



ENT 4954:2015 PG 1 of 9
 JEFFERY SMITH
 UTAH COUNTY RECORDER
 2015 Jan 22 3:47 pm FEE 0.00 BY SW
 RECORDED FOR UTAH COUNTY COMMISSIONERS

ORDINANCE NO. 2014-18

AN ORDINANCE AMENDING SECTION 3-20, SUBSECTION 6-2-D-11, SUBSECTION 6-3-C-7-e, SUBSECTION 6-3-C-7-i, SUBSECTION 6-3-D-9-b, SUBSECTION 6-3-D-10, SUBSECTION 6-4-D-11, SUBSECTION 6-5-D-11, AND SUBSECTION 6-6-D-7 OF THE UTAH COUNTY LAND USE ORDINANCE, RELATIVE TO HEALTH DEPARTMENT APPROVAL OF WATER AND SEWAGE FACILITIES FOR VARIOUS LAND USES, WATER QUALITY REQUIREMENTS FOR SUBDIVISIONS, AND CLARIFICATION OF STANDARDS AND REQUIREMENTS FOR WATER SYSTEMS IN ALL LARGE SCALE DEVELOPMENT TYPES

WHEREAS, the Planning Commission initiated a review of the Utah County Land Use Ordinance (UCLUO), relative to Health Department approval of water and sewage facilities for various land uses, water quality requirements for subdivisions, and clarification of standards and requirements for water systems in all large scale development types; 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 3-20 of the Utah County Land Use Ordinance is hereby amended to read as follows:

3-20: HEALTH DEPARTMENT APPROVAL, WATER AND SEWER

No residence, campground, resort, commercial establishment, or manned industrial plant shall be used or occupied, nor a permit issued therefor, until a potable water supply facility and sanitary sewage disposal facility have been installed and approved by the Utah County Health Department; further, before a building permit shall be issued, the proposed water and sewage facilities shall first be approved by the Utah County Health Department.

Part II:

Subsection 6-2-D-11 of the Utah County Land Use Ordinance is hereby amended to read as follows:

6-2: PLANNED UNIT DEVELOPMENT

D. STANDARDS AND CONDITIONS

11. Water System

- a. All planned unit developments shall have a central water system which shall supply culinary quality water for culinary use and which shall supply water meeting the supply and flow requirements for fire protection.
 - i. The water system shall have a storage facility which has a capacity to meet peak hourly culinary use, based on Utah Department of Environmental Quality standards, plus a minimum fire protection storage in an amount as determined by the Fire Marshal using applicable adopted codes, but not less than 180,000 gallons. The storage capacity shall be increased, as determined by the Fire Marshal using applicable adopted codes, if residential buildings over 3600 square feet in floor area (or other structures needing increased capacity) are to be permitted in the development, or if irrigation water is to be stored in the culinary - fire protection storage facility.
 - ii. The culinary water- fire protection system shall be designed and located so as to produce a gravity-induced fire flow in an amount as determined by the Fire Marshal using applicable adopted codes, but not less than 1000 gallons per minute for a duration for at least two hours, in addition to simultaneous culinary or irrigation use. The delivery rate and duration amount shall be increased, as determined by the Fire Marshal using applicable adopted codes, if residential buildings over 3600 square feet in floor area (or other structures needing increased capacity) are to be permitted in the development.
 - iii. Water mains in the culinary water- fire protection system supplying fire hydrants, dwellings, and any irrigation needs, shall be sized according to an engineering study to adequately supply those uses, but in no case shall they be less than eight (8) inches in diameter.
- b. Irrigation systems need not have a central storage facility, but must be designed to provide the required irrigation water flows and coverage.

