

ORDINANCE NO. 2017- 19

AN ORDINANCE AMENDING SECTION 7-5 RELATED TO APPLICATION REQUIREMENTS FOR PERMITS, AND AMENDING SECTIONS 7-24-C-1, 7-24-C-2, AND 7-25-E RELATED TO PROCEDURES AND REQUIREMENTS FOR A LAND USE ORDINANCE OR MAP AMENDMENT

WHEREAS, the Planning Commission initiated a review of the Utah County Land Use Ordinance (UCLUO), dealing with amending Section 7-5 related to application requirements for permits, and amending Sections 7-24-C-1, 7-24-C-2, and 7-25-E related to procedures and requirements for a land use ordinance or map amendment; 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 on July 18, 2017, 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 of the Planning Commission meeting and the public hearing regarding the proposed amendment to the Utah County Land Use Ordinance; and

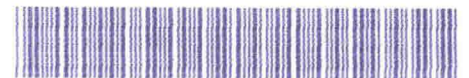
WHEREAS, the Board of County Commissioners has received and carefully reviewed the input, documents, and testimony from the public regarding the proposed amendment to the Utah County Land Use Ordinance; and

WHEREAS, the Board of County Commissioners finds 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

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 7-5 of the Utah County Land Use Ordinance is hereby amended to read as follows:

7-5: PLANS REQUIRED

All applications for permits as required in the land use ordinance, chapter 7 shall be accompanied by the appurtenant permit fee in the current amount as set by the County Commission and by the required plot plans and construction drawings containing complete information as required for the type of permit desired. An application shall not be considered ready for an initial plan review of construction drawings for a project until approvals are obtained by the applicant from all applicable reviewing County departments and other agencies.

Part II:

Sections 7-24-C-1 and 7-24-C-2 of the Utah County Land Use Ordinance is hereby amended to read as follows:

7-24: POWERS AND DUTIES OF THE COUNTY COMMISSION

- C. The County Commission may amend, change, or modify any provisions of the land use ordinance or zone map provided:
 - 1. The proposed amendment, change, or modification has first been proposed by the Planning Commission or submitted to it for its recommendations; (However, if the Planning Commission, after holding any required public hearing, fails to return its recommendation within sixty-five (65) days from its receipt of the proposed amendment, the County Commission may assume an affirmative recommendation.)
 - 2. Before taking action, a public hearing on the proposed amendment was held by the Planning Commission and notice given as specified herein.

Part III:

Section 7-25-E of the Utah County Land Use Ordinance is hereby amended to read as follows:

7-25: AMENDMENTS TO ORDINANCE AND MAP

- A. Either the Planning Commission or the County Commission may propose amendments to this Land Use Ordinance or the zone map.
- B. Any other person or organization seeking an amendment of the Land Use Ordinance or zone map shall petition the Planning Commission, in writing, to initiate such amendment using the petition forms and procedures adopted by the Planning Commission. The petitioner shall designate fully and clearly on the forms the change desired and the reasons therefor.
- C. Upon receipt of the petition, the Planning Commission shall consider the amendment request and may: recommend approval, approval with change, disapproval, or hold the matter for future consideration.
- D. All recommended amendments shall conform to the general plan (or to proposed amendments to the general plan which are adopted concurrently with the land use

amendment) and be consistent with the other provisions of this land use ordinance.

- E. Amendments to this ordinance may be adopted by the County Commission only after a public hearing by the Planning Commission at which parties of interest and other persons have an opportunity to be heard. Notice of the date, time and place of the first public hearing to consider the adoption or modification of the Land Use Ordinance shall be made as specified herein.

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 15th day of August 2017.

UTAH COUNTY COMMISSION



 WILLIAM C. LEE, CHAIR

VOTE

aye



 GREG GRAVES, VICE-CHAIR

aye



 NATHAN IVIE, COMMISSIONER

aye

ATTEST:
BRYAN E. THOMPSON
County Clerk/Auditor

By: *[Signature]*
Deputy



APPROVED AS TO FORM:
JEFFREY R. BUHMAN
County Attorney

✓ Approved

 Disapproved

By: *[Signature]*
Deputy

Date of Publication: Once only, as soon as possible