

ORDINANCE NO. 2015- 28

**AN ORDINANCE AMENDING SECTION 6-3 OF THE UTAH COUNTY LAND USE ORDINANCE, RELATED TO WATER SYSTEM REQUIREMENTS FOR PLANNED SUBDIVISIONS**

**WHEREAS**, Blake Jolley initiated a review of the Utah County Land Use Ordinance (UCLUO), dealing with amending Section 6-3, related to water system requirements for Planned Subdivisions; 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, on November 17, 2015, which meeting had been scheduled and held as 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 the proposed amendments to the Utah County Land Use Ordinance conforms to the Utah County General Plan, 2014, and is consistent with the other provisions of 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 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:**

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

ENT 114672:2015 PG 1 of 4  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2015 Dec 22 4:24 pm FEE 0.00 BY EO  
RECORDED FOR UTAH COUNTY COMMISSIONERS

6-3: PLANNED SUBDIVISIONSD. STANDARDS AND CONDITIONS10. 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. The following requirements apply for a central water system servicing a planned subdivision:
  - 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 (culinary quality, only) is to be stored in the central water system.
  - ii. The central water system shall have a source capacity to meet peak day demand and average yearly demand, based on Utah Department of Environmental Quality standards. If the central water system provides water for irrigation, the source capacity shall be increased, based on Utah Department of Environmental Quality standards.
  - iii. The central water system 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 1000 gallons per minute for a duration for at least two hours, as measured in an engineering study, 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.
  - iv. Water mains in the central water 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.

Exception: Where a planned subdivision that: 1) is connecting to an existing central water system which had an operating permit issued by the Utah Department of Environmental Quality prior to July 23, 2010, 2) includes not more than three (3) lots or platted building sites, 3) limits new residential buildings to a maximum of 4800 square feet in floor area, 4) requires new residential buildings to have an approved fire sprinkler system, unless each lot in the subdivision is larger than five (5) acres, and 5) does not lie within the Urban Wildland Interface, the required central water system storage capacity, gravity-induced fire flow delivery rate, and water main size for the existing central water

system, may be reduced by the County Fire Marshal using applicable adopted codes. A request for an exception to the central water system requirements shall be supported by a signed, dated and stamped statement by a professional engineer licensed by the State of Utah, which statement certifies that the storage capacity, gravity-induced fire flow delivery rate, and water main size for the existing central water system meets the requirements of the adopted county fire codes, and that inclusion of the planned subdivision onto the system will not impact the system's ability to deliver sufficient culinary water, fire flow, and irrigation water, if applicable, to each lot or platted building site connected to the existing central water system. No exception shall be approved in relation to a central water system, if 1) the storage capacity is less than 120,000 gallons, 2) the existing gravity-induced fire flow delivery rate is less than 750 gallons per minute, and 3) the existing water main size of the lines that would directly supply water to the development are less than six inches in diameter.

**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 December 2015.

UTAH COUNTY COMMISSION

VOTE

*Larry A. Ellertson*  
LARRY A. ELLERTSON, CHAIR

aye

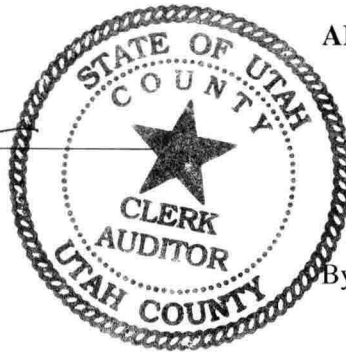
— excused —  
WILLIAM C. LEE, VICE-CHAIR

o

*Greg Graves*  
GREG GRAVES, COMMISSIONER

aye

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



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

Disapproved  
By: *Jeffrey R. Buhman*  
Deputy

Date of Publication: Once only, as soon as possible

4770 S. 5600 W.  
WEST VALLEY CITY, UTAH 84118  
FED. TAX I.D.# 87-0217663  
801-204-6910

Deseret News



The Salt Lake Tribune

**PROOF OF PUBLICATION CUSTOMER'S COPY**

CUSTOMER NAME AND ADDRESS

UTAH COUNTY AUDITOR,  
KENT MONSON  
ATTN: Kent Monson  
100 E CENTER ST #3600  
PROVO UT 84606

ACCOUNT NUMBER

9001334912

DATE

12/31/2015

ACCOUNT NAME

UTAH COUNTY AUDITOR,

TELEPHONE

8018518238

ORDER # / INVOICE NUMBER

0001068294 /

PUBLICATION SCHEDULE

START 12/31/2015 END 12/31/2015

CUSTOMER REFERENCE NUMBER

P.O. #2015-222

CAPTION

SUMMARY OF ORDINANCE ORDINANCE NO. 2015-28 WAS ADOPTED BY THE BOAI

SIZE

27 LINES 1 COLUMN(S)

TIMES

2

TOTAL COST

33.35

**SUMMARY OF ORDINANCE**  
ORDINANCE NO. 2015-28 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON DECEMBER 1, 2015, AMENDING SECTION 6-3 OF THE UTAH COUNTY LAND USE ORDINANCE, RELATED TO WATER SYSTEM REQUIREMENTS FOR PLANNED SUBDIVISIONS.  
A COMPLETE COPY OF THE ORDINANCE IS AVAILABLE AT THE COUNTY CLERK/AUDITOR'S OFFICE. COMMISSIONER LARRY A. ELLERTSON AND COMMISSIONER GREG GRAVES VOTED IN FAVOR OF THE ORDINANCE. COMMISSIONER WILLIAM C. LEE WAS EXCLUDED.  
1068294 UPAXP

**AFFIDAVIT OF PUBLICATION**

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF **SUMMARY OF ORDINANCE ORDINANCE NO. 2015-28 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON DECEMBER 1, 2015, AMENDING SECTION 6-3 OF** FOR **UTAH COUNTY AUDITOR**, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, 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. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

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DATE 12/31/2015

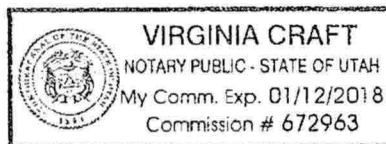
SIGNATURE *Ann Dartnell*

STATE OF UTAH )

COUNTY OF SALT LAKE )

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 31ST DAY OF DECEMBER IN THE YEAR 2015

BY ANN DARTNELL



*Virginia Craft*  
NOTARY PUBLIC SIGNATURE