Part III:

Subsection 6-3-C-7-e of the Utah County Land Use Ordinance is hereby amended to read as follows:

6-3: PLANNED SUBDIVISIONS

C. APPLICATION REQUIREMENTS

7. Documentation

- e. A statement signed, dated and stamped by a professional engineer licensed by the State of Utah attesting that the proposed source water has been tested and found to comply with Utah County standards for quality, flow, pressure and delivery, and that the water system will meet Utah County standards when the project is complete. If wells are proposed to provide the water for a central water system, the wells must be drilled and tested to establish that the wells will be able to provide the required flow, quality, and quantity of water. If the proposed source of water is from individual wells located on each lot, the water shall meet the water quality requirements of the Utah County Health Department. Where individual wells on each lot are proposed and the wells have not yet been drilled, in lieu of testing, the engineer shall study well logs in the area and state his/her opinion that the wells will be able to provide the required flow, quality, and quantity of water. The engineer's statement and calculations shall be reviewed for accuracy by the County Engineer, and the County Engineer must provide a letter to the Planning Commission verifying that the County Engineer has reviewed the engineer's statement and calculations for accuracy.

Exception 1: An existing culinary water well that serves an existing legal dwelling which is located on a parcel of land which is being incorporated as a lot on the proposed subdivision plat is not required to have the water quality or flow from the existing well tested, unless so required by the Utah County Health Department, provided that a note is placed on the plat stating: "The water quality and flow of the existing culinary water well serving the existing dwelling located on lot ____ have not been tested."

Part IV:

Subsection 6-3-C-7-i of the Utah County Land Use Ordinance is hereby amended to read as follows:

6-3: PLANNED SUBDIVISIONS

C. APPLICATION REQUIREMENTS

7. Documentation

- i. A statement from the County Health Department certifying that the proposed central water supply or water from wells on each lot and central sewage disposal system or septic tank sewage disposal system on each lot conforms to the pertinent state and county health regulations. The letter shall approve the culinary water and sewage facilities and shall include a verification that the water quality tests have been reviewed and approved,

and all culinary water feasibility tests have been satisfactorily completed. Any conditions, limitations, or restrictions shall be added as a note on the Plat. If septic systems are proposed, the plat shall contain the following note:

Individual lots have neither been tested nor approved for septic systems. No building permit will be issued until septic system approval is granted by the County Health Department, any lot not approved will not be approved for a dwelling.

If individual wells located on each lot are proposed, but are not yet drilled, the plat shall contain the following note:

Individual wells located on each lot have neither been drilled nor found to produce the required quality, quantity and flow of water. No building permit for a dwelling or other occupied building will be issued until the wells are drilled and found to produce the required quality, quantity and flow of water. Any lot with a well that has not been drilled and found to produce the required quality, quantity and flow of water will not be approved for a dwelling.

Part V:

Subsection 6-3-D-9-b of the Utah County Land Use Ordinance is hereby amended to read as follows:

6-3: PLANNED SUBDIVISIONS

D. STANDARDS AND CONDITIONS

9. Water Supply

b. Water Quality

- i. Culinary quality water for use inside each dwelling shall either be provided by a central water system, approved as a public water system by the Utah Division of Drinking Water and by the Utah County Health Department, or by individually owned wells, one well located on each lot included in the subdivision. If water is to be provided by individual wells located on each lot, the water shall meet the water quality standards of the Utah County Health Department.

Part VI:

Subsection 6-3-D-10 of the Utah County Land Use Ordinance is hereby amended to read as follows:

