state road designated as an "arterial" street in the adopted county general plan, (or 50 feet from the right-of-way line, whichever is greater);
- B. Sixty-three (63) feet from the center line of any city street, county road or state road designated as a "collector" street in the adopted county general plan (or 30 feet from the right-of-way line, whichever is greater);
- C. Fifty-eight (58) feet from the center line of all other public streets (or 30 feet from the right-of-way line, whichever is greater); and
- D. Twenty-four (24) feet from the center line of a private road (or 15 feet from the property line that provides frontage on the private road, whichever is greater).

Exception: Recorded large scale development plats that indicate a greater or lesser setback from the street as recorded on such plat, and other setback exceptions found in this land use ordinance.

**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/Auditor.

**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.

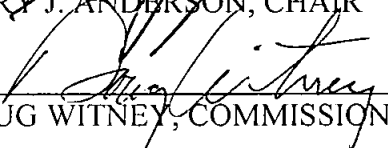
PASSED and ordered published this 1st day of November, 2011.

UTAH COUNTY COMMISSION

VOTE

  
\_\_\_\_\_  
GARY J. ANDERSON, CHAIR

aye

  
\_\_\_\_\_  
DOUG WITNEY, COMMISSIONER

aye

  
\_\_\_\_\_  
LARRY A. ELLERTSON, COMMISSIONER

aye

ATTEST:  
BRYAN E. THOMPSON  
County Clerk/Auditor

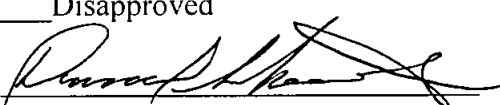
APPROVED AS TO FORM:  
JEFFREY R. BUHMAN  
County Attorney

By:   
Deputy



Approved

Disapproved

By:   
Deputy

Date of Publication: Once only, as soon as possible