

ORDINANCE NO. 2012-16

AN ORDINANCE AMENDING SECTION 3-18, LOCATION AND SETBACK REQUIREMENTS OF AGRICULTURAL BUILDINGS AND PENS CONTAINING FARM ANIMALS, 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 the setback requirements for agricultural buildings and pens containing farm animals; 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 3-18, of the Utah County Land Use Ordinance is hereby amended to read as follows:

3-18: LOCATION AND SETBACK REQUIREMENTS OF AGRICULTURAL BUILDINGS AND STRUCTURES

- A. No structure used for farm animals (specifically domestic livestock, poultry, or mink or other fur bearing animals) shall be constructed or maintained closer than fifty (50) feet to an existing dwelling.
- B. No structure used for farm animals, feed yard, corral, pen, or coop shall be constructed or maintained closer than twenty (20) feet to any open waterway that drains into a natural stream. Surface drainage from feed yards, corrals, pens, or



coops shall not be permitted to drain into a waterway that drains, either directly or indirectly, into a natural stream or lake.

- C. In the RA-5, CE-1, M&G-1, and A-40 Zones, the setback distance from a side or rear property line for agricultural buildings and structures may be as determined by the currently adopted building codes but not less than a minimum of five (5) feet from any side or rear property line.
- D. In the Urban Wildland Interface Area, agricultural buildings and structures must be located not less than fifty (50) feet from buildings containing habitable spaces.

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 1st day of May, 2012.

UTAH COUNTY COMMISSION

VOTE



LARRY ACELLERTSON, CHAIR

aye



DOUG WITNEY, COMMISSIONER

aye

excused

GARY J. ANDERSON, COMMISSIONER

-excused-

ATTEST:
BRYAN E. THOMPSON
County Clerk/Auditor

APPROVED AS TO FORM:
JEFFREY R. BUHMAN
County Attorney

By: *Bonnie Higgins Carson*
Deputy



Approved

Disapproved

By: *Jeffrey R. Buhman*
Deputy

Date of Publication: Once only, as soon as possible