

AN ORDINANCE AMENDING SECTION 5-6-C, CE-2 CRITICAL ENVIRONMENT ZONE: PERMITTED CONDITIONAL USES, SECTION 5-6-D, CE-2 CRITICAL ENVIRONMENT ZONE: AREA REQUIREMENTS, AND SECTION 6-5-B, RECREATIONAL RESORTS: PERMITTED USES OF THE UTAH COUNTY LAND USE ORDINANCE

WHEREAS, the Utah County Commission initiated a review of the Utah County Land Use Ordinance (UCLUO), dealing with amending Sections 5-6-C, 5-6-D, and 6-5-B to add a cemetery as a conditional use and administrative offices as a permitted use in recreational resorts located in the Critical Environment (CE-2) Zone; 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 meetings and public hearings 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 the proposed amendment 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 the Utah Code; 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 5-6-C, CE-2 CRITICAL ENVIRONMENT ZONE; PERMITTED CONDITIONAL USES of the Utah County Land Use Ordinance, is hereby amended, to read as follows:



5-6: CE-2 CRITICAL ENVIRONMENTAL ZONE

C. PERMITTED CONDITIONAL USES

In the CE-2 Zone the following shall not be permitted by the Zoning Administrator unless approval of a conditional use has been authorized in accordance with this land use ordinance by the designated reviewing agency:

10. A cemetery, which is located within a recorded recreational resort plat and has been approved as a conditional use by the Board of Adjustment according to the provisions of chapters 3 and 7 of this land use ordinance.

Part II:

Section 5-6-D, CE-2 CRITICAL ENVIRONMENT ZONE; AREA REQUIREMENTS of the Utah County Land Use Ordinance, is hereby amended, to read as follows:

5-6: CE-2 CRITICAL ENVIRONMENTAL ZONE

D. AREA REQUIREMENTS

The minimum area of a zoning lot within the CE-2 zone shall be as follows:

1. Each one-family dwelling, family day-care, planned subdivision, mountain home development, reception center, or major campground, shall be located on a lot containing at least twenty (20) acres of land.
2. Each church or other structure for religious worship shall be located on a lot containing at least two and one-half (2 ½) acres of land; each church with a parsonage shall be on a lot containing twenty (20) acres of land.
3. Each minor campground and its appurtenant campsite facilities shall be located on a lot containing at least five (5) acres of land.
4. Each landscape park containing approved recreational facilities and each public park containing approved concessions or facilities shall be located on a lot containing at least five (5) acres of land.
5. Each dude ranch shall be located on a lot containing at least forty (40) acres of land.
6. Each cemetery shall be located on a lot containing at least forty (40) acres of land within a recorded recreational resort plat.
7. For other permitted structures and uses, there shall be no minimum area requirement except as may be necessary to meet the other provisions of this ordinance.

Part III:

Section 6-5-B, RECREATIONAL RESORTS; PERMITTED USES of the Utah County Land Use Ordinance, is hereby amended, to read as follows:

6-5: RECREATIONAL RESORTS

B. PERMITTED USES

Uses permitted in recreational resorts shall be limited to the following:

1. One-, two-, three-, and multiple-family dwellings, including residential condominium projects; hotels; and manufactured homes.
2. Residential accessory structures.
3. Residential facilities for handicapped persons and residential facilities for elderly persons.
4. Recreational and cultural areas and facilities, including, but not limited to, ski lifts and trails; ice skating rinks; swimming pools; tennis courts; central horse stables, arenas, and corrals; golf courses; outdoor theaters; playgrounds; hunting preserves; rifle and shotgun shooting ranges; and landscape parks.
5. Cafes, restaurants, sporting goods stores, clothing stores, camera and curio shops, gasoline service stations, and similar retail stores which are cognate to the recreational resort
6. Horse rental and trail-ride outfitter headquarters.
7. Camping and picnic facilities.
8. Recreation vehicle courts and commercial campgrounds, subject to the standards for such uses as set forth in zoning section 3-51-C.
9. Driveways, streets, parking areas, common storage areas, ponds, landscape features, and similar uses and structures.
10. Common areas and common recreational facilities for the exclusive use of the residents of the recreational resort.
11. Public, primary or secondary schools, approved by a school district or state charter and when adequate safety services and infrastructure is provided as required for a school structure.
12. Driveways, streets, fences, walls, new underground utilities, utility distribution lines and facilities, solid waste collection areas, sewage treatment facilities for treatment of sewage generated exclusively from the recreational resort, ponds, landscape features, and similar uses and structures incidental to the main use.
13. Administrative offices accessory to uses associated with the recreational resort.
14. A cemetery, which has been approved as a conditional use by the Board of Adjustment according to the provisions of chapters 3 and 7 of this land use ordinance.

Part IV:

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 V:

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 VI:

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 20th day of September, 2016.

UTAH COUNTY COMMISSION

VOTE



LARRY A. ELLERTSON, CHAIR

aye




WILLIAM C. LEE, VICE-CHAIR

aye



GREG GRAVES, 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