6-3: PLANNED SUBDIVISIONS

D. STANDARDS AND CONDITIONS

10. Water System

- a. All planned subdivisions having one or more lots or platted building sites under five (5) acres in area shall have a central water system which shall supply culinary quality water for culinary use and which shall supply water meeting the supply and flow requirements for fire protection.
 - i. The water system shall have a storage facility which has a capacity to meet peak hourly culinary use, based on Utah Department of Environmental Quality standards, plus a minimum fire protection storage in an amount as determined by the County Fire Marshal using applicable adopted codes, but not less than 180,000 gallons. The storage capacity shall be increased, as determined by the County Fire Marshal using applicable adopted codes, if residential buildings over 3600 square feet in floor area (or other structures needing increased capacity) are to be permitted in the development, or if irrigation water is to be stored in the culinary - fire protection storage facility.
 - ii. The culinary water- fire protection facility shall be designed and located so as to produce a gravity-induced fire flow that meet the adopted fire codes as determined by the County Fire Marshal, but not less than 1000 gallons per minute for a duration for at least two hours, in addition to simultaneous culinary or irrigation use. The delivery rate and duration amount shall be increased, as determined by the County Fire Marshal using applicable adopted codes, if residential buildings over 3600 square feet in floor area (or other structures needing increased capacity) are to be permitted in the development.
 - iii. Water mains in the culinary water- fire protection system supplying fire hydrants, dwellings, and any irrigation needs, shall be sized according to an engineering study to adequately supply those uses, but in no case shall they be less than eight (8) inches in diameter.
- b. Irrigation systems need not have a central storage facility, but must be designed to provide the required irrigation water flows and coverage.
- c. An engineered irrigation plan shall be prepared to address all required items, in the format approved by the Community Development Department.
- d. Existing and proposed irrigation structures located within an existing or proposed road right-of-way, such as concrete or earth channels, ditches, pipes, head-gate structures, and any other facilities pertaining to irrigation systems, shall be relocated outside of all existing or proposed road rights-of-way. If an irrigation company is supplying the irrigation water, the design and construction of all new and existing irrigation channels, ditches, structures, and other facilities shall be: (i) pre-approved in a written signed document from said irrigation company, and (ii) approved by the Utah County Engineer. The written document shall include approval of adequate ditch sizes, location of the irrigation system within the subdivision, and the materials to be used to construct the irrigation system. The irrigation system shall be designed to allow for each lot to be watered independently. Any open irrigation channels or ditches which are adjacent to the county right of

way shall be lined with concrete or with some other impermeable material approved by the Utah County Engineer. Closed irrigation channels or ditches, such as piped ditches, which are adjacent to the county right of way shall be reviewed and approved by the Utah County Engineer for adequate construction, pipe type and diameter. The design, layout, construction, facilities, construction materials, ditch sizes, and component elements, of the proposed irrigation system, shall be reviewed and approved by the Utah County Engineer.

Part VI:

Subsection 6-4-D-11 of the Utah County Land Use Ordinance is hereby amended to read as follows:

6-4: MOUNTAIN HOME DEVELOPMENTS

D. STANDARDS AND CONDITIONS

11. Water System

- a. All mountain home developments shall have a central water system which shall supply culinary quality water for culinary use and which shall supply water meeting the supply and flow requirements for fire protection.
 - i. The water system shall have a storage facility which has a capacity to meet peak hourly culinary use, based on Utah Department of Environmental Quality standards, plus a minimum fire protection storage in an amount as determined by the Utah County Fire Marshal using applicable adopted codes, but not less than 180,000 gallons. The storage capacity shall be increased as determined by the Utah County Fire Marshal using applicable adopted codes, if residential buildings over 3600 square feet in floor area (or other structures needing increased capacity) are to be permitted in the development, or if irrigation water is to be stored in the culinary water-fire protection storage facility.
 - ii. The culinary water-fire protection facility shall be designed and located so as to produce a gravity-induced fire flow that meets the adopted fire codes as determined by the Utah County Fire Marshal, but not less than 1000 gallons per minute for a duration for at least two hours, in addition to simultaneous culinary or irrigation use. The delivery rate and duration amount shall be increased, as determined by the Utah County Fire Marshal using applicable adopted codes, if residential buildings over 3600 square feet in floor area (or other structures needing increased capacity) are to be permitted in the development.
 - iii. Water mains in the culinary water-fire protection system supplying fire hydrants, dwellings, and any irrigation needs, shall be sized according to an engineering study to adequately supply those uses, but in no case shall they be less than eight (8) inches in diameter.
- b. Irrigation systems need not have a central storage facility, but must be designed to provide the required irrigation water flows and coverage.

Part VIII:

Subsection 6-5-D-11 of the Utah County Land Use Ordinance is hereby amended to read as follows:

6-5: RECREATIONAL RESORTSD. STANDARDS AND CONDITIONS11. Water System

- a. All recreational resorts shall have a central water system which shall supply culinary quality water for culinary use and which shall supply water meeting the supply and flow requirements for fire protection.
 - i. The water system shall have a storage facility which has a capacity to meet peak hourly culinary use, based on Utah Department of Environmental Quality standards, plus a minimum fire protection storage in an amount as determined by the Utah County Fire Marshal using applicable adopted codes, but not less than 180,000 gallons. The storage capacity shall be increased as determined by the Utah County Fire Marshal using applicable adopted codes, if residential buildings over 3600 square feet in floor area (or other structures needing increased capacity) are to be permitted in the development, or if irrigation water is to be stored in the culinary water- fire protection storage facility.
 - ii. The culinary water- fire protection facility shall be designed and located so as to produce a gravity-induced fire flow that meets the adopted fire codes as determined by the Utah County Fire Marshal, but not less than 1000 gallons per minute for a duration for at least two hours, in addition to simultaneous culinary or irrigation use. The delivery rate and duration amount shall be increased, as determined by the Utah County Fire Marshal using applicable adopted codes, if residential buildings over 3600 square feet in floor area (or other structures needing increased capacity) are to be permitted in the development.
 - iii. Water mains in the culinary water-fire protection system supplying fire hydrants, dwellings, and any irrigation needs, shall be sized according to an engineering study to adequately supply those uses, but in no case shall they be less than eight (8) inches in diameter.
- b. Irrigation systems need not have a central storage facility, but must be designed to provide the required irrigation water flows and coverage.

Part IX:

Subsection 6-6-D-7 of the Utah County Land Use Ordinance is hereby amended to read as follows:

6-6: PLANNED NONRESIDENTIAL SUBDIVISIOND. STANDARDS AND CONDITIONS7. Water System

- a. All planned nonresidential subdivisions shall have a central water system which shall supply water to each lot, including water meeting the supply and flow requirements for fire protection.
 - i. The water system shall have a storage facility which has a capacity to meet peak hourly culinary and industrial use, based on Utah Department of Environmental Quality standards and the engineering study provided by the developer, plus a minimum fire protection storage in an amount as determined by the County Fire Marshal using applicable adopted codes, but not less than 270,000 gallons. The storage capacity shall be increased, as determined by the County Fire Marshal using applicable adopted codes, according to engineering documents submitted for this application or if irrigation water is to be stored in the culinary and industrial-fire protection storage facility.
 - ii. The culinary and industrial water- fire protection facility shall be designed and located so as to produce a gravity-induced fire flow that meets the adopted fire codes as determined by the County Fire Marshal, but not less than 2250 gallons per minute for a duration for at least two hours, in addition to simultaneous culinary and irrigation use. The delivery rate and duration amount shall be increased, as determined by the County Fire Marshal using applicable adopted codes and according to engineering documents submitted for this application.
 - iii. Water mains shall be sized according to an engineering study, provided by the developer, which addresses the requirements of this land use ordinance for culinary and industrial water fire protection facilities and establishes a sufficient amount of water to be supplied to each lot in the development, but in no case shall they be less than eight (8) inches in diameter.

Part X:

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 XI:

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 XII:

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 23rd day of December 2014.

UTAH COUNTY COMMISSION

VOTE



GARY J. ANDERSON, CHAIR

aye



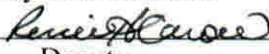
LARRY A. ELLERTSON, COMMISSIONER

aye



DOUG WITNEY, COMMISSIONER

aye

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



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

Disapproved

By: 
Deputy

Date of Publication: Once only, as soon as possible

4770 S. 5600 W.
 WEST VALLEY CITY, UTAH 84118
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CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
UTAH COUNTY AUDITOR, KENT MONSON KENT MONSON 100 E CENTER ST STE 3600 PROVO UT 84606	9001334912	1/27/2015

ACCOUNT NAME	
UTAH COUNTY AUDITOR,	
TELEPHONE	ADORDER# / INVOICE NUMBER
8018518238	0001007710 /
SCHEDULE	
Start 01/27/2015	End 01/27/2015
CUST. REF. NO.	
2015-222	
CAPTION	
PUBLIC NOTICE ORDINANCE NO. 2014-18 WAS ADOPTED BY THE BOARD OF COUNTY	
SIZE	
43 Lines	1.00 COLUMN
TIMES	RATE
2	<i>Karen / Att</i>
MISC. CHARGES	AD.CHARGES
TOTAL COST	
54.35	


PUBLIC NOTICE
 ORDINANCE NO. 2014-18 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON DECEMBER 23, 2014, AMENDING SECTION 3-20, SUBSECTION 6-2-D-11, SUBSECTION 6-3-C-7-e, SUBSECTION 6-3-C-7-i, SUBSECTION 6-3-D-9-b, SUBSECTION 6-3-D-10, SUBSECTION 6-4-D-11, SUBSECTION 6-5-D-11, AND SUBSECTION 6-6-D-7 OF THE UTAH COUNTY LAND USE ORDINANCE, RELATIVE TO HEALTH DEPARTMENT APPROVAL OF WATER AND SEWAGE FACILITIES FOR VARIOUS LAND USES, WATER QUALITY REQUIREMENTS FOR SUBDIVISIONS, AND CLARIFICATION OF STANDARDS AND REQUIREMENTS FOR WATER SYSTEMS IN ALL LARGE SCALE DEVELOPMENT TYPES.
 A COMPLETE COPY OF THE ORDINANCE IS AVAILABLE AT THE COUNTY CLERK/AUDITOR'S OFFICE, COMMISSIONER GARY J. ANDERSON, COMMISSIONER LARRY A. ELLERTSON, AND COMMISSIONER DOUG WITNEY VOTED IN FAVOR OF THE ORDINANCE.
 1007710 UPAXLP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF PUBLIC NOTICE, ORDINANCE NO. 2014-18 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON DECEMBER 23, 2014, AMENDING SECTION 3-20, SUBJECT 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 UTAHLEGAL.S.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGAL.S.COM INDEFINITELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104

PUBLISHED ON Start 01/27/2015 End 01/27/2015
 SIGNATURE 
 DATE 1/27/2015




 NOTARY SIGNATURE

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"
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 801-204-6910

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CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
UTAH COUNTY AUDITOR, KENT MONSON KENT MONSON 100 E CENTER ST STE 3600 PROVO UT 84606	9001334912	1/27/2015

ACCOUNT NAME	
UTAH COUNTY AUDITOR,	
TELEPHONE	ADORDER# / INVOICE NUMBER
8018518238	0001007710 /
SCHEDULE	
Start 01/27/2015	End 01/27/2015
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2015-222	
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 A COMPLETE COPY OF THE ORDINANCE IS AVAILABLE AT THE COUNTY CLERK/AUDITOR'S OFFICE, COMMISSIONER GARY J. ANDERSON, COMMISSIONER LARRY A. ELLERTSON, AND COMMISSIONER DOUG WITNEY VOTED IN FAVOR OF THE ORDINANCE.
 1007710 UPAXLP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF PUBLIC NOTICE ORDINANCE NO. 2014-18 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON DECEMBER 23, 2014, AMENDING SECTION 3-20, SUBSECT 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 UTAH LEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAH LEGALS.COM INDEFINITELY. COMPLETE WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 01/27/2015 End 01/27/2015

SIGNATURE 

DATE 1/27/2015

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

(Faint notary stamp)


 NOTARY SIGNATURE