



ENT 73365:2013 PG 1 of 3
 JEFFERY SMITH
 UTAH COUNTY RECORDER
 2013 Aug 01 11:34 am FEE 0.00 BY ED
 RECORDED FOR UTAH COUNTY COMMISSIONERS

ORDINANCE NO. 2013- 6

AN ORDINANCE ENACTING SUB-SECTION 3-24-C-10, OPEN PIT EXTRACTION OF EARTH PRODUCTS, OF THE UTAH COUNTY LAND USE ORDINANCE, TO ADD PROCEDURES TO REVIEW AND APPROVE PUBLIC ROAD HAUL ROUTES

WHEREAS, the Utah County Planning Commission initiated a review of the Utah County Land Use Ordinance (UCLUO), dealing with enacting Sub-Section 3-24-C-10, to add procedures to review and approve public road haul routes; 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:

Sub-Section 3-24-C-10, Open Pit Extractions of Earth Products, of the Utah County Land Use Ordinance, is hereby enacted, to read as follows:

3-24: OPEN PIT EXTRACTION OF EARTH PRODUCTS

C. CONDITIONS

- 10. The Zoning Administrator has received an approval letter from the County Engineer stating that the applicant has complied with the following items and stating that the

following items have been reviewed and approved by the County Engineer:

- a. The applicant shall submit an accurate travel route site plan for the operation that includes designated travel routes to and from the extraction site in relation to the surrounding communities. Verification of the status of all public roads utilized for the haul routes shall be required from all agencies with jurisdiction over the roads. The applicant shall require that all material haul vehicles coming to and leaving the extraction site use the designated travel routes, and shall submit a travel route enforcement plan.
- b. The applicant shall submit a traffic analysis which includes the estimated trips per day coming to and leaving the extraction point on the various travel routes. This analysis shall include the vehicle type and average weight per vehicle both to and from the extraction point.
- c. The applicant shall submit a travel route roads analysis, prepared and signed by a Utah licensed engineer, detailing the integrity, vehicle volume capacity, weight capacity, pavement thickness and quality, sub-base thickness and quality, and other features of the travel route roads and appurtenant facilities, and the anticipated effects on such roads and facilities resulting from the use of the travel routes both during the operation as well as upon completion of the extraction process, including a comparison of the current vehicular traffic at the current rate of growth with the proposed increased vehicular traffic generated by the extraction operation at the proposed rate of growth and its effects on the current and expected life of the road structures before failure is eminent. The analysis shall establish that the designated travel routes have the durability and capacity sufficient to accommodate the additional vehicular traffic generated by the extraction site, both during the operation as well as upon completion of the extraction process, or, if the analysis shows that the designated travel routes are not sufficient, the analysis shall specify the road improvements which are required to make the roads sufficient. The travel route roads analysis may be waived, in writing, by the County Engineer, if the County Engineer determines that sufficient data exists to confirm that the designated travel route roads have the durability and capacity sufficient to accommodate the additional vehicular traffic generated by the extraction site, both during the operation as well as upon completion of the extraction process.
- d. If the travel route roads analysis shows, or the County Engineer determines, that the designated travel route roads are insufficient, the application shall not be approved until the deficient roads are improved to the required durability and capacity standards, at Applicant's expense, or the Applicant has entered into an agreement with the entity having jurisdiction of the deficient roads to address the deficient roads, which may include the posting of a cash bond based on an engineered estimated cost for the construction and restoration of the roads and appurtenant facilities.

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 2th day of July 2013.

UTAH COUNTY COMMISSION	VOTE
 _____ DOUG WITNEY, CHAIR	<u>aye</u>
 _____ GARY J. ANDERSON, COMMISSIONER	<u>aye</u>
 _____ LARRY A. ELLERTSON, COMMISSIONER	<u>aye</u>

ATTEST:
BRYAN E. THOMPSON
County Clerk/Auditor
By: 
Deputy

APPROVED AS TO FORM:
JEFFREY R. BUHMAN
County Attorney
 X Approved



Disapproved

Deputy

Date of Publication: once published as soon as possible

P:\PLANNING-ZONING\Ord-Res-Aff\2013 3-24-C-10 Mining operations travel routes.wpd

4770 S. 5600 W.
P.O. BOX 704005
WEST VALLEY CITY, UTAH 84170
FED.TAX I.D.# 87-0217663
801-204-6910

The Salt Lake Tribune
WWW.SLTTRIB.COM

MEDIAOne
OF UTAH
A NEWSPAPER AGENCY COMPANY
WWW.MEDIAONEUTAH.COM

Deseret News
WWW.DESERETNEWS.COM

PROOF OF PUBLICATION

CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
UTAH COUNTY AUDITOR, KENT MONSON 100 E CENTER ST STE 3600 PROVO UT 84606	9001334912	8/8/2013

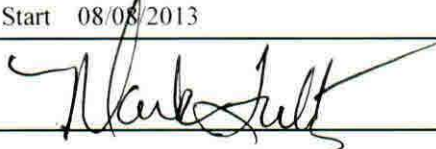
ACCOUNT NAME	
UTAH COUNTY AUDITOR,	
TELEPHONE	ADORDER# / INVOICE NUMBER
8018518238	0000898495 /
SCHEDULE	
Start 08/08/2013	End 08/08/2013
CUST. REF. NO.	
2013-566/2013-6	
CAPTION	
SUMMARY OF ORDINANCE ORDINANCE NO. 2013-6 WAS ADOPTED BY THE BOARD OF	
SIZE	
27 Lines	1.00 COLUMN
TIMES	RATE
3	
MISC. CHARGES	AD CHARGES
TOTAL COST	
33.35	


SUMMARY OF ORDINANCE
ORDINANCE NO. 2013-6
WAS ADOPTED BY THE BOARD
OF COUNTY COMMISSIONERS
OF UTAH COUNTY, UTAH, ON
JULY 2, 2013, ENACTING
SUB-SECTION 3-24-C-10,
OPEN PIT EXTRACTION OF
EARTH PRODUCTS, OF THE
UTAH COUNTY LAND USE OR-
DINANCE, TO ADD PROCEDURE
TO REVIEW AND APPROVE
PUBLIC ROAD HAUL
ROUTES.
A COMPLETE COPY OF THE
ORDINANCE IS AVAILABLE AT
THE COUNTY CLERK
/AUDITOR'S OFFICE. COM-
MISSIONER DOUG WITNEY,
COMMISSIONER GARY J. AN-
DERSON, AND COMMISSIONER
LARRY A. ELLERTSON VOTED
IN FAVOR OF THE ORDINANCE.
898495 UPAXLP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF **SUMMARY OF ORDINANCE ORDINANCE NO. 2013-6 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON JULY 2, 2013, ENACTING SUB-SECTION 3-24-C-1 FOR UTAH COUNTY AUDITOR,** WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINATELY.

PUBLISHED ON Start 08/08/2013 End 08/08/2013

SIGNATURE 

 **VIRGINIA CRAFT**
Notary Public, State of Utah
Commission # 581469
My Commission Expires
January 12, 2014

8/8/2013

Virginia Craft

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"
PLEASE PAY FROM BILLING STATEMENT