

ORDINANCE NO. 2012- 10

AN ORDINANCE AMENDING THE HS-1, HIGHWAY SERVICE ZONE, SECTION 5-9-B, PERMITTED USES, AND SECTION 5-9-C, PERMITTED CONDITIONAL USES; OF THE UTAH COUNTY LAND USE ORDINANCE

WHEREAS, the Utah County Planning Commission has initiated a review of the Utah County Land Use Ordinance (UCLUO), dealing with amendments to Section 5-9, HS-1, Highway Service Zone as indicated in the above stated section; 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 5-9-B, Permitted Uses, of the Utah County Land Use Ordinance is hereby amended to read as follows:

5-9: HS-1, HIGHWAY SERVICE ZONE

B. PERMITTED USES

The following shall be permitted in the HS-1 zone upon compliance with the standards and requirements as set forth in this ordinance:

1. Restaurants, and retail food shops.
2. Recreational rental establishments.
3. Stores for retail sales of goods and materials and convenience establishments.
4. Gasoline service stations.
5. Automobile towing and repair garages.
6. Parking facilities, subject to the provisions of chapter 3 of this land use ordinance.
7. Signs, subject to the provisions of chapter 3 of this land use ordinance.
8. Accessory structures when appurtenant to buildings permitted in the zone.
9. Fences, walls, and landscaping, subject to the provisions of chapter 3 of this land use ordinance.
10. Public parks and public park facilities and public historical monuments.
11. Covered water tanks and reservoirs which do not extend over two (2) feet above the natural grade, water wells, and appurtenant pipelines, pumps and pump houses.
12. Office uses incidental to a permitted use or approved permitted conditional use.
13. Buildings and appurtenant grounds and facilities, when such are owned and occupied by a governmental agency and used for one or more of the following:
 - a. Fire and police stations, plus buildings housing ambulance and similar emergency service vehicles and equipment.
 - b. Buildings and yards for the storage and upkeep of vehicles and equipment required for the maintenance and operation of roads, utility systems and other functions of the governmental entity.
 - c. Office buildings housing the administrative and governmental activities of the agency; group assembly rooms; and post offices.
14. Sleeping apartments
15. The pasturing of domestic livestock and the keeping of fowl for personal use, and barns sheds, pens and coops connected with pasturing of said domestic livestock and fowl, subject to the requirements of chapter 3 of this land use ordinance, and the requirement that the total floor area of such structures shall not exceed 1,000 square feet per lot, unless the lot exceeds one (1) acre in area, which would allow a maximum cumulative floor area of 2,000 square feet per lot.
16. A one-family caretaker dwelling or dwelling unit subject to the provisions of chapter 3 of this land use ordinance.
17. Landscape parks.

Part II:

Section 5-9-C, Permitted Conditional Uses, of the Utah County Land Use Ordinance is hereby amended to read as follows:

5-9: HS-1, HIGHWAY SERVICE ZONE

C. PERMITTED CONDITIONAL USES

In the HS-1 zone the following buildings, structures, and uses of land shall not be permitted

by the Zoning Administrator unless approval as a conditional use has been authorized in accordance with the land use ordinance by the designated reviewing agency:

1. A covered water tank or reservoir which extends over two (2) feet above natural grade, when such is found to be compatible with the surrounding neighborhood and approved by the Board of Adjustment as a conditional use according to the provisions of chapter 7 of this land use ordinance.
2. A recreation vehicle court or commercial campground which the Board of Adjustment has approved as a conditional use according to the provisions of chapters 3 and 7 of this land use ordinance.
3. A planned nonresidential subdivision which has been approved as a conditional use and plat approval by the County Commission according to the provisions of chapter 6 of this land use ordinance.
4. A landscape park recreational facility which the Board of Adjustment has approved as a conditional use within an existing landscape park or as part of a new landscape park according to the provisions of chapters 3 and 7 of 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 3RD day of April, 2012.

UTAH COUNTY COMMISSION

VOTE

Larry A. Edlertson
LARRY A. EDLERTSON, CHAIR

aye

Doug Witney
DOUG WITNEY, COMMISSIONER

aye

Gary J. Anderson
GARY J. ANDERSON, COMMISSIONER

aye

ATTEST:
BRYAN E. THOMPSON
County Clerk/Auditor

APPROVED AS TO FORM:
JEFFREY R. BUHMAN
County Attorney

By: Daniel Higgins
Deputy



Approved

Disapproved

By: Jeffrey R. Buhman
Deputy

Date of Publication: Once only, as soon as